

Union Calendar No. 84104TH CONGRESS
1ST SESSION**H. R. 1977****[Report No. 104-173]**

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 1995

Mr. REGULA, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of the Interior and related agencies for the
6 fiscal year ending September 30, 1996, and for other pur-
7 poses, namely:

1 TITLE I—DEPARTMENT OF THE INTERIOR

2 BUREAU OF LAND MANAGEMENT

3 MANAGEMENT OF LANDS AND RESOURCES

4 For expenses necessary for protection, use, improve-
5 ment, development, disposal, cadastral surveying, classi-
6 fication, acquisition of easements and other interests in
7 lands, and performance of other functions, including main-
8 tenance of facilities, as authorized by law, in the manage-
9 ment of lands and their resources under the jurisdiction
10 of the Bureau of Land Management, including the general
11 administration of the Bureau \$570,017,000, to remain
12 available until expended, of which not more than \$599,999
13 shall be available to the Needles Resources Area for the
14 management of the East Mojave National Scenic Area, as
15 defined by the Bureau of Land Management prior to Octo-
16 ber 1, 1994, in the California Desert District of the Bu-
17 reau of Land Management, and of which \$4,000,000 shall
18 be derived from the special receipt account established by
19 section 4 of the Land and Water Conservation Fund Act
20 of 1965, as amended (16 U.S.C. 460l-6a(i)): *Provided,*
21 That appropriations herein made shall not be available for
22 the destruction of healthy, unadopted, wild horses and
23 burros in the care of the Bureau or its contractors; and
24 in addition, \$27,650,000 for Mining Law Administration
25 program operations, to remain available until expended,

1 to be reduced by amounts collected by the Bureau of Land
2 Management and credited to this appropriation from an-
3 nual mining claim fees so as to result in a final appropria-
4 tion estimated at not more than \$570,017,000: *Provided*
5 *further*, That in addition to funds otherwise available, and
6 to remain available until expended, not to exceed
7 \$5,000,000 from annual mining claim fees shall be cred-
8 ited to this account for the costs of administering the min-
9 ing claim fee program, and \$2,000,000 from communica-
10 tion site rental fees established by the Bureau.

11 WILDLAND FIRE MANAGEMENT

12 For necessary expenses for fire use and management,
13 fire preparedness, emergency presuppression, suppression
14 operations, emergency rehabilitation, and renovation or
15 construction of fire facilities in the Department of the In-
16 terior, \$235,924,000, to remain available until expended,
17 of which not to exceed \$5,025,000, shall be available for
18 the renovation or construction of fire facilities: *Provided*,
19 That notwithstanding any other provision of law, persons
20 hired pursuant to 43 U.S.C. 1469 may be furnished sub-
21 sistence and lodging without cost from funds available
22 from this appropriation: *Provided further*, That such funds
23 are also available for repayment of advances to other ap-
24 propriation accounts from which funds were previously
25 transferred for such purposes: *Provided further*, That un-
26 obligated balances of amounts previously appropriated to

1 the Fire Protection and Emergency Department of the In-
2 terior Firefighting Fund may be transferred or merged
3 with this appropriation.

4 CENTRAL HAZARDOUS MATERIALS FUND

5 For expenses necessary for use by the Department
6 of the Interior and any of its component offices and bu-
7 reaus for the remedial action, including associated activi-
8 ties, of hazardous waste substances, pollutants, or con-
9 taminants pursuant to the Comprehensive Environmental
10 Response, Compensation and Liability Act, as amended
11 (42 U.S.C. 9601 et seq.), \$10,000,000, to remain available
12 until expended: *Provided*, That, notwithstanding 31
13 U.S.C. 3302, sums recovered from or paid by a party in
14 advance of or as reimbursement for remedial action or re-
15 sponse activities conducted by the Department pursuant
16 to sections 107 or 113(f) of the Comprehensive Environ-
17 mental Response, Compensation and Liability Act, as
18 amended (42 U.S.C. 9607 or 9613(f)), shall be credited
19 to this account and shall be available without further ap-
20 propriation and shall remain available until expended: *Pro-*
21 *vided further*, That such sums recovered from or paid by
22 any party are not limited to monetary payments and may
23 include stocks, bonds or other personal or real property,
24 which may be retained, liquidated, or otherwise disposed
25 of by the Secretary of the Interior and which shall be cred-
26 ited to this account.

1 CONSTRUCTION AND ACCESS

2 For acquisition of lands and interests therein, and
3 construction of buildings, recreation facilities, roads,
4 trails, and appurtenant facilities, \$2,515,000, to remain
5 available until expended.

6 PAYMENTS IN LIEU OF TAXES

7 For expenses necessary to implement the Act of Octo-
8 ber 20, 1976, as amended (31 U.S.C. 6901-07),
9 \$111,409,000, of which not to exceed \$400,000 shall be
10 available for administrative expenses.

11 LAND ACQUISITION

12 For expenses necessary to carry out the provisions
13 of sections 205, 206, and 318(d) of Public Law 94-579
14 including administrative expenses and acquisition of lands
15 or waters, or interests therein, \$8,500,000 to be derived
16 from the Land and Water Conservation Fund, to remain
17 available until expended.

18 OREGON AND CALIFORNIA GRANT LANDS

19 For expenses necessary for management, protection,
20 and development of resources and for construction, oper-
21 ation, and maintenance of access roads, reforestation, and
22 other improvements on the revested Oregon and California
23 Railroad grant lands, on other Federal lands in the Or-
24 egon and California land-grant counties of Oregon, and
25 on adjacent rights-of-way; and acquisition of lands or in-
26 terests therein including existing connecting roads on or

1 adjacent to such grant lands; \$91,387,000, to remain
2 available until expended: *Provided*, That 25 per centum
3 of the aggregate of all receipts during the current fiscal
4 year from the revested Oregon and California Railroad
5 grant lands is hereby made a charge against the Oregon
6 and California land-grant fund and shall be transferred
7 to the General Fund in the Treasury in accordance with
8 the provisions of the second paragraph of subsection (b)
9 of title II of the Act of August 28, 1937 (50 Stat. 876).

10 RANGE IMPROVEMENTS

11 For rehabilitation, protection, and acquisition of
12 lands and interests therein, and improvement of Federal
13 rangelands pursuant to section 401 of the Federal Land
14 Policy and Management Act of 1976 (43 U.S.C. 1701),
15 notwithstanding any other Act, sums equal to 50 per cen-
16 tum of all moneys received during the prior fiscal year
17 under sections 3 and 15 of the Taylor Grazing Act (43
18 U.S.C. 315 et seq.) and the amount designated for range
19 improvements from grazing fees and mineral leasing re-
20 cepts from Bankhead-Jones lands transferred to the De-
21 partment of the Interior pursuant to law, but not less than
22 \$9,113,000, to remain available until expended: *Provided*,
23 That not to exceed \$600,000 shall be available for admin-
24 istrative expenses.

1 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

2 For administrative expenses and other costs related
3 to processing application documents and other authoriza-
4 tions for use and disposal of public lands and resources,
5 for costs of providing copies of official public land docu-
6 ments, for monitoring construction, operation, and termi-
7 nation of facilities in conjunction with use authorizations,
8 and for rehabilitation of damaged property, such amounts
9 as may be collected under sections 209(b), 304(a), 304(b),
10 305(a), and 504(g) of the Act approved October 21, 1976
11 (43 U.S.C. 1701), and sections 101 and 203 of Public
12 Law 93-153, to be immediately available until expended:
13 *Provided*, That notwithstanding any provision to the con-
14 trary of section 305(a) of the Act of October 21, 1976
15 (43 U.S.C. 1735(a)), any moneys that have been or will
16 be received pursuant to that section, whether as a result
17 of forfeiture, compromise, or settlement, if not appropriate
18 for refund pursuant to section 305(c) of that Act (43
19 U.S.C. 1735(c)), shall be available and may be expended
20 under the authority of this or subsequent appropriations
21 Acts by the Secretary to improve, protect, or rehabilitate
22 any public lands administered through the Bureau of
23 Land Management which have been damaged by the ac-
24 tion of a resource developer, purchaser, permittee, or any
25 unauthorized person, without regard to whether all mon-

1 eys collected from each such forfeiture, compromise, or
2 settlement are used on the exact lands damage to which
3 led to the forfeiture, compromise, or settlement: *Provided*
4 *further*, That such moneys are in excess of amounts need-
5 ed to repair damage to the exact land for which collected.

6 MISCELLANEOUS TRUST FUNDS

7 In addition to amounts authorized to be expended
8 under existing law, there is hereby appropriated such
9 amounts as may be contributed under section 307 of the
10 Act of October 21, 1976 (43 U.S.C. 1701), and such
11 amounts as may be advanced for administrative costs, sur-
12 veys, appraisals, and costs of making conveyances of omit-
13 ted lands under section 211(b) of that Act, to remain
14 available until expended.

15 ADMINISTRATIVE PROVISIONS

16 Appropriations for the Bureau of Land Management
17 shall be available for purchase, erection, and dismantle-
18 ment of temporary structures, and alteration and mainte-
19 nance of necessary buildings and appurtenant facilities to
20 which the United States has title; up to \$100,000 for pay-
21 ments, at the discretion of the Secretary, for information
22 or evidence concerning violations of laws administered by
23 the Bureau of Land Management; miscellaneous and
24 emergency expenses of enforcement activities authorized
25 or approved by the Secretary and to be accounted for sole-
26 ly on his certificate, not to exceed \$10,000: *Provided*, That

1 notwithstanding 44 U.S.C. 501, the Bureau may, under
2 cooperative cost-sharing and partnership arrangements
3 authorized by law, procure printing services from coopera-
4 tors in connection with jointly-produced publications for
5 which the cooperators share the cost of printing either in
6 cash or in services, and the Bureau determines the co-
7 operator is capable of meeting accepted quality standards.

8 UNITED STATES FISH AND WILDLIFE SERVICE

9 RESOURCE MANAGEMENT

10 For expenses necessary for scientific and economic
11 studies, conservation, management, investigations, protec-
12 tion, and utilization of fishery and wildlife resources, ex-
13 cept whales, seals, and sea lions, and for the performance
14 of other authorized functions related to such resources; for
15 the general administration of the United States Fish and
16 Wildlife Service; and for maintenance of the herd of long-
17 horned cattle on the Wichita Mountains Wildlife Refuge;
18 and not less than \$1,000,000 for high priority projects
19 within the scope of the approved budget which shall be
20 carried out by the Youth Conservation Corps as author-
21 ized by the Act of August 13, 1970, as amended by Public
22 Law 93-408, \$498,035,000, to remain available for obli-
23 gation until September 30, 1997, of which \$11,557,000
24 shall be for operation and maintenance of fishery mitiga-
25 tion facilities constructed by the Corps of Engineers under

1 the Lower Snake River Compensation Plan, authorized by
2 the Water Resources Development Act of 1976 (90 Stat.
3 2921), to compensate for loss of fishery resources from
4 water development projects on the Lower Snake River:
5 *Provided*, That unobligated and unexpended balances in
6 the Resource Management account at the end of fiscal
7 year 1995, shall be merged with and made a part of the
8 fiscal year 1996 Resource Management appropriation, and
9 shall remain available for obligation until September 30,
10 1997.

11 CONSTRUCTION

12 For construction and acquisition of buildings and
13 other facilities required in the conservation, management,
14 investigation, protection, and utilization of fishery and
15 wildlife resources, and the acquisition of lands and inter-
16 ests therein; \$26,355,000, to remain available until ex-
17 pended.

18 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

19 To conduct natural resource damage assessment ac-
20 tivities by the Department of the Interior necessary to
21 carry out the provisions of the Comprehensive Environ-
22 mental Response, Compensation, and Liability Act, as
23 amended (42 U.S.C. 9601, et seq.), Federal Water Pollu-
24 tion Control Act, as amended (33 U.S.C. 1251, et seq.),
25 the Oil Pollution Act of 1990 (Public Law 101-380), and
26 the Act of July 27, 1990 (Public Law 101-337);

1 \$6,019,000, to remain available until expended: *Provided,*
2 That sums provided by any party in fiscal year 1996 and
3 thereafter are not limited to monetary payments and may
4 include stocks, bonds or other personal or real property,
5 which may be retained, liquidated or otherwise disposed
6 of by the Secretary and such sums or properties shall be
7 utilized for the restoration of injured resources, and to
8 conduct new damage assessment activities.

9 LAND ACQUISITION

10 For expenses necessary to carry out the provisions
11 of the Land and Water Conservation Fund Act of 1965,
12 as amended (16 U.S.C. 4601-4-11), including administra-
13 tive expenses, and for acquisition of land or waters, or in-
14 terest therein, in accordance with statutory authority ap-
15 plicable to the United States Fish and Wildlife Service,
16 \$14,100,000, to be derived from the Land and Water Con-
17 servation Fund, to remain available until expended.

18 COOPERATIVE ENDANGERED SPECIES CONSERVATION

19 FUND

20 For expenses necessary to carry out the provisions
21 of the Endangered Species Act of 1973 (16 U.S.C. 1531-
22 1543), as amended by Public Law 100-478, \$8,085,000
23 for grants to States, to be derived from the Cooperative
24 Endangered Species Conservation Fund, and to remain
25 available until expended.

1 NATIONAL WILDLIFE REFUGE FUND

2 For expenses necessary to implement the Act of Octo-
3 ber 17, 1978 (16 U.S.C. 715s), \$10,779,000.

4 REWARDS AND OPERATIONS

5 For expenses necessary to carry out the provisions
6 of the African Elephant Conservation Act (16 U.S.C.
7 4201–4203, 4211–4213, 4221–4225, 4241–4245, and
8 1538), \$600,000, to remain available until expended.

9 NORTH AMERICAN WETLANDS CONSERVATION FUND

10 For expenses necessary to carry out the provisions
11 of the North American Wetlands Conservation Act, Public
12 Law 101–233, \$4,500,000, to remain available until ex-
13 pended.

14 LAHONTAN VALLEY AND PYRAMID LAKE FISH AND

15 WILDLIFE FUND

16 For carrying out section 206(f) of Public Law 101–
17 618, such sums as have previously been credited or may
18 be credited hereafter to the Lahontan Valley and Pyramid
19 Lake Fish and Wildlife Fund, to be available until ex-
20 pended without further appropriation.

21 RHINOCEROS AND TIGER CONSERVATION FUND

22 For deposit to the Rhinoceros and Tiger Conserva-
23 tion Fund, \$200,000, to remain available until expended,
24 to be available to carry out the provisions of the Rhinoc-
25 eros and Tiger Conservation Act of 1994 (P.L. 103–391).

1 WILDLIFE CONSERVATION AND APPRECIATION FUND

2 For deposit to the Wildlife Conservation and Appre-
3 ciation Fund, \$998,000, to remain available until ex-
4 pended, to be available for carrying out the Partnerships
5 for Wildlife Act only to the extent such funds are matched
6 as provided in section 7105 of said Act.

7 ADMINISTRATIVE PROVISIONS

8 Appropriations and funds available to the United
9 States Fish and Wildlife Service shall be available for pur-
10 chase of not to exceed 113 passenger motor vehicles, of
11 which 59 are for police-type use and 88 are for replace-
12 ment only; not to exceed \$400,000 for payment, at the
13 discretion of the Secretary, for information, rewards, or
14 evidence concerning violations of laws administered by the
15 United States Fish and Wildlife Service, and miscellane-
16 ous and emergency expenses of enforcement activities, au-
17 thorized or approved by the Secretary and to be accounted
18 for solely on his certificate; repair of damage to public
19 roads within and adjacent to reservation areas caused by
20 operations of the United States Fish and Wildlife Service;
21 options for the purchase of land at not to exceed \$1 for
22 each option; facilities incident to such public recreational
23 uses on conservation areas as are consistent with their pri-
24 mary purpose; and the maintenance and improvement of
25 aquaria, buildings, and other facilities under the jurisdic-
26 tion of the United States Fish and Wildlife Service and

1 to which the United States has title, and which are utilized
2 pursuant to law in connection with management and in-
3 vestigation of fish and wildlife resources: *Provided*, That
4 the United States Fish and Wildlife Service may accept
5 donated aircraft as replacements for existing aircraft: *Pro-*
6 *vided further*, That notwithstanding 44 U.S.C. 501, the
7 Service may, under cooperative cost sharing and partner-
8 ship arrangements authorized by law, procure printing
9 services from cooperators in connection with jointly-pro-
10 duced publications for which the cooperators share at least
11 one-half the cost of printing either in cash or services and
12 the Service determines the cooperator is capable of meet-
13 ing accepted quality standards: *Provided further*, That not-
14 withstanding any other provision of law, the Secretary of
15 the Interior may not spend any of the funds appropriated
16 in this Act for the purchase of lands or interests in lands
17 to be used in the establishment of any new unit of the
18 National Wildlife Refuge System unless the purchase is
19 approved in advance by the House and Senate Committees
20 on Appropriations in compliance with the reprogramming
21 procedures contained in House Report 103-551: *Provided*
22 *further*, That none of the funds made available in this Act
23 may be used by the U.S. Fish and Wildlife Service to im-
24 pede or delay the issuance of a wetlands permit by the
25 U.S. Army Corps of Engineers to the City of Lake Jack-

1 son, Texas, for the development of a public golf course
2 west of Buffalo Camp Bayou between the Brazos River
3 and Highway 332: *Provided further*, That section 201 of
4 the Emergency Wetlands Resources Act of 1986 (16
5 U.S.C. 3911) is amended—

6 (1) in subsection (a)(1)(B), by striking “distrib-
7 uted” and inserting “used”; and

8 (2) in subsection (c)—

9 (A) by redesignating clauses (i), (ii), and
10 (iii) of subparagraph (A) as paragraphs (1),
11 (2), and (3), respectively;

12 (B) by striking “shall be distributed as fol-
13 lows:” and all that follows through “such
14 amount—” and inserting “shall be used by the
15 Secretary—”; and

16 (C) by striking subparagraph (B).

17 NATIONAL PARK SERVICE

18 OPERATION OF THE NATIONAL PARK SYSTEM

19 For expenses necessary for the management, oper-
20 ation, and maintenance of areas and facilities adminis-
21 tered by the National Park Service (including special road
22 maintenance service to trucking permittees on a reimburs-
23 able basis), and for the general administration of the Na-
24 tional Park Service, including not to exceed \$1,593,000
25 for the Volunteers-in-Parks program, and not less than

1 \$1,000,000 for high priority projects within the scope of
2 the approved budget which shall be carried out by the
3 Youth Conservation Corps as authorized by the Act of Au-
4 gust 13, 1970, as amended by Public Law 93-408,
5 \$1,088,249,000, without regard to the Act of August 24,
6 1912, as amended (16 U.S.C. 451), of which not to exceed
7 \$72,000,000, to remain available until expended is to be
8 derived from the special fee account established pursuant
9 to title V, section 5201, of Public Law 100-203, and of
10 which not more than \$1 shall be available for activities of
11 the National Park Service at the Mojave National Pre-
12 serve.

13 NATIONAL RECREATION AND PRESERVATION

14 For expenses necessary to carry out recreation pro-
15 grams, natural programs, cultural programs, environ-
16 mental compliance and review, international park affairs,
17 statutory or contractual aid for other activities, and grant
18 administration, not otherwise provided for, \$35,725,000:
19 *Provided*, That \$248,000 of the funds provided herein are
20 for the William O. Douglas Outdoor Education Center,
21 subject to authorization.

22 HISTORIC PRESERVATION FUND

23 For expenses necessary in carrying out the provisions
24 of the Historic Preservation Act of 1966 (80 Stat. 915),
25 as amended (16 U.S.C. 470), \$37,934,000, to be derived
26 from the Historic Preservation Fund, established by sec-

1 tion 108 of that Act, as amended, to remain available for
2 obligation until September 30, 1997.

3 CONSTRUCTION

4 For construction, improvements, repair or replace-
5 ment of physical facilities, \$114,868,000, to remain avail-
6 able until expended: *Provided*, That not to exceed
7 \$6,000,000 shall be paid to the Army Corps of Engineers
8 for modifications authorized by section 104 of the Ever-
9 glades National Park Protection and Expansion Act of
10 1989.

11 LAND AND WATER CONSERVATION FUND

12 (RESCISSION)

13 The contract authority provided for fiscal year 1996
14 by 16 U.S.C. 4601-10a is rescinded.

15 LAND ACQUISITION AND STATE ASSISTANCE

16 For expenses necessary to carry out the provisions
17 of the Land and Water Conservation Fund Act of 1965,
18 as amended (16 U.S.C. 4601-4-11), including administra-
19 tive expenses, and for acquisition of lands or waters, or
20 interest therein, in accordance with statutory authority
21 applicable to the National Park Service, \$14,300,000, to
22 be derived from the Land and Water Conservation Fund,
23 to remain available until expended, of which \$4,800,000
24 is provided for Federal assistance to the State of Florida
25 pursuant to Public Law 103-219, and of which
26 \$1,500,000 is to administer the State assistance program.

1 ADMINISTRATIVE PROVISIONS

2 Appropriations for the National Park Service shall be
3 available for the purchase of not to exceed 518 passenger
4 motor vehicles, of which 323 shall be for replacement only,
5 including not to exceed 411 for police-type use, 12 buses,
6 and 5 ambulances: *Provided*, That none of the funds ap-
7 propriated to the National Park Service may be used to
8 process any grant or contract documents which do not in-
9 clude the text of 18 U.S.C. 1913: *Provided further*, That
10 none of the funds appropriated to the National Park Serv-
11 ice may be used to implement an agreement for the rede-
12 velopment of the southern end of Ellis Island.

13 UNITED STATES GEOLOGICAL SURVEY

14 SURVEYS, INVESTIGATIONS, AND RESEARCH

15 For expenses necessary for the United States Geo-
16 logical Survey to perform surveys, investigations, and re-
17 search covering topography, geology, hydrology, and the
18 mineral and water resources of the United States, its Ter-
19 ritories and possessions, and other areas as authorized by
20 law (43 U.S.C. 31, 1332 and 1340); classify lands as to
21 their mineral and water resources; give engineering super-
22 vision to power permittees and Federal Energy Regulatory
23 Commission licensees; administer the minerals exploration
24 program (30 U.S.C. 641); and publish and disseminate
25 data relative to the foregoing activities; \$686,944,000, of

1 which \$62,130,000 shall be available for cooperation with
2 States or municipalities for water resources investigations,
3 and of which \$112,888,000 for resource research and the
4 operations of Cooperative Research Units shall remain
5 available until September 30, 1997: *Provided*, That no
6 part of this appropriation shall be used to pay more than
7 one-half the cost of any topographic mapping or water re-
8 sources investigations carried on in cooperation with any
9 State or municipality: *Provided further*, That funds avail-
10 able herein for resource research may be used for the pur-
11 chase of not to exceed 61 passenger motor vehicles, of
12 which 55 are for replacement only: *Provided further*, That
13 none of the funds available under this head for resource
14 research shall be used to conduct new surveys on private
15 property: *Provided further*, That none of the funds pro-
16 vided herein for resource research may be used to admin-
17 ister a volunteer program: *Provided further*, That no later
18 than April 1, 1996, the Director of the United States Geo-
19 logical Survey shall issue agency guidelines for resource
20 research that ensure that scientific and technical peer re-
21 view is utilized as fully as possible in selection of projects
22 for funding and ensure the validity and reliability of re-
23 search and data collection on Federal lands: *Provided fur-*
24 *ther*, That no funds available for resource research may
25 be used for any activity that was not authorized prior to

1 the establishment of the National Biological Survey: *Pro-*
2 *vided further*, That once every five years the National
3 Academy of Sciences shall review and report on the re-
4 source research activities of the Survey: *Provided further*,
5 That if specific authorizing legislation is enacted during
6 or before the start of fiscal year 1996, the resource re-
7 search component of the Survey should comply with the
8 provisions of that legislation: *Provided further*, That unob-
9 ligated and unexpended balances in the National Biologi-
10 cal Survey, Research, inventories and surveys account at
11 the end of fiscal year 1995, shall be merged with and made
12 a part of the United States Geological Survey, Surveys,
13 investigations, and research account and shall remain
14 available for obligation until September 30, 1996.

15 ADMINISTRATIVE PROVISIONS

16 The amount appropriated for the United States Geo-
17 logical Survey shall be available for purchase of not to ex-
18 ceed 22 passenger motor vehicles, for replacement only;
19 reimbursement to the General Services Administration for
20 security guard services; contracting for the furnishing of
21 topographic maps and for the making of geophysical or
22 other specialized surveys when it is administratively deter-
23 mined that such procedures are in the public interest; con-
24 struction and maintenance of necessary buildings and ap-
25 purtenant facilities; acquisition of lands for gauging sta-
26 tions and observation wells; expenses of the United States

1 National Committee on Geology; and payment of com-
2 pensation and expenses of persons on the rolls of the Unit-
3 ed States Geological Survey appointed, as authorized by
4 law, to represent the United States in the negotiation and
5 administration of interstate compacts: *Provided*, That ac-
6 tivities funded by appropriations herein made may be ac-
7 complished through the use of contracts, grants, or coop-
8 erative agreements as defined in 31 U.S.C. 6302, et seq.

9 MINERALS MANAGEMENT SERVICE

10 ROYALTY AND OFFSHORE MINERALS MANAGEMENT

11 For expenses necessary for minerals leasing and envi-
12 ronmental studies, regulation of industry operations, and
13 collection of royalties, as authorized by law; for enforcing
14 laws and regulations applicable to oil, gas, and other min-
15 erals leases, permits, licenses and operating contracts; and
16 for matching grants or cooperative agreements; including
17 the purchase of not to exceed eight passenger motor vehi-
18 cles for replacement only; \$186,556,000, of which not less
19 than \$70,105,000 shall be available for royalty manage-
20 ment activities; and an amount not to exceed \$12,400,000
21 for the Technical Information Management System of
22 Outer Continental Shelf (OCS) Lands Activity, to be cred-
23 ited to this appropriation and to remain available until ex-
24 pended, from additions to receipts resulting from increases
25 to rates in effect on August 5, 1993, from rate increases

1 to fee collections for OCS administrative activities per-
2 formed by the Minerals Management Service over and
3 above the rates in effect on September 30, 1993, and from
4 additional fees for OCS administrative activities estab-
5 lished after September 30, 1993: *Provided*, That begin-
6 ning in fiscal year 1996 and thereafter, fees for royalty
7 rate relief applications shall be established (and revised
8 as needed) in Notices to Lessees, and shall be credited
9 to this account in the program areas performing the func-
10 tion, and remain available until expended for the costs of
11 administering the royalty rate relief authorized by 43
12 U.S.C. 1337(a)(3): *Provided further*, That \$1,500,000 for
13 computer acquisitions shall remain available until Septem-
14 ber 30, 1997: *Provided further*, That funds appropriated
15 under this Act shall be available for the payment of inter-
16 est in accordance with 30 U.S.C. 1721 (b) and (d): *Pro-*
17 *vided further*, That not to exceed \$3,000 shall be available
18 for reasonable expenses related to promoting volunteer
19 beach and marine cleanup activities: *Provided further*,
20 That notwithstanding any other provision of law, \$15,000
21 under this head shall be available for refunds of overpay-
22 ments in connection with certain Indian leases in which
23 the Director of the Minerals Management Service con-
24 curred with the claimed refund due, to pay amounts owed
25 to Indian allottees or Tribes, or to correct prior unrecover-

1 able erroneous payments: *Provided further*, That beginning
2 in fiscal year 1996 and thereafter, the Secretary shall take
3 appropriate action to collect unpaid and underpaid royalti-
4 ties and late payment interest owed by Federal and Indian
5 mineral lessees and other royalty payors on amounts re-
6 ceived in settlement or other resolution of disputes under,
7 and for partial or complete termination of, sales agree-
8 ments for minerals from Federal and Indian leases.

9 OIL SPILL RESEARCH

10 For necessary expenses to carry out the purposes of
11 title I, section 1016, title IV, sections 4202 and 4303, title
12 VII, and title VIII, section 8201 of the Oil Pollution Act
13 of 1990, \$6,440,000, which shall be derived from the Oil
14 Spill Liability Trust Fund, to remain available until ex-
15 pended.

16 BUREAU OF MINES

17 MINES AND MINERALS

18 For expenses necessary for the orderly closure of the
19 Bureau of Mines, \$87,000,000.

20 ADMINISTRATIVE PROVISIONS

21 The Secretary is authorized to accept lands, buildings,
22 equipment, other contributions, and fees from public and
23 private sources, and to prosecute projects using such con-
24 tributions and fees in cooperation with other Federal,
25 State or private agencies: *Provided*, That the Bureau of
26 Mines is authorized, during the current fiscal year, to sell

1 directly or through any Government agency, including cor-
2 porations, any metal or mineral products that may be
3 manufactured in pilot plants operated by the Bureau of
4 Mines, and the proceeds of such sales shall be covered into
5 the Treasury as miscellaneous receipts: *Provided further,*
6 That notwithstanding any other provision of law, the Sec-
7 retary is authorized to convey, without reimbursement,
8 title and all interest of the United States in property and
9 facilities of the United States Bureau of Mines in Juneau,
10 Alaska to the City and Borough of Juneau, Alaska; in
11 Tuscaloosa, Alabama, to The University of Alabama; in
12 Rolla, Missouri, to the University of Missouri-Rolla; and
13 in other localities to such university or government entities
14 as the Secretary deems appropriate.

15 OFFICE OF SURFACE MINING RECLAMATION AND
16 ENFORCEMENT
17 REGULATION AND TECHNOLOGY

18 For necessary expenses to carry out the provisions
19 of the Surface Mining Control and Reclamation Act of
20 1977, Public Law 95-87, as amended, including the pur-
21 chase of not to exceed 15 passenger motor vehicles for re-
22 placement only; \$92,751,000, and notwithstanding 31
23 U.S.C. 3302, an additional amount shall be credited to
24 this account, to remain available until expended, from per-
25 formance bond forfeitures in fiscal year 1996: *Provided,*

1 That notwithstanding any other provision of law, the Sec-
2 retary of the Interior, pursuant to regulations, may utilize
3 directly or through grants to States, moneys collected in
4 fiscal year 1996 pursuant to the assessment of civil pen-
5 alties under section 518 of the Surface Mining Control
6 and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim
7 lands adversely affected by coal mining practices after Au-
8 gust 3, 1977, to remain available until expended: *Provided*
9 *further*, That notwithstanding any other provision of law,
10 appropriations for the Office of Surface Mining Reclama-
11 tion and Enforcement may provide for the travel and per
12 diem expenses of State and tribal personnel attending Of-
13 fice of Surface Mining Reclamation and Enforcement
14 sponsored training.

15 ABANDONED MINE RECLAMATION FUND

16 For necessary expenses to carry out the provisions
17 of title IV of the Surface Mining Control and Reclamation
18 Act of 1977, Public Law 95-87, as amended, including
19 the purchase of not more than 22 passenger motor vehicles
20 for replacement only, \$176,327,000, to be derived from
21 receipts of the Abandoned Mine Reclamation Fund and
22 to remain available until expended, of which \$5,000,000
23 shall be used for supplemental grants to States for the
24 reclamation of abandoned sites with acid mine rock drain-
25 age from coal mines through the Appalachian Clean
26 Streams Initiative: *Provided*, That grants to minimum

1 program States will be \$1,500,000 per State in fiscal year
2 1996: *Provided further*, That of the funds herein provided
3 up to \$18,000,000 may be used for the emergency pro-
4 gram authorized by section 410 of Public Law 95–87, as
5 amended, of which no more than 25 per centum shall be
6 used for emergency reclamation projects in any one State
7 and funds for Federally-administered emergency reclama-
8 tion projects under this proviso shall not exceed
9 \$11,000,000: *Provided further*, That donations credited to
10 the Abandoned Mine Reclamation Fund, pursuant to sec-
11 tion 401(b)(3) of Public Law 95–87, are hereby appro-
12 priated and shall be available until expended to support
13 projects under the Appalachian Clean Streams Initiative,
14 directly, through agreements with other Federal agencies,
15 as otherwise authorized, or through grants to States or
16 local governments, or tax-exempt private entities: *Provided*
17 *further*, That prior year unobligated funds appropriated
18 for the emergency reclamation program shall not be sub-
19 ject to the 25 per centum limitation per State and may
20 be used without fiscal year limitation for emergency
21 projects: *Provided further*, That pursuant to Public Law
22 97–365, the Department of the Interior is authorized to
23 utilize up to 20 per centum from the recovery of the delin-
24 quent debt owed to the United States Government to pay
25 for contracts to collect these debts.

1 BUREAU OF INDIAN AFFAIRS

2 OPERATION OF INDIAN PROGRAMS

3 For operation of Indian programs by direct expendi-
4 ture, contracts, cooperative agreements, compacts, and
5 grants including expenses necessary to provide education
6 and welfare services for Indians, either directly or in co-
7 operation with States and other organizations, including
8 payment of care, tuition, assistance, and other expenses
9 of Indians in boarding homes, or institutions, or schools;
10 grants and other assistance to needy Indians; maintenance
11 of law and order; management, development, improve-
12 ment, and protection of resources and appurtenant facili-
13 ties under the jurisdiction of the Bureau of Indian Affairs,
14 including payment of irrigation assessments and charges;
15 acquisition of water rights; advances for Indian industrial
16 and business enterprises; operation of Indian arts and
17 crafts shops and museums; development of Indian arts
18 and crafts, as authorized by law; for the general adminis-
19 tration of the Bureau of Indian Affairs, including such
20 expenses in field offices; maintaining of Indian reservation
21 roads as defined in section 101 of title 23, United States
22 Code; and construction, repair, and improvement of Indian
23 housing, \$1,508,777,000, of which not to exceed
24 \$106,126,000 shall be for payments to tribes and tribal
25 organizations for contract support costs associated with

1 ongoing contracts or grants or compacts entered into with
2 the Bureau of Indian Affairs prior to fiscal year 1996,
3 as authorized by the Indian Self-Determination Act of
4 1975, as amended, and \$5,000,000 shall be for the Indian
5 Self-Determination Fund, which shall be available for the
6 transitional cost of initial or expanded tribal contracts,
7 grants, compacts, or cooperative agreements with the Bu-
8 reau of Indian Affairs under the provisions of the Indian
9 Self-Determination Act; and of which not to exceed
10 \$330,711,000 for school operations costs of Bureau-fund-
11 ed schools and other education programs shall become
12 available for obligation on July 1, 1996, and shall remain
13 available for obligation until September 30, 1997; and of
14 which not to exceed \$67,138,000 for higher education
15 scholarships, adult vocational training, and assistance to
16 public schools under the Johnson O'Malley Act shall re-
17 main available for obligation until September 30, 1997;
18 and of which not to exceed \$74,814,000 shall remain
19 available until expended for trust funds management,
20 housing improvement, road maintenance, attorney fees,
21 litigation support, self-governance grants, the Indian Self-
22 Determination Fund, and the Navajo-Hopi Settlement
23 Program: *Provided*, That tribes and tribal contractors may
24 use their tribal priority allocations for unmet indirect costs
25 of ongoing contracts, grants or compact agreements: *Pro-*

1 *vided further*, That funds made available to tribes and
2 tribal organizations through contracts or grants obligated
3 during fiscal year 1996, as authorized by the Indian Self-
4 Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450
5 et seq.), or grants authorized by the Indian Education
6 Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall
7 remain available until expended by the contractor or
8 grantee: *Provided further*, That notwithstanding any other
9 provision of law, the statute of limitations shall not com-
10 mence to run on any claim, including any claim in litiga-
11 tion pending on the date of this Act, concerning losses to
12 or mismanagement of trust funds, until the affected tribe
13 or individual Indian has been furnished with the account-
14 ing of such funds from which the beneficiary can deter-
15 mine whether there has been a loss: *Provided further*, That
16 notwithstanding any other provision of law, the reconcili-
17 ation report to be submitted pursuant to Public Law 103-
18 412 shall be submitted by November 30, 1997: *Provided*
19 *further*, That to provide funding uniformity within a Self-
20 Governance Compact, any funds provided in this Act with
21 availability for more than one year may be reprogrammed
22 to one year availability but shall remain available within
23 the Compact until expended: *Provided further*, That not-
24 withstanding any other provision of law, Indian tribal gov-
25 ernments may, by appropriate changes in eligibility cri-

1 teria or by other means, change eligibility for general as-
2 sistance or change the amount of general assistance pay-
3 ments for individuals within the service area of such tribe
4 who are otherwise deemed eligible for general assistance
5 payments so long as such changes are applied in a consist-
6 ent manner to individuals similarly situated: *Provided fur-*
7 *ther*, That any savings realized by such changes shall be
8 available for use in meeting other priorities of the tribes:
9 *Provided further*, That any net increase in costs to the
10 Federal Government which result solely from tribally in-
11 creased payment levels for general assistance shall be met
12 exclusively from funds available to the tribe from within
13 its tribal priority allocation: *Provided further*, That any
14 forestry funds allocated to a tribe which remain unobli-
15 gated as of September 30, 1996, may be transferred dur-
16 ing fiscal year 1997 to an Indian forest land assistance
17 account established for the benefit of such tribe within the
18 tribe's trust fund account: *Provided further*, That any such
19 unobligated balances not so transferred shall expire on
20 September 30, 1997: *Provided further*, That notwithstand-
21 ing any other provision of law, no funds available to the
22 Bureau of Indian Affairs, other than the amounts pro-
23 vided herein for assistance to public schools under the Act
24 of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C.
25 452 et seq.), shall be available to support the operation

1 of any elementary or secondary school in the State of Alas-
2 ka in fiscal year 1996: *Provided further*, That funds made
3 available in this or any other Act for expenditure through
4 September 30, 1997 for schools funded by the Bureau of
5 Indian Affairs shall be available only to the schools which
6 are in the Bureau of Indian Affairs school system as of
7 September 1, 1995: *Provided further*, That no funds avail-
8 able to the Bureau of Indian Affairs shall be used to sup-
9 port expanded grades for any school beyond the grade
10 structure in place at each school in the Bureau of Indian
11 Affairs school system as of October 1, 1995: *Provided fur-*
12 *ther*, That notwithstanding the provisions of 25 U.S.C.
13 2011(h)(1)(B) and (c), upon the recommendation of a
14 local school board for a Bureau of Indian Affairs operated
15 school, the Secretary shall establish rates of basic com-
16 pensation or annual salary rates for the positions of teach-
17 ers and counselors (including dormitory and homeliving
18 counselors) at the school at a level not less than that for
19 comparable positions in public school districts in the same
20 geographic area.

21 CONSTRUCTION

22 For construction, major repair, and improvement of
23 irrigation and power systems, buildings, utilities, and
24 other facilities, including architectural and engineering
25 services by contract; acquisition of lands and interests in
26 lands; and preparation of lands for farming, \$98,033,000,

1 to remain available until expended: *Provided*, That such
2 amounts as may be available for the construction of the
3 Navajo Indian Irrigation Project and for other water re-
4 source development activities related to the Southern Ari-
5 zona Water Rights Settlement Act may be transferred to
6 the Bureau of Reclamation: *Provided further*, That not to
7 exceed 6 per centum of contract authority available to the
8 Bureau of Indian Affairs from the Federal Highway Trust
9 Fund may be used to cover the road program management
10 costs of the Bureau of Indian Affairs: *Provided further*,
11 That any funds provided for the Safety of Dams program
12 pursuant to 25 U.S.C. 13 shall be made available on a
13 non-reimbursable basis: *Provided further*, That for the fis-
14 cal year ending September 30, 1996, in implementing new
15 construction or facilities improvement and repair project
16 grants in excess of \$100,000 that are provided to tribally
17 controlled grant schools under Public Law 100-297, as
18 amended, the Secretary of the Interior shall use the Ad-
19 ministrative and Audit Requirements and Cost Principles
20 for Assistance Programs contained in 43 CFR part 12 as
21 the regulatory requirements: *Provided further*, That such
22 grants shall not be subject to section 12.61 of 43 CFR;
23 the Secretary and the grantee shall negotiate and deter-
24 mine a schedule of payments for the work to be performed:
25 *Provided further*, That in considering applications, the

1 Secretary shall consider whether the Indian tribe or tribal
2 organization would be deficient in assuring that the con-
3 struction projects conform to applicable building stand-
4 ards and codes and Federal, tribal, or State health and
5 safety standards as required by 25 U.S.C. 2005(a), with
6 respect to organizational and financial management capa-
7 bilities: *Provided further*, That if the Secretary declines an
8 application, the Secretary shall follow the requirements
9 contained in 25 U.S.C. 2505(f): *Provided further*, That
10 any disputes between the Secretary and any grantee con-
11 cerning a grant shall be subject to the disputes provision
12 in 25 U.S.C. 2508(e).

13 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
14 MISCELLANEOUS PAYMENTS TO INDIANS

15 For miscellaneous payments to Indian tribes and in-
16 dividuals and for necessary administrative expenses,
17 \$67,145,000, to remain available until expended; of which
18 \$65,100,000 shall be available for implementation of en-
19 acted Indian land and water claim settlements pursuant
20 to Public Laws 87-483, 97-293, 101-618, 102-374, 102-
21 441, 102-575, and 103-116, and for implementation of
22 other enacted water rights settlements, including not to
23 exceed \$8,000,000, which shall be for the Federal share
24 of the Catawba Indian Tribe of South Carolina Claims
25 Settlement, as authorized by section 5(a) of Public Law
26 103-116; and of which \$1,045,000 shall be available pur-

1 suant to Public Laws 98–500, 99–264, and 100–580; and
2 of which \$1,000,000 shall be available (1) to liquidate obli-
3 gations owed tribal and individual Indian payees of any
4 checks canceled pursuant to section 1003 of the Competi-
5 tive Equality Banking Act of 1987 (Public Law 100–86
6 (101 Stat. 659)), 31 U.S.C. 3334(b), (2) to restore to In-
7 dividual Indian Monies trust funds, Indian Irrigation Sys-
8 tems, and Indian Power Systems accounts amounts in-
9 vested in credit unions or defaulted savings and loan asso-
10 ciations and which were not Federally insured, and (3)
11 to reimburse Indian trust fund account holders for losses
12 to their respective accounts where the claim for said
13 loss(es) has been reduced to a judgment or settlement
14 agreement approved by the Department of Justice.

15 ADMINISTRATIVE PROVISIONS

16 Appropriations for the Bureau of Indian Affairs shall
17 be available for expenses of exhibits, and purchase of not
18 to exceed 275 passenger carrying motor vehicles, of which
19 not to exceed 215 shall be for replacement only.

20 TERRITORIAL AND INTERNATIONAL AFFAIRS

21 ASSISTANCE TO TERRITORIES

22 For expenses necessary for assistance to territories
23 under the jurisdiction of the Department of the Interior,
24 \$69,232,000, of which (1) \$65,705,000 shall be available
25 until expended for technical assistance, including mainte-
26 nance assistance, disaster assistance, insular management

1 controls, and brown tree snake control and research;
2 grants to the judiciary in American Samoa for compensa-
3 tion and expenses, as authorized by law (48 U.S.C.
4 1661(c)); grants to the Government of American Samoa,
5 in addition to current local revenues, for construction and
6 support of governmental functions; grants to the Govern-
7 ment of the Virgin Islands as authorized by law; grants
8 to the Government of Guam, as authorized by law; and
9 grants to the Government of the Northern Mariana Is-
10 lands as authorized by law (Public Law 94-241; 90 Stat.
11 272); and (2) \$3,527,000 shall be available for salaries
12 and expenses of the Office of Insular Affairs: *Provided*,
13 That all financial transactions of the territorial and local
14 governments herein provided for, including such trans-
15 actions of all agencies or instrumentalities established or
16 utilized by such governments, may be audited by the Gen-
17 eral Accounting Office, at its discretion, in accordance
18 with chapter 35 of title 31, United States Code: *Provided*
19 *further*, That Northern Mariana Islands Covenant grant
20 funding shall be provided according to those terms of the
21 Agreement of the Special Representatives on Future Unit-
22 ed States Financial Assistance for the Northern Mariana
23 Islands approved by Public Law 99-396, or any subse-
24 quent legislation related to Commonwealth of the North-
25 ern Mariana Islands Covenant grant funding: *Provided*

1 *further*, That of the amounts provided for technical assist-
2 ance, sufficient funding shall be made available for a grant
3 to the Close Up Foundation: *Provided further*, That the
4 funds for the program of operations and maintenance im-
5 provement are appropriated to institutionalize routine op-
6 erations and maintenance of capital infrastructure in
7 American Samoa, Guam, the Virgin Islands, the Common-
8 wealth of the Northern Mariana Islands, the Republic of
9 Palau, the Republic of the Marshall Islands, and the Fed-
10 erated States of Micronesia through assessments of long-
11 range operations and maintenance needs, improved capa-
12 bility of local operations and maintenance institutions and
13 agencies (including management and vocational education
14 training), and project-specific maintenance (with terri-
15 torial participation and cost sharing to be determined by
16 the Secretary based on the individual territory's commit-
17 ment to timely maintenance of its capital assets): *Provided*
18 *further*, That any appropriation for disaster assistance
19 under this head in this Act or previous appropriations Acts
20 may be used as non-Federal matching funds for the pur-
21 pose of hazard mitigation grants provided pursuant to sec-
22 tion 404 of the Robert T. Stafford Disaster Relief and
23 Emergency Assistance Act (42 U.S.C. 5170c).

24 COMPACT OF FREE ASSOCIATION

25 For economic assistance and necessary expenses for
26 the Federated States of Micronesia and the Republic of

1 the Marshall Islands as provided for in sections 122, 221,
2 223, 232, and 233 of the Compacts of Free Association,
3 and for economic assistance and necessary expenses for
4 the Republic of Palau as provided for in sections 122, 221,
5 223, 232, and 233 of the Compact of Free Association,
6 \$24,938,000, to remain available until expended, as au-
7 thorized by Public Law 99-239 and Public Law 99-658:
8 *Provided*, That notwithstanding section 112 of Public Law
9 101-219 (103 Stat. 1873), the Secretary of the Interior
10 may agree to technical changes in the specifications for
11 the project described in the subsidiary agreement nego-
12 tiated under section 212(a) of the Compact of Free Asso-
13 ciation, Public Law 99-658, or its annex, if the changes
14 do not result in increased costs to the United States.

15 DEPARTMENTAL OFFICES

16 OFFICE OF THE SECRETARY

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of the Secretary
19 of the Interior, \$55,982,000, of which not to exceed
20 \$7,500 may be for official reception and representation
21 expenses.

22 OFFICE OF THE SOLICITOR

23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of the Solicitor,
25 \$34,608,000.

1 OFFICE OF INSPECTOR GENERAL

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Inspector
4 General, \$23,939,000.

5 NATIONAL INDIAN GAMING COMMISSION

6 SALARIES AND EXPENSES

7 For necessary expenses of the National Indian Gam-
8 ing Commission, pursuant to Public Law 100-497,
9 \$1,000,000.

10 ADMINISTRATIVE PROVISIONS

11 There is hereby authorized for acquisition from avail-
12 able resources within the Working Capital Fund, 15 air-
13 craft, 10 of which shall be for replacement and which may
14 be obtained by donation, purchase or through available ex-
15 cess surplus property: *Provided*, That notwithstanding any
16 other provision of law, existing aircraft being replaced may
17 be sold, with proceeds derived or trade-in value used to
18 offset the purchase price for the replacement aircraft: *Pro-*
19 *vided further*, That no programs funded with appropriated
20 funds in the “Office of the Secretary”, “Office of the So-
21 licitor”, and “Office of Inspector General” may be aug-
22 mented through the Working Capital Fund or the Consoli-
23 dated Working Fund.

1 GENERAL PROVISIONS, DEPARTMENT OF THE
2 INTERIOR

3 SEC. 101. Appropriations made in this title shall be
4 available for expenditure or transfer (within each bureau
5 or office), with the approval of the Secretary, for the emer-
6 gency reconstruction, replacement, or repair of aircraft,
7 buildings, utilities, or other facilities or equipment dam-
8 aged or destroyed by fire, flood, storm, or other unavoid-
9 able causes: *Provided*, That no funds shall be made avail-
10 able under this authority until funds specifically made
11 available to the Department of the Interior for emer-
12 gencies shall have been exhausted: *Provided further*, That
13 all funds used pursuant to this section are hereby des-
14 ignated by Congress to be “emergency requirements” pur-
15 suant to section 251(b)(2)(D) of the Balanced Budget and
16 Emergency Deficit Control Act of 1985 and must, be re-
17 plenished by a supplemental appropriation which must be
18 requested as promptly as possible.

19 SEC. 102. The Secretary may authorize the expendi-
20 ture or transfer of any no year appropriation in this title,
21 in addition to the amounts included in the budget pro-
22 grams of the several agencies, for the suppression or emer-
23 gency prevention of forest or range fires on or threatening
24 lands under the jurisdiction of the Department of the Inte-
25 rior; for the emergency rehabilitation of burned-over lands

1 under its jurisdiction; for emergency actions related to po-
2 tential or actual earthquakes, floods, volcanoes, storms, or
3 other unavoidable causes; for contingency planning subse-
4 quent to actual oilspills; response and natural resource
5 damage assessment activities related to actual oilspills; for
6 the prevention, suppression, and control of actual or po-
7 tential grasshopper and Mormon cricket outbreaks on
8 lands under the jurisdiction of the Secretary, pursuant to
9 the authority in section 1773(b) of Public Law 99-198
10 (99 Stat. 1658); for emergency reclamation projects under
11 section 410 of Public Law 95-87; and shall transfer, from
12 any no year funds available to the Office of Surface Min-
13 ing Reclamation and Enforcement, such funds as may be
14 necessary to permit assumption of regulatory authority in
15 the event a primacy State is not carrying out the regu-
16 latory provisions of the Surface Mining Act: *Provided,*
17 That appropriations made in this title for fire suppression
18 purposes shall be available for the payment of obligations
19 incurred during the preceding fiscal year, and for reim-
20 bursement to other Federal agencies for destruction of ve-
21 hicles, aircraft, or other equipment in connection with
22 their use for fire suppression purposes, such reimburse-
23 ment to be credited to appropriations currently available
24 at the time of receipt thereof: *Provided further,* That for
25 emergency rehabilitation and wildfire suppression activi-

1 ties, no funds shall be made available under this authority
2 until funds appropriated to the “Emergency Department
3 of the Interior Firefighting Fund” shall have been ex-
4 hausted: *Provided further*, That all funds used pursuant
5 to this section are hereby designated by Congress to be
6 “emergency requirements” pursuant to section
7 251(b)(2)(D) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985 and must be replenished by
9 a supplemental appropriation which must be requested as
10 promptly as possible: *Provided further*, That such replen-
11 ishment funds shall be used to reimburse, on a pro rata
12 basis, accounts from which emergency funds were trans-
13 ferred.

14 SEC. 103. Appropriations made in this title shall be
15 available for operation of warehouses, garages, shops, and
16 similar facilities, wherever consolidation of activities will
17 contribute to efficiency or economy, and said appropria-
18 tions shall be reimbursed for services rendered to any
19 other activity in the same manner as authorized by sec-
20 tions 1535 and 1536 of title 31, U.S.C.: *Provided*, That
21 reimbursements for costs and supplies, materials, equip-
22 ment, and for services rendered may be credited to the
23 appropriation current at the time such reimbursements
24 are received.

1 SEC. 104. Appropriations made to the Department
2 of the Interior in this title shall be available for services
3 as authorized by 5 U.S.C. 3109, when authorized by the
4 Secretary, in total amount not to exceed \$500,000; hire,
5 maintenance, and operation of aircraft; hire of passenger
6 motor vehicles; purchase of reprints; payment for tele-
7 phone service in private residences in the field, when au-
8 thorized under regulations approved by the Secretary; and
9 the payment of dues, when authorized by the Secretary,
10 for library membership in societies or associations which
11 issue publications to members only or at a price to mem-
12 bers lower than to subscribers who are not members.

13 SEC. 105. Appropriations available to the Depart-
14 ment of the Interior for salaries and expenses shall be
15 available for uniforms or allowances therefor, as author-
16 ized by law (5 U.S.C. 5901–5902 and D.C. Code 4–204).

17 SEC. 106. Appropriations made in this title shall be
18 available for obligation in connection with contracts issued
19 for services or rentals for periods not in excess of twelve
20 months beginning at any time during the fiscal year.

21 SEC. 107. Appropriations made in this title from the
22 Land and Water Conservation Fund for acquisition of
23 lands and waters, or interests therein, shall be available
24 for transfer, with the approval of the Secretary, between
25 the following accounts: Bureau of Land Management,

1 Land acquisition, United States Fish and Wildlife Service,
2 Land acquisition, and National Park Service, Land acqui-
3 sition and State assistance. Use of such funds are subject
4 to the reprogramming guidelines of the House and Senate
5 Committees on Appropriations.

6 SEC. 108. Amounts appropriated in this Act for the
7 Presidio which are not obligated as of the date on which
8 the Presidio Trust is established by an Act of Congress
9 shall be transferred to and available only for the Presidio
10 Trust.

11 SEC. 109. Section 6003 of Public Law 101-380 is
12 hereby repealed.

13 SEC. 110. None of the funds appropriated or other-
14 wise made available by this Act may be obligated or ex-
15 pended by the Secretary of the Interior for developing,
16 promulgating, and thereafter implementing a rule con-
17 cerning rights-of-way under section 2477 of the Revised
18 Statutes.

19 SEC. 111. No funds provided in this title may be ex-
20 pended by the Department of the Interior for the conduct
21 of offshore leasing and related activities placed under re-
22 striction in the President's moratorium statement of June
23 26, 1990, in the areas of Northern, Central, and Southern
24 California; the North Atlantic; Washington and Oregon;

1 and the Eastern Gulf of Mexico south of 26 degrees north
2 latitude and east of 86 degrees west longitude.

3 SEC. 112. No funds provided in this title may be
4 expended by the Department of the Interior for the con-
5 duct of leasing, or the approval or permitting of any drill-
6 ing or other exploration activity, on lands within the North
7 Aleutian Basin planning area.

8 SEC. 113. No funds provided in this title may be ex-
9 pended by the Department of the Interior for the conduct
10 of preleasing and leasing activities in the Eastern Gulf of
11 Mexico for Outer Continental Shelf Lease Sale 151 in the
12 Outer Continental Shelf Natural Gas and Oil Resource
13 Management Comprehensive Program, 1992–1997.

14 SEC. 114. No funds provided in this title may be
15 expended by the Department of the Interior for the con-
16 duct of preleasing and leasing activities in the Atlantic for
17 Outer Continental Shelf Lease Sale 164 in the Outer Con-
18 tinental Shelf Natural Gas and Oil Resource Management
19 Comprehensive Program, 1992–1997.

1 TITLE II—RELATED AGENCIES
2 DEPARTMENT OF AGRICULTURE
3 FOREST SERVICE
4 FOREST RESEARCH

5 For necessary expenses of forest research as author-
6 ized by law, \$182,000,000, to remain available until Sep-
7 tember 30, 1997.

8 STATE AND PRIVATE FORESTRY

9 For necessary expenses of cooperating with, and pro-
10 viding technical and financial assistance to States, Terri-
11 tories, possessions, and others and for forest pest manage-
12 ment activities, cooperative forestry and education and
13 land conservation activities, \$129,551,000, to remain
14 available until expended, as authorized by law.

15 NATIONAL FOREST SYSTEM

16 For necessary expenses of the Forest Service, not
17 otherwise provided for, for management, protection, im-
18 provement, and utilization of the National Forest System,
19 for ecosystem planning, inventory, and monitoring, and for
20 administrative expenses associated with the management
21 of funds provided under the heads “Forest Research”,
22 “State and Private Forestry”, “National Forest System”,
23 “Construction”, “Fire Protection and Emergency Sup-
24 pression”, and “Land Acquisition”, \$1,276,688,000, to
25 remain available for obligation until September 30, 1997,

1 and including 65 per centum of all monies received during
2 the prior fiscal year as fees collected under the Land and
3 Water Conservation Fund Act of 1965, as amended, in
4 accordance with section 4 of the Act (16 U.S.C. 460l-
5 6a(i)): *Provided*, That unobligated and unexpended bal-
6 ances in the National Forest System account at the end
7 of fiscal year 1995, shall be merged with and made a part
8 of the fiscal year 1996 National Forest System appropria-
9 tion, and shall remain available for obligation until Sep-
10 tember 30, 1997: *Provided further*, That up to \$5,000,000
11 of the funds provided herein for road maintenance shall
12 be available for the planned obliteration of roads which
13 are no longer needed.

14 FIRE PROTECTION AND EMERGENCY SUPPRESSION

15 For necessary expenses for forest fire presuppression
16 activities on National Forest System lands, for emergency
17 fire suppression on or adjacent to National Forest System
18 lands or other lands under fire protection agreement, and
19 for emergency rehabilitation of burned over National For-
20 est System lands, \$385,485,000, to remain available until
21 expended: *Provided*, That unexpended balances of
22 amounts previously appropriated under any other head-
23 ings for Forest Service fire activities may be transferred
24 to and merged with this appropriation: *Provided further*,
25 That such funds are available for repayment of advances

1 from other appropriations accounts previously transferred
2 for such purposes.

3 CONSTRUCTION

4 For necessary expenses of the Forest Service, not
5 otherwise provided for, \$120,000,000, to remain available
6 until expended, for construction and acquisition of build-
7 ings and other facilities, and for construction and repair
8 of forest roads and trails by the Forest Service as author-
9 ized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205:
10 *Provided*, That funds becoming available in fiscal year
11 1996 under the Act of March 4, 1913 (16 U.S.C. 501)
12 shall be transferred to the General Fund of the Treasury
13 of the United States: *Provided further*, That not to exceed
14 \$50,000,000, to remain available until expended, may be
15 obligated for the construction of forest roads by timber
16 purchasers.

17 LAND ACQUISITION

18 For expenses necessary to carry out the provisions
19 of the Land and Water Conservation Fund Act of 1965,
20 as amended (16 U.S.C. 460l–4–11), including administra-
21 tive expenses, and for acquisition of land or waters, or in-
22 terest therein, in accordance with statutory authority ap-
23 plicable to the Forest Service, \$14,600,000, to be derived
24 from the Land and Water Conservation Fund, to remain
25 available until expended.

1 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
2 ACTS

3 For acquisition of lands within the exterior bound-
4 aries of the Cache, Uinta, and Wasatch National Forests,
5 Utah; the Toiyabe National Forest, Nevada; and the An-
6 geles, San Bernardino, Sequoia, and Cleveland National
7 Forests, California, as authorized by law, \$1,069,000, to
8 be derived from forest receipts.

9 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

10 For acquisition of lands, to be derived from funds de-
11 posited by State, county, or municipal governments, public
12 school districts, or other public school authorities pursuant
13 to the Act of December 4, 1967, as amended (16 U.S.C.
14 484a), to remain available until expended.

15 RANGE BETTERMENT FUND

16 For necessary expenses of range rehabilitation, pro-
17 tection, and improvement, 50 per centum of all moneys
18 received during the prior fiscal year, as fees for grazing
19 domestic livestock on lands in National Forests in the six-
20 teen Western States, pursuant to section 401(b)(1) of
21 Public Law 94-579, as amended, to remain available until
22 expended, of which not to exceed 6 per centum shall be
23 available for administrative expenses associated with on-
24 the-ground range rehabilitation, protection, and improve-
25 ments.

1 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
2 RANGELAND RESEARCH

3 For expenses authorized by 16 U.S.C. 1643(b),
4 \$92,000, to remain available until expended, to be derived
5 from the fund established pursuant to the above Act.

6 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

7 Appropriations to the Forest Service for the current
8 fiscal year shall be available for: (a) purchase of not to
9 exceed 183 passenger motor vehicles of which 32 will be
10 used primarily for law enforcement purposes and of which
11 151 shall be for replacement; acquisition of 22 passenger
12 motor vehicles from excess sources, and hire of such vehi-
13 cles; operation and maintenance of aircraft, the purchase
14 of not to exceed two for replacement only, and acquisition
15 of 20 aircraft from excess sources; notwithstanding other
16 provisions of law, existing aircraft being replaced may be
17 sold, with proceeds derived or trade-in value used to offset
18 the purchase price for the replacement aircraft; (b) serv-
19 ices pursuant to the second sentence of section 706(a) of
20 the Organic Act of 1944 (7 U.S.C. 2225), and not to ex-
21 ceed \$100,000 for employment under 5 U.S.C. 3109; (c)
22 purchase, erection, and alteration of buildings and other
23 public improvements (7 U.S.C. 2250); (d) acquisition of
24 land, waters, and interests therein, pursuant to the Act
25 of August 3, 1956 (7 U.S.C. 428a); (e) for expenses pur-

1 suant to the Volunteers in the National Forest Act of
2 1972 (16 U.S.C. 558a, 558d, 558a note); and (f) for debt
3 collection contracts in accordance with 31 U.S.C. 3718(c).

4 None of the funds made available under this Act shall
5 be obligated or expended to change the boundaries of any
6 region, to abolish any region, to move or close any regional
7 office for research, State and private forestry, or National
8 Forest System administration of the Forest Service, De-
9 partment of Agriculture, without the consent of the House
10 and Senate Committees on Appropriations and the Com-
11 mittee on Agriculture, Nutrition, and Forestry in the
12 United States Senate and the Committee on Agriculture
13 in the United States House of Representatives.

14 Any appropriations or funds available to the Forest
15 Service may be advanced to the Fire and Emergency Sup-
16 pression appropriation and may be used for forest fire-
17 fighting and the emergency rehabilitation of burned-over
18 lands under its jurisdiction: *Provided*, That no funds shall
19 be made available under this authority until funds appro-
20 priated to the “Emergency Forest Service Firefighting
21 Fund” shall have been exhausted.

22 Funds appropriated to the Forest Service shall be
23 available for assistance to or through the Agency for Inter-
24 national Development and the Foreign Agricultural Serv-
25 ice in connection with forest and rangeland research, tech-

1 nical information, and assistance in foreign countries, and
2 shall be available to support forestry and related natural
3 resource activities outside the United States and its terri-
4 tories and possessions, including technical assistance, edu-
5 cation and training, and cooperation with United States
6 and international organizations.

7 None of the funds made available to the Forest Serv-
8 ice under this Act shall be subject to transfer under the
9 provisions of section 702(b) of the Department of Agri-
10 culture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C.
11 147b unless the proposed transfer is approved in advance
12 by the House and Senate Committees on Appropriations
13 in compliance with the reprogramming procedures con-
14 tained in House Report 103-551.

15 No funds appropriated to the Forest Service shall be
16 transferred to the Working Capital Fund of the Depart-
17 ment of Agriculture without the approval of the Chief of
18 the Forest Service.

19 Notwithstanding any other provision of law, any ap-
20 propriations or funds available to the Forest Service may
21 be used to disseminate program information to private and
22 public individuals and organizations through the use of
23 nonmonetary items of nominal value and to provide
24 nonmonetary awards of nominal value and to incur nec-
25 essary expenses for the nonmonetary recognition of private

1 individuals and organizations that make contributions to
2 Forest Service programs.

3 Notwithstanding any other provision of law, money
4 collected, in advance or otherwise, by the Forest Service
5 under authority of section 101 of Public Law 93-153 (30
6 U.S.C. 185(1)) as reimbursement of administrative and
7 other costs incurred in processing pipeline right-of-way or
8 permit applications and for costs incurred in monitoring
9 the construction, operation, maintenance, and termination
10 of any pipeline and related facilities, may be used to reim-
11 burse the applicable appropriation to which such costs
12 were originally charged.

13 Funds available to the Forest Service shall be avail-
14 able to conduct a program of not less than \$1,000,000
15 for high priority projects within the scope of the approved
16 budget which shall be carried out by the Youth Conserva-
17 tion Corps as authorized by the Act of August 13, 1970,
18 as amended by Public Law 93-408.

19 None of the funds available in this Act shall be used
20 for timber sale preparation using clearcutting in hardwood
21 stands in excess of 25 percent of the fiscal year 1989 har-
22 vested volume in the Wayne National Forest, Ohio: *Pro-*
23 *vided*, That this limitation shall not apply to hardwood
24 stands damaged by natural disaster: *Provided further*,

1 That landscape architects shall be used to maintain a vis-
2 ually pleasing forest.

3 Any money collected from the States for fire suppres-
4 sion assistance rendered by the Forest Service on non-
5 Federal lands not in the vicinity of National Forest Sys-
6 tem lands shall be used to reimburse the applicable appro-
7 priation and shall remain available until expended as the
8 Secretary may direct in conducting activities authorized
9 by 16 U.S.C. 2101 (note), 2101–2110, 1606, and 2111.

10 Of the funds available to the Forest Service, \$1,500
11 is available to the Chief of the Forest Service for official
12 reception and representation expenses.

13 Notwithstanding any other provision of law, the For-
14 est Service is authorized to employ or otherwise contract
15 with persons at regular rates of pay, as determined by the
16 Service, to perform work occasioned by emergencies such
17 as fires, storms, floods, earthquakes or any other unavoid-
18 able cause without regard to Sundays, Federal holidays,
19 and the regular workweek.

20 To the greatest extent possible, and in accordance
21 with the Final Amendment to the Shawnee National For-
22 est Plan, none of the funds available in this Act shall be
23 used for preparation of timber sales using clearcutting or
24 other forms of even aged management in hardwood stands
25 in the Shawnee National Forest, Illinois.

1 Funds appropriated to the Forest Service shall be
2 available for interactions with and providing technical as-
3 sistance to rural communities for sustainable rural devel-
4 opment purposes.

5 Notwithstanding any other provision of law, eighty
6 percent of the funds appropriated to the Forest Service
7 in the National Forest System and Construction accounts
8 and planned to be allocated to activities under the “Jobs
9 in the Woods” program for projects on National Forest
10 land in the State of Washington may be granted directly
11 to the Washington State Department of Fish and Wildlife
12 for accomplishment of planned projects. Twenty percent
13 of said funds shall be retained by the Forest Service for
14 planning and administering projects. Project selection and
15 prioritization shall be accomplished by the Forest Service
16 with such consultation with the State of Washington as
17 the Forest Service deems appropriate.

18 None of the funds available in this Act shall be used
19 for any activity that directly or indirectly causes harm to
20 songbirds within the boundaries of the Shawnee National
21 Forest.

22 DEPARTMENT OF ENERGY

23 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

24 For necessary expenses in carrying out fossil energy
25 research and development activities, under the authority

1 of the Department of Energy Organization Act (Public
2 Law 95-91), including the acquisition of interest, includ-
3 ing defeasible and equitable interests in any real property
4 or any facility or for plant or facility acquisition or expan-
5 sion, \$384,504,000, to remain available until expended:
6 *Provided*, That no part of the sum herein made available
7 shall be used for the field testing of nuclear explosives in
8 the recovery of oil and gas.

9 ALTERNATIVE FUELS PRODUCTION

10 (INCLUDING TRANSFER OF FUNDS)

11 Monies received as investment income on the prin-
12 cipal amount in the Great Plains Project Trust at the
13 Norwest Bank of North Dakota, in such sums as are
14 earned as of October 1, 1995, shall be deposited in this
15 account and immediately transferred to the General Fund
16 of the Treasury. Monies received as revenue sharing from
17 the operation of the Great Plains Gasification Plant shall
18 be immediately transferred to the General Fund of the
19 Treasury.

20 NAVAL PETROLEUM AND OIL SHALE RESERVES

21 For necessary expenses in carrying out naval petro-
22 leum and oil shale reserve activities, \$151,028,000, to re-
23 main available until expended: *Provided*, That the require-
24 ments of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal
25 year 1996.

1 ENERGY CONSERVATION

2 For necessary expenses in carrying out energy con-
3 servation activities, \$552,871,000, to remain available
4 until expended, including, notwithstanding any other pro-
5 vision of law, the excess amount for fiscal year 1996 deter-
6 mined under the provisions of section 3003(d) of Public
7 Law 99-509 (15 U.S.C. 4502), and of which \$16,000,000
8 shall be derived from available unobligated balances in the
9 Biomass Energy Development account: *Provided*, That
10 \$133,946,000 shall be for use in energy conservation pro-
11 grams as defined in section 3008(3) of Public Law 99-
12 509 (15 U.S.C. 4507) and shall not be available until ex-
13 cess amounts are determined under the provisions of sec-
14 tion 3003(d) of Public Law 99-509 (15 U.S.C. 4502):
15 *Provided further*, That notwithstanding section 3003(d)(2)
16 of Public Law 99-509 such sums shall be allocated to the
17 eligible programs as follows: \$107,446,000 for the weath-
18 erization assistance program and \$26,500,000 for the
19 State energy conservation program.

20 ECONOMIC REGULATION

21 For necessary expenses in carrying out the activities
22 of the Economic Regulatory Administration and the Office
23 of Hearings and Appeals, \$6,297,000, to remain available
24 until expended.

1 STRATEGIC PETROLEUM RESERVE
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for Strategic Petroleum Re-
4 serve facility development and operations and program
5 management activities pursuant to the Energy Policy and
6 Conservation Act of 1975, as amended (42 U.S.C. 6201
7 et seq.), \$287,000,000, to remain available until expended,
8 of which \$187,000,000 shall be derived by transfer of un-
9 obligated balances from the “SPR petroleum account” and
10 \$100,000,000 shall be derived by transfer from the “SPR
11 Decommissioning Fund”: *Provided*, That notwithstanding
12 section 161 of the Energy Policy and Conservation Act,
13 the Secretary shall draw down and sell up to seven million
14 barrels of oil from the Strategic Petroleum Reserve: *Pro-*
15 *vided further*, That the proceeds from the sale shall be de-
16 posited into a special account in the Treasury, to be estab-
17 lished and known as the “SPR Decommissioning Fund”,
18 and shall be available for the purpose of removal of oil
19 from and decommissioning of the Weeks Island site and
20 for other purposes related to the operations of the Strate-
21 gic Petroleum Reserve: *Provided further*, That, notwith-
22 standing any other provision of law, \$100,000,000 in pro-
23 ceeds from the sale shall be included in the budget baseline
24 required by the Balanced Budget and Emergency Deficit
25 Control Act of 1985 and shall be counted as an offset to

1 discretionary budget authority and outlays for the pur-
2 poses of section 251(a)(7) of that Act.

3 SPR PETROLEUM ACCOUNT

4 Notwithstanding 42 U.S.C. 6240(d) the United
5 States share of crude oil in Naval Petroleum Reserve
6 Numbered 1 (Elk Hills) may be sold or otherwise disposed
7 of to other than the Strategic Petroleum Reserve: *Pro-*
8 *vided*, That outlays in fiscal year 1996 resulting from the
9 use of funds in this account shall not exceed \$5,000,000.

10 ENERGY INFORMATION ADMINISTRATION

11 For necessary expenses in carrying out the activities
12 of the Energy Information Administration, \$79,766,000,
13 to remain available until expended: *Provided*, That not-
14 withstanding Section 4(d) of the Service Contract Act of
15 1965 (41 U.S.C. 353(d)) or any other provision of law,
16 funds appropriated under this heading hereafter may be
17 used to enter into a contract for end use consumption sur-
18 veys for a term not to exceed eight years: *Provided further*,
19 That notwithstanding any other provision of law, hereafter
20 the Manufacturing Energy Consumption Survey shall be
21 conducted on a triennial basis.

22 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

23 Appropriations under this Act for the current fiscal
24 year shall be available for hire of passenger motor vehicles;
25 hire, maintenance, and operation of aircraft; purchase, re-

1 pair, and cleaning of uniforms; and reimbursement to the
2 General Services Administration for security guard serv-
3 ices.

4 From appropriations under this Act, transfers of
5 sums may be made to other agencies of the Government
6 for the performance of work for which the appropriation
7 is made.

8 None of the funds made available to the Department
9 of Energy under this Act shall be used to implement or
10 finance authorized price support or loan guarantee pro-
11 grams unless specific provision is made for such programs
12 in an appropriations Act.

13 The Secretary is authorized to accept lands, build-
14 ings, equipment, and other contributions from public and
15 private sources and to prosecute projects in cooperation
16 with other agencies, Federal, State, private, or foreign:
17 *Provided*, That revenues and other moneys received by or
18 for the account of the Department of Energy or otherwise
19 generated by sale of products in connection with projects
20 of the Department appropriated under this Act may be
21 retained by the Secretary of Energy, to be available until
22 expended, and used only for plant construction, operation,
23 costs, and payments to cost-sharing entities as provided
24 in appropriate cost-sharing contracts or agreements: *Pro-*
25 *vided further*, That the remainder of revenues after the

1 making of such payments shall be covered into the Treas-
2 ury as miscellaneous receipts: *Provided further*, That any
3 contract, agreement, or provision thereof entered into by
4 the Secretary pursuant to this authority shall not be exe-
5 cuted prior to the expiration of 30 calendar days (not in-
6 cluding any day in which either House of Congress is not
7 in session because of adjournment of more than three cal-
8 endar days to a day certain) from the receipt by the
9 Speaker of the House of Representatives and the Presi-
10 dent of the Senate of a full comprehensive report on such
11 project, including the facts and circumstances relied upon
12 in support of the proposed project.

13 No funds provided in this Act may be expended by
14 the Department of Energy to prepare, issue, or process
15 procurement documents for programs or projects for
16 which appropriations have not been made.

17 DEPARTMENT OF HEALTH AND HUMAN
18 SERVICES

19 INDIAN HEALTH SERVICE

20 INDIAN HEALTH SERVICES

21 For expenses necessary to carry out the Act of Au-
22 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
23 tion Act, the Indian Health Care Improvement Act, and
24 titles II and III of the Public Health Service Act with re-
25 spect to the Indian Health Service, \$1,725,792,000 to-

1 gether with payments received during the fiscal year pur-
2 suant to 42 U.S.C. 300aaa-2 for services furnished by the
3 Indian Health Service: *Provided*, That funds made avail-
4 able to tribes and tribal organizations through contracts,
5 grant agreements, or any other agreements or compacts
6 authorized by the Indian Self-Determination and Edu-
7 cation Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C.
8 450), shall be deemed to be obligated at the time of the
9 grant or contract award and thereafter shall remain avail-
10 able to the tribe or tribal organization without fiscal year
11 limitation: *Provided further*, That \$12,000,000 shall re-
12 main available until expended, for the Indian Catastrophic
13 Health Emergency Fund: *Provided further*, That
14 \$351,258,000 for contract medical care shall remain avail-
15 able for obligation until September 30, 1997: *Provided fur-*
16 *ther*, That of the funds provided, not less than
17 \$11,306,000 shall be used to carry out the loan repayment
18 program under section 108 of the Indian Health Care Im-
19 provement Act, as amended: *Provided further*, That funds
20 provided in this Act may be used for one-year contracts
21 and grants which are to be performed in two fiscal years,
22 so long as the total obligation is recorded in the year for
23 which the funds are appropriated: *Provided further*, That
24 the amounts collected by the Secretary of Health and
25 Human Services under the authority of title IV of the In-

1 dian Health Care Improvement Act shall be available for
2 two fiscal years after the fiscal year in which they were
3 collected, for the purpose of achieving compliance with the
4 applicable conditions and requirements of titles XVIII and
5 XIX of the Social Security Act (exclusive of planning, de-
6 sign, or construction of new facilities): *Provided further,*
7 That of the funds provided, \$7,500,000 shall remain avail-
8 able until expended, for the Indian Self-Determination
9 Fund, which shall be available for the transitional costs
10 of initial or expanded tribal contracts, grants or coopera-
11 tive agreements with the Indian Health Service under the
12 provisions of the Indian Self-Determination Act: *Provided*
13 *further,* That funding contained herein, and in any earlier
14 appropriations Acts for scholarship programs under the
15 Indian Health Care Improvement Act (25 U.S.C. 1613)
16 shall remain available for obligation until September 30,
17 1997: *Provided further,* That amounts received by tribes
18 and tribal organizations under title IV of the Indian
19 Health Care Improvement Act, as amended, shall be re-
20 ported and accounted for and available to the receiving
21 tribes and tribal organizations until expended.

22 INDIAN HEALTH FACILITIES

23 For construction, repair, maintenance, improvement,
24 and equipment of health and related auxiliary facilities,
25 including quarters for personnel; preparation of plans,

1 specifications, and drawings; acquisition of sites, purchase
2 and erection of modular buildings, and purchases of trail-
3 ers; and for provision of domestic and community sanita-
4 tion facilities for Indians, as authorized by section 7 of
5 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
6 Self-Determination Act and the Indian Health Care Im-
7 provement Act, and for expenses necessary to carry out
8 the Act of August 5, 1954 (68 Stat. 674), the Indian Self-
9 Determination Act, the Indian Health Care Improvement
10 Act, and titles II and III of the Public Health Service Act
11 with respect to environmental health and facilities support
12 activities of the Indian Health Service, \$236,975,000, to
13 remain available until expended: *Provided*, That notwith-
14 standing any other provision of law, funds appropriated
15 for the planning, design, construction or renovation of
16 health facilities for the benefit of an Indian tribe or tribes
17 may be used to purchase land for sites to construct, im-
18 prove, or enlarge health or related facilities.

19 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

20 Appropriations in this Act to the Indian Health Serv-
21 ice shall be available for services as authorized by 5 U.S.C.
22 3109 but at rates not to exceed the per diem rate equiva-
23 lent to the maximum rate payable for senior-level positions
24 under 5 U.S.C. 5376; hire of passenger motor vehicles and
25 aircraft; purchase of medical equipment; purchase of re-

1 prints; purchase, renovation and erection of modular
2 buildings and renovation of existing facilities; payments
3 for telephone service in private residences in the field,
4 when authorized under regulations approved by the Sec-
5 retary; and for uniforms or allowances therefor as author-
6 ized by law (5 U.S.C. 5901–5902); and for expenses of
7 attendance at meetings which are concerned with the func-
8 tions or activities for which the appropriation is made or
9 which will contribute to improved conduct, supervision, or
10 management of those functions or activities: *Provided*,
11 That in accordance with the provisions of the Indian
12 Health Care Improvement Act, non-Indian patients may
13 be extended health care at all tribally administered or In-
14 dian Health Service facilities, subject to charges, and the
15 proceeds along with funds recovered under the Federal
16 Medical Care Recovery Act (42 U.S.C. 2651–53) shall be
17 credited to the account of the facility providing the service
18 and shall be available without fiscal year limitation: *Pro-*
19 *vided further*, That notwithstanding any other law or regu-
20 lation, funds transferred from the Department of Housing
21 and Urban Development to the Indian Health Service
22 shall be administered under Public Law 86–121 (the In-
23 dian Sanitation Facilities Act) and Public Law 93–638,
24 as amended: *Provided further*, That funds appropriated to
25 the Indian Health Service in this Act, except those used

1 for administrative and program direction purposes, shall
2 not be subject to limitations directed at curtailing Federal
3 travel and transportation: *Provided further*, That the In-
4 dian Health Service shall neither bill nor charge those In-
5 dians who may have the economic means to pay unless
6 and until such time as Congress has agreed upon a specific
7 policy to do so and has directed the Indian Health Service
8 to implement such a policy: *Provided further*, That, not-
9 withstanding any other provision of law, funds previously
10 or herein made available to a tribe or tribal organization
11 through a contract, grant or agreement authorized by
12 Title I of the Indian Self-Determination and Education
13 Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450),
14 may be deobligated and reobligated to a self-governance
15 funding agreement under Title III of the Indian Self-De-
16 termination and Education Assistance Act of 1975 and
17 thereafter shall remain available to the tribe or tribal orga-
18 nization without fiscal year limitation: *Provided further*,
19 That none of the funds made available to the Indian
20 Health Service in this Act shall be used to implement the
21 final rule published in the Federal Register on September
22 16, 1987, by the Department of Health and Human Serv-
23 ices, relating to eligibility for the health care services of
24 the Indian Health Service until the Indian Health Service
25 has submitted a budget request reflecting the increased

1 costs associated with the proposed final rule, and such re-
2 quest has been included in an appropriations Act and en-
3 acted into law: *Provided further*, That funds made avail-
4 able in this Act are to be apportioned to the Indian Health
5 Service as appropriated in this Act, and accounted for in
6 the appropriation structure set forth in this Act: *Provided*
7 *further*, That the appropriation structure for the Indian
8 Health Service may not be altered without advance ap-
9 proval of the House and Senate Committees on Appropria-
10 tions.

11 DEPARTMENT OF EDUCATION

12 OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

13 INDIAN EDUCATION

14 For necessary expenses for the orderly closure of the
15 Office of Indian Education, \$1,000,000.

16 OTHER RELATED AGENCIES

17 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

18 SALARIES AND EXPENSES

19 For necessary expenses of the Office of Navajo and
20 Hopi Indian Relocation as authorized by Public Law 93-
21 531, \$21,345,000, to remain available until expended:
22 *Provided*, That funds provided in this or any other appro-
23 priations Act are to be used to relocate eligible individuals
24 and groups including evictees from District 6, Hopi-parti-
25 tioned lands residents, those in significantly substandard

1 housing, and all others certified as eligible and not in-
2 cluded in the preceding categories: *Provided further*, That
3 none of the funds contained in this or any other Act may
4 be used by the Office of Navajo and Hopi Indian Reloca-
5 tion to evict any single Navajo or Navajo family who, as
6 of November 30, 1985, was physically domiciled on the
7 lands partitioned to the Hopi Tribe unless a new or re-
8 placement home is provided for such household: *Provided*
9 *further*, That no relocatee will be provided with more than
10 one new or replacement home: *Provided further*, That the
11 Office shall relocate any certified eligible relocatees who
12 have selected and received an approved homesite on the
13 Navajo reservation or selected a replacement residence off
14 the Navajo reservation or on the land acquired pursuant
15 to 25 U.S.C. 640d-10.

16 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
17 CULTURE AND ARTS DEVELOPMENT

18 PAYMENT TO THE INSTITUTE

19 For payment to the Institute of American Indian and
20 Alaska Native Culture and Arts Development, as author-
21 ized by title XV of Public Law 99-498 (20 U.S.C. 4401
22 et seq.), \$5,500,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

1 For necessary expenses of the Smithsonian Institu-
2 tion, as authorized by law, including research in the fields
3 of art, science, and history; development, preservation, and
4 documentation of the National Collections; presentation of
5 public exhibits and performances; collection, preparation,
6 dissemination, and exchange of information and publica-
7 tions; conduct of education, training, and museum assist-
8 ance programs; maintenance, alteration, operation, lease
9 (for terms not to exceed thirty years), and protection of
10 buildings, facilities, and approaches; not to exceed
11 \$100,000 for services as authorized by 5 U.S.C. 3109; up
12 to 5 replacement passenger vehicles; purchase, rental, re-
13 pair, and cleaning of uniforms for employees;
14 \$309,471,000, of which not to exceed \$32,000,000 for the
15 instrumentation program, collections acquisition, Museum
16 Support Center equipment and move, exhibition
17 reinstallation, the National Museum of the American In-
18 dian, the repatriation of skeletal remains program, re-
19 search equipment, information management, and Latino
20 programming shall remain available until expended and,
21 including such funds as may be necessary to support
22 American overseas research centers and a total of
23 \$125,000 for the Council of American Overseas Research
24 and a total of
25 \$125,000 for the Council of American Overseas Research

1 Centers: *Provided*, That funds appropriated herein are
2 available for advance payments to independent contractors
3 performing research services or participating in official
4 Smithsonian presentations.

5 CONSTRUCTION AND IMPROVEMENTS, NATIONAL
6 ZOOLOGICAL PARK

7 For necessary expenses of planning, construction, re-
8 modeling, and equipping of buildings and facilities at the
9 National Zoological Park, by contract or otherwise,
10 \$3,000,000, to remain available until expended.

11 REPAIR AND RESTORATION OF BUILDINGS

12 For necessary expenses of repair and restoration of
13 buildings owned or occupied by the Smithsonian Institu-
14 tion, by contract or otherwise, as authorized by section
15 2 of the Act of August 22, 1949 (63 Stat. 623), including
16 not to exceed \$10,000 for services as authorized by 5
17 U.S.C. 3109, \$24,954,000, to remain available until ex-
18 pended: *Provided*, That contracts awarded for environ-
19 mental systems, protection systems, and exterior repair or
20 restoration of buildings of the Smithsonian Institution
21 may be negotiated with selected contractors and awarded
22 on the basis of contractor qualifications as well as price.

23 CONSTRUCTION

24 For necessary expenses for construction,
25 \$12,950,000, to remain available until expended: *Pro-*

1 *vided*, That notwithstanding any other provision of law,
2 a single procurement for the construction of the National
3 Museum of the American Indian Cultural Resources Cen-
4 ter may be issued which includes the full scope of the
5 project: *Provided further*, That the solicitation and the
6 contract shall contain the clause “availability of funds”
7 found at 48 CFR 52.232.18.

8 NATIONAL GALLERY OF ART

9 SALARIES AND EXPENSES

10 For the upkeep and operations of the National Gal-
11 lery of Art, the protection and care of the works of art
12 therein, and administrative expenses incident thereto, as
13 authorized by the Act of March 24, 1937 (50 Stat. 51),
14 as amended by the public resolution of April 13, 1939
15 (Public Resolution 9, Seventy-sixth Congress), including
16 services as authorized by 5 U.S.C. 3109; payment in ad-
17 vance when authorized by the treasurer of the Gallery for
18 membership in library, museum, and art associations or
19 societies whose publications or services are available to
20 members only, or to members at a price lower than to the
21 general public; purchase, repair, and cleaning of uniforms
22 for guards, and uniforms, or allowances therefor, for other
23 employees as authorized by law (5 U.S.C. 5901–5902);
24 purchase or rental of devices and services for protecting
25 buildings and contents thereof, and maintenance, alter-

1 ation, improvement, and repair of buildings, approaches,
2 and grounds; and purchase of services for restoration and
3 repair of works of art for the National Gallery of Art by
4 contracts made, without advertising, with individuals,
5 firms, or organizations at such rates or prices and under
6 such terms and conditions as the Gallery may deem prop-
7 er, \$51,315,000, of which not to exceed \$3,026,000 for
8 the special exhibition program shall remain available until
9 expended.

10 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

11 For necessary expenses of repair, restoration and
12 renovation of buildings, grounds and facilities owned or
13 occupied by the National Gallery of Art, by contract or
14 otherwise, as authorized \$5,500,000, to remain available
15 until expended: *Provided*, That contracts awarded for envi-
16 ronmental systems, protection systems, and exterior repair
17 or renovation of buildings of the National Gallery of Art
18 may be negotiated with selected contractors and awarded
19 on the basis of contractor qualifications as well as price.

20 JOHN F. KENNEDY CENTER FOR THE PERFORMING
21 ARTS

22 OPERATIONS AND MAINTENANCE

23 For necessary expenses for the operation, mainte-
24 nance and security of the John F. Kennedy Center for
25 the Performing Arts, \$9,800,000.

1 CONSTRUCTION

2 For necessary expenses of capital repair and rehabili-
3 tation of the existing features of the building and site of
4 the John F. Kennedy Center for the Performing Arts,
5 \$8,983,000, to remain available until expended.

6 WOODROW WILSON INTERNATIONAL CENTER FOR
7 SCHOLARS

8 SALARIES AND EXPENSES

9 For expenses necessary in carrying out the provisions
10 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
11 1356) including hire of passenger vehicles and services as
12 authorized by 5 U.S.C. 3109, \$6,152,000.

13 NATIONAL FOUNDATION ON THE ARTS AND THE
14 HUMANITIES

15 NATIONAL ENDOWMENT FOR THE ARTS

16 GRANTS AND ADMINISTRATION

17 For necessary expenses to carry out the National
18 Foundation on the Arts and Humanities Act of 1965, as
19 amended, \$82,259,000 shall be available to the National
20 Endowment for the Arts for the support of projects and
21 productions in the arts through assistance to groups and
22 individuals pursuant to section 5(c) of the Act, and for
23 administering the functions of the Act, to remain available
24 until September 30, 1997.

1 MATCHING GRANTS

2 To carry out the provisions of section 10(a)(2) of the
3 National Foundation on the Arts and the Humanities Act
4 of 1965, as amended, \$17,235,000, to remain available
5 until September 30, 1997, to the National Endowment for
6 the Arts, of which \$7,500,000 shall be available for pur-
7 poses of section 5(p)(1): *Provided*, That this appropriation
8 shall be available for obligation only in such amounts as
9 may be equal to the total amounts of gifts, bequests, and
10 devises of money, and other property accepted by the
11 Chairman or by grantees of the Endowment under the
12 provisions of section 10(a)(2), subsections 11(a)(2)(A)
13 and 11(a)(3)(A) during the current and preceding fiscal
14 years for which equal amounts have not previously been
15 appropriated.

16 NATIONAL ENDOWMENT FOR THE HUMANITIES

17 GRANTS AND ADMINISTRATION

18 For necessary expenses to carry out the National
19 Foundation on the Arts and the Humanities Act of 1965,
20 as amended, \$82,469,000 shall be available to the Na-
21 tional Endowment for the Humanities for support of ac-
22 tivities in the humanities, pursuant to section 7(c) of the
23 Act, and for administering the functions of the Act, to
24 remain available until September 30, 1997.

1 MATCHING GRANTS

2 To carry out the provisions of section 10(a)(2) of the
3 National Foundation on the Arts and the Humanities Act
4 of 1965, as amended, \$17,025,000, to remain available
5 until September 30, 1997, of which \$9,180,000 shall be
6 available to the National Endowment for the Humanities
7 for the purposes of section 7(h): *Provided*, That this ap-
8 propriation shall be available for obligation only in such
9 amounts as may be equal to the total amounts of gifts,
10 bequests, and devises of money, and other property accept-
11 ed by the Chairman or by grantees of the Endowment
12 under the provisions of subsections 11(a)(2)(B) and
13 11(a)(3)(B) during the current and preceding fiscal years
14 for which equal amounts have not previously been appro-
15 priated.

16 INSTITUTE OF MUSEUM SERVICES

17 GRANTS AND ADMINISTRATION

18 For carrying out title II of the Arts, Humanities, and
19 Cultural Affairs Act of 1976, as amended, \$21,000,000,
20 to remain available until September 30, 1997.

21 ADMINISTRATIVE PROVISIONS

22 None of the funds appropriated to the National
23 Foundation on the Arts and the Humanities may be used
24 to process any grant or contract documents which do not
25 include the text of 18 U.S.C. 1913: *Provided*, That none

1 of the funds appropriated to the National Foundation on
2 the Arts and the Humanities may be used for official re-
3 ception and representation expenses.

4 COMMISSION OF FINE ARTS

5 SALARIES AND EXPENSES

6 For expenses made necessary by the Act establishing
7 a Commission of Fine Arts (40 U.S.C. 104), \$834,000.

8 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

9 For necessary expenses as authorized by Public Law
10 99-190 (99 Stat. 1261; 20 U.S.C. 956(a)), as amended,
11 \$6,000,000.

12 ADVISORY COUNCIL ON HISTORIC PRESERVATION

13 SALARIES AND EXPENSES

14 For expenses necessary for the orderly closure of the
15 Advisory Council on Historic Preservation, \$1,000,000:
16 *Provided*, That none of these funds shall be available for
17 the compensation of Executive Level V or higher positions.

18 NATIONAL CAPITAL PLANNING COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses, as authorized by the Na-
21 tional Capital Planning Act of 1952 (40 U.S.C. 71-71i),
22 including services as authorized by 5 U.S.C. 3109,
23 \$5,090,000: *Provided*, That all appointed members will be
24 compensated at a rate equivalent to the rate for Executive
25 Schedule Level IV.

1 FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION
2 SALARIES AND EXPENSES

3 For necessary expenses of the Franklin Delano Roo-
4 sevelt Memorial Commission, established by the Act of Au-
5 gust 11, 1955 (69 Stat. 694), as amended by Public Law
6 92-332 (86 Stat. 401), \$48,000, to remain available until
7 September 30, 1997.

8 PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION
9 SALARIES AND EXPENSES

10 For necessary expenses for the orderly closure of the
11 Pennsylvania Avenue Development Corporation,
12 \$2,000,000.

13 UNITED STATES HOLOCAUST MEMORIAL COUNCIL
14 HOLOCAUST MEMORIAL COUNCIL

15 For expenses of the Holocaust Memorial Council, as
16 authorized by Public Law 96-388, as amended,
17 \$28,707,000; of which \$1,575,000 for the Museum's re-
18 pair and rehabilitation program and \$1,264,000 for the
19 Museum's exhibition program shall remain available until
20 expended.

21 TITLE III—GENERAL PROVISIONS

22 SEC. 301. The expenditure of any appropriation
23 under this Act for any consulting service through procure-
24 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
25 to those contracts where such expenditures are a matter

1 of public record and available for public inspection, except
2 where otherwise provided under existing law, or under ex-
3 isting Executive order issued pursuant to existing law.

4 SEC. 302. No part of any appropriation under this
5 Act shall be available to the Secretary of the Interior or
6 the Secretary of Agriculture for the leasing of oil and nat-
7 ural gas by noncompetitive bidding on publicly owned
8 lands within the boundaries of the Shawnee National For-
9 est, Illinois: *Provided*, That nothing herein is intended to
10 inhibit or otherwise affect the sale, lease, or right to access
11 to minerals owned by private individuals.

12 SEC. 303. No part of any appropriation contained in
13 this Act shall be available for any activity or the publica-
14 tion or distribution of literature that in any way tends to
15 promote public support or opposition to any legislative
16 proposal on which congressional action is not complete.

17 SEC. 304. No part of any appropriation contained in
18 this Act shall remain available for obligation beyond the
19 current fiscal year unless expressly so provided herein.

20 SEC. 305. None of the funds provided in this Act to
21 any department or agency shall be obligated or expended
22 to provide a personal cook, chauffeur, or other personal
23 servants to any officer or employee of such department
24 or agency except as otherwise provided by law.

1 SEC. 306. No assessments may be levied against any
2 program, budget activity, subactivity, or project funded by
3 this Act unless notice of such assessments and the basis
4 therefor are presented to the Committees on Appropria-
5 tions and are approved by such Committees.

6 SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN
7 ACT.—None of the funds made available in this Act may
8 be expended by an entity unless the entity agrees that in
9 expending the funds the entity will comply with sections
10 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-
11 10c; popularly known as the “Buy American Act”).

12 (b) SENSE OF CONGRESS; REQUIREMENT REGARD-
13 ING NOTICE.—

14 (1) PURCHASE OF AMERICAN-MADE EQUIPMENT
15 AND PRODUCTS.—In the case of any equipment or
16 product that may be authorized to be purchased
17 with financial assistance provided using funds made
18 available in this Act, it is the sense of the Congress
19 that entities receiving the assistance should, in ex-
20 pending the assistance, purchase only American-
21 made equipment and products.

22 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—
23 In providing financial assistance using funds made
24 available in this Act, the head of each Federal agen-
25 cy shall provide to each recipient of the assistance

1 a notice describing the statement made in paragraph
2 (1) by the Congress.

3 (c) PROHIBITION OF CONTRACTS WITH PERSONS
4 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
5 If it has been finally determined by a court or Federal
6 agency that any person intentionally affixed a label bear-
7 ing a “Made in America” inscription, or any inscription
8 with the same meaning, to any product sold in or shipped
9 to the United States that is not made in the United
10 States, the person shall be ineligible to receive any con-
11 tract or subcontract made with funds made available in
12 this Act, pursuant to the debarment, suspension, and ineli-
13 gibility procedures described in sections 9.400 through
14 9.409 of title 48, Code of Federal Regulations.

15 SEC. 308. None of the funds in this Act may be used
16 to plan, prepare, or offer for sale timber from trees classi-
17 fied as giant sequoia (*sequoiadendron giganteum*) which
18 are located on National Forest System or Bureau of Land
19 Management lands in a manner different than such sales
20 were conducted in fiscal year 1995.

21 SEC. 309. None of the funds made available by this
22 Act may be obligated or expended by the National Park
23 Service to enter into or implement a concession contract
24 which permits or requires the removal of the underground
25 lunchroom at the Carlsbad Caverns National Park.

1 SEC. 310. Where the actual costs of construction
2 projects under self-determination contracts, compacts, or
3 grants, pursuant to Public Laws 93–638, 100–413, or
4 100–297, are less than the estimated costs thereof, use
5 of the resulting excess funds shall be determined by the
6 appropriate Secretary after consultation with the tribes.

7 SEC. 311. Notwithstanding Public Law 103–413,
8 quarterly payments of funds to tribes and tribal organiza-
9 tions under annual funding agreements pursuant to sec-
10 tion 108 of Public Law 93–638, as amended, may be made
11 on the first business day following the first day of a fiscal
12 quarter.

13 SEC. 312. None of funds in this Act may be used
14 for the Americorps program.

15 SEC. 313. (a) On or before April 1, 1996, the Penn-
16 sylvania Avenue Development Corporation shall—

17 (1) transfer and assign in accordance with this
18 section all of its rights, title, and interest in and to
19 all of the leases, covenants, agreements, and ease-
20 ments it has executed or will execute by March 31,
21 1996, in carrying out its powers and duties under
22 the Pennsylvania Avenue Development Corporation
23 Act (40 U.S.C. 871–885) and the Federal Triangle
24 Development Act (40 U.S.C. 1101–1109) to the
25 General Services Administration, National Capital

1 Planning Commission, or the National Park Service;
2 and

3 (2) except as provided by subsection (d), trans-
4 fer all rights, title, and interest in and to all prop-
5 erty, both real and personal, held in the name of the
6 Pennsylvania Avenue Development Corporation to
7 the General Services Administration.

8 (b) The responsibilities of the Pennsylvania Avenue
9 Development Corporation transferred to the General Serv-
10 ices Administration under subsection (a) include, but are
11 not limited to, the following:

12 (1) Collection of revenue owed the Federal Gov-
13 ernment as a result of real estate sales or lease
14 agreements entered into by the Pennsylvania Avenue
15 Development Corporation and private parties, in-
16 cluding, at a minimum, with respect to the following
17 projects:

18 (A) The Willard Hotel property on Square
19 225.

20 (B) The Gallery Row project on Square
21 457.

22 (C) The Lansburgh's project on Square
23 431.

24 (D) The Market Square North project on
25 Square 407.

1 (2) Collection of sale or lease revenue owed the
2 Federal Government (if any) in the event two unde-
3 veloped sites owned by the Pennsylvania Avenue De-
4 velopment Corporation on Squares 457 and 406 are
5 sold or leased prior to April 1, 1996.

6 (3) Application of collected revenue to repay
7 United States Treasury debt incurred by the Penn-
8 sylvania Avenue Development Corporation in the
9 course of acquiring real estate.

10 (4) Performing financial audits for projects in
11 which the Pennsylvania Avenue Development Cor-
12 poration has actual or potential revenue expectation,
13 as identified in paragraphs (1) and (2), in accord-
14 ance with procedures describe in applicable sale or
15 lease agreements.

16 (5) Disposition of real estate properties which
17 are or become available for sale and lease or other
18 uses.

19 (6) Payment of benefits in accordance with the
20 Uniform Relocation Assistance and Real Property
21 Acquisitions Policies Act of 1970 to which persons
22 in the project area squares are entitled as a result
23 of the Pennsylvania Avenue Development Corpora-
24 tion's acquisition of real estate.

1 (7) Carrying out the responsibilities of the
2 Pennsylvania Avenue Development Corporation
3 under the Federal Triangle Development Act (40
4 U.S.C. 1101–1109), including responsibilities for
5 managing assets and liabilities of the Corporation
6 under such Act.

7 (c) In carrying out the responsibilities of the Penn-
8 sylvania Avenue Development Corporation transferred
9 under this section, the Administrator of the General Serv-
10 ices Administration shall have the following powers:

11 (1) To acquire lands, improvements, and prop-
12 erties by purchase, lease or exchange, and to sell,
13 lease, or otherwise dispose of real or personal prop-
14 erty as necessary to complete the development plan
15 developed under section 5 of the Pennsylvania Ave-
16 nue Development Corporation Act of 1972 (40
17 U.S.C. 874) if a notice of intention to carry out such
18 acquisition or disposal is first transmitted to the
19 Committee on Transportation and Infrastructure
20 and the Committee on Appropriations of the House
21 of Representatives and the Committee on Environ-
22 ment and Public Works and the Committee on Ap-
23 propriations of the Senate and at least 60 days
24 elapse after the date of such transmission.

1 (2) To modify from time to time the plan re-
2 ferred to in paragraph (1) if such modification is
3 first transmitted to the Committee on Transpor-
4 tation and Infrastructure and the Committee on Ap-
5 propriations of the House of Representatives and the
6 Committee on Environment and Public Works and
7 the Committee on Appropriations of the Senate and
8 at least 60 days elapse after the date of such trans-
9 mission.

10 (3) To maintain any existing Pennsylvania Ave-
11 nue Development Corporation insurance programs.

12 (4) To enter into and perform such leases, con-
13 tracts, or other transactions with any agency or in-
14 strumentality of the United States, the several
15 States, or the District of Columbia or with any per-
16 son, firm, association, or corporation as may be nec-
17 essary to carry out the responsibilities of the Penn-
18 sylvania Avenue Development Corporation under the
19 Federal Triangle Development Act (40 U.S.C.
20 1101–1109).

21 (5) To request the Council of the District of
22 Columbia to close any alleys necessary for the com-
23 pletion of development in Square 457.

24 (6) To use all of the funds transferred from the
25 Pennsylvania Avenue Development Corporation or

1 income earned on Pennsylvania Avenue Development
2 Corporation property to complete any pending devel-
3 opment projects.

4 (d)(1)(A) On or before April 1, 1996, the Pennsylva-
5 nia Avenue Development Corporation shall transfer all its
6 right, title, and interest in and to the property described
7 in subparagraph (B) to the National Park Service, De-
8 partment of the Interior.

9 (B) The property referred to in subparagraph (A) is
10 the property located within the Pennsylvania Avenue Na-
11 tional Historic Site depicted on a map entitled “Penn-
12 sylvania Avenue National Historic Park”, dated June 1,
13 1995, and numbered 840–82441, which shall be on file
14 and available for public inspection in the offices of the Na-
15 tional Park Service, Department of the Interior. The
16 Pennsylvania Avenue National Historic Site includes the
17 parks, plazas, sidewalks, special lighting, trees, sculpture,
18 and memorials.

19 (2) Jurisdiction of Pennsylvania Avenue and all other
20 roadways from curb to curb shall remain with the District
21 of Columbia but vendors shall not be permitted to occupy
22 street space except during temporary special events.

23 (3) The National Park Service shall be responsible
24 for management, administration, maintenance, law en-
25 forcement, visitor services, resource protection, interpreta-

1 tion, and historic preservation at the Pennsylvania Avenue
2 National Historic Site.

3 (4) The National Park Service may enter into con-
4 tracts, cooperative agreements, or other transactions with
5 any agency or instrumentality of the United States, the
6 several States, or the District of Columbia or with any
7 person, firm, association, or corporation as may be deemed
8 necessary or appropriate for the conduct of special events,
9 festivals, concerts, or other art and cultural programs at
10 the Pennsylvania Avenue National Historic Site or may
11 establish a nonprofit foundation to solicit funds for such
12 activities.

13 (e) Notwithstanding any other provision of law, the
14 responsibility for ensuring that development or redevelop-
15 ment in the Pennsylvania Avenue area is carried out in
16 accordance with the Pennsylvania Avenue Development
17 Corporation Plan—1974, as amended, is transferred to
18 the National Capital Planning Commission or its succes-
19 sor commencing April 1, 1996.

20 (f) SAVINGS PROVISIONS.—

21 (1) REGULATIONS.—Any regulations prescribed
22 by the Corporation in connection with the Penn-
23 sylvania Avenue Development Corporation Act of
24 1972 (40 U.S.C. 871–885) and the Federal Triangle
25 Development Act (40 U.S.C. 1101–1109) shall con-

1 tinue in effect until suspended by regulations pre-
2 scribed by the Administrator of the General Services
3 Administration.

4 (2) EXISTING RIGHTS, DUTIES, AND OBLIGA-
5 TIONS NOT AFFECTED.—Subsection (a) shall not be
6 construed as affecting the validity of any right, duty,
7 or obligation of the United States or any other per-
8 son arising under or pursuant to any contract, loan,
9 or other instrument or agreement which was in ef-
10 fect on the day before the date of the transfers
11 under subsection (a).

12 (3) CONTINUATION OF SUITS.—No action or
13 other proceeding commenced by or against the Cor-
14 poration in connection with administration of the
15 Pennsylvania Avenue Development Corporation Act
16 of 1972 (40 U.S.C. 871–885) and the Federal Tri-
17 angle Development Act (40 U.S.C. 1101–1109) shall
18 abate by reason of enactment and implementation of
19 this Act, except that the General Services Adminis-
20 tration shall be substituted for the Corporation as a
21 party to any such action or proceeding.

22 (g) Section 3(b) of the Pennsylvania Avenue Develop-
23 ment Corporation Act of 1972 (40 U.S.C. 872(b)) is
24 amended as follows:

1 “(b) The Corporation shall be dissolved on April 1,
2 1996. Upon dissolution, assets, obligations, and indebted-
3 ness of the Corporation shall be transferred in accordance
4 with the Department of the Interior and Related Agencies
5 Appropriations Act, 1996.”.

6 SEC. 314. (a) Except as provided in subsection (b),
7 no part of any appropriation contained in this Act or any
8 other Act shall be obligated or expended for the operation
9 or implementation of the Interior Columbia River Basin
10 Ecoregion Assessment Project (hereinafter “Project”).

11 (b) From the funds appropriated to the Forest Serv-
12 ice and the Bureau of Land Management, \$600,000 is
13 made available to publish by January 1, 1996, for peer
14 review and public comment, the scientific information col-
15 lected, and analysis undertaken, by the Project prior to
16 the date of enactment of this Act concerning forest health
17 conditions and forest management needs related to those
18 conditions.

19 (c)(1) From the funds appropriated to the Forest
20 Service, the Secretary of Agriculture (hereinafter “Sec-
21 retary”) shall—

22 (A) review the land and resource management
23 plan (hereinafter “plan”) for each national forest
24 within the area encompassed by the Project and any
25 policy which is applicable to such plan (whether or

1 not such policy is final or draft, or has been added
2 to such plan by amendment), which is or is intended
3 to be of limited duration, and which the Project was
4 tasked to address; and

5 (B) determine whether such policy modified to
6 meet the specific conditions of such national forest,
7 or another policy which serves the purpose of such
8 policy, should be adopted for such national forest.

9 (2) If the Secretary makes a decision that such a
10 modified or alternative policy should be adopted for such
11 national forest, the Secretary shall prepare and adopt for
12 the plan for such national forest an amendment which
13 contains such policy, which is directed solely to and affects
14 only such plan, and which addresses the specific conditions
15 of the national forest and the relationship of such policy
16 to such conditions.

17 (3) To the maximum extent practicable, any amend-
18 ment prepared pursuant to paragraph (2) shall establish
19 procedures to develop site-specific standards in lieu of im-
20 posing general standards applicable to multiple sites. Any
21 amendment which would result in any change in land allo-
22 cations within the plan or reduce the likelihood of achieve-
23 ment of the goals and objectives of the plan (prior to any
24 previous amendment incorporating in the plan any policy
25 referred to in paragraph (1)(A)) shall be deemed a signifi-

1 cant plan amendment pursuant to section 6(f)(4) of the
2 Forest and Rangeland Renewable Resources Planning Act
3 of 1974 (16 U.S.C. 1604(f)(4)).

4 (4) Any amendment prepared pursuant to paragraph
5 (2) which adopts a modified or alternative policy to sub-
6 stitute for a policy referred to in paragraph (1)(A) which
7 has undergone consultation pursuant to section 7 of the
8 Endangered Species Act of 1973 shall not again be subject
9 to the consultation provisions of such section 7. No further
10 consultation shall be undertaken on any policy referred to
11 in paragraph (1)(A).

12 (5) Any amendment prepared pursuant to paragraph
13 (2) shall be adopted on or before March 31, 1996: *Pro-*
14 *vided*, That any amendment deemed a significant amend-
15 ment pursuant to paragraph (3) shall be adopted on or
16 before June 30, 1996.

17 (6) No policy referred to in paragraph (1)(A) shall
18 be effective on or after April 1, 1996.

19 SEC. 315. (a) The Secretary of the Interior (acting
20 through the Bureau of Land Management, the National
21 Park Service and the United States Fish and Wildlife
22 Service) and the Secretary of Agriculture (acting through
23 the Forest Service) shall each implement a fee program
24 to demonstrate the feasibility of user-generated cost recov-

1 ery for the operation and maintenance of recreation sites
2 and habitat enhancement projects on Federal lands.

3 (b) In carrying out the pilot program established pur-
4 suant to this section, the appropriate Secretary shall select
5 from areas under the jurisdiction of each of the four agen-
6 cies referred to in subsection (a) no fewer than 10, but
7 as many as 30, sites or projects for fee demonstration.
8 For each such demonstration, the Secretary, notwith-
9 standing any other provision of law—

10 (1) shall charge and collect fees for admission
11 to the area or for the use of outdoor recreation sites,
12 facilities, visitor centers, equipment, and services by
13 individuals and groups, or any combination thereof;

14 (2) shall establish fees under this section based
15 upon a variety of cost recovery and fair market valu-
16 ation methods to provide a broad basis for feasibility
17 testing;

18 (3) may contract with any public or private en-
19 tity to provide visitor services, including reservations
20 and information, and may accept services of volun-
21 teers to collect fees charged pursuant to paragraph
22 (1); and

23 (4) may encourage private investment and partner-
24 ships to enhance the delivery of quality customer services

1 and resource enhancement, and provide appropriate rec-
2 ognition to such partners or investors.

3 (c)(1) Amounts collected at each fee demonstration
4 site in excess of 104 percent of that site's total collections
5 during the previous fiscal year shall be distributed as fol-
6 lows:

7 (i) Eighty percent of the amounts collected at
8 the demonstration site shall be deposited in a special
9 account in the Treasury established for the adminis-
10 trative unit in which the project is located and shall
11 remain available for expenditure in accordance with
12 paragraph (3) for further activities of the site or
13 project.

14 (ii) Twenty percent of the amounts collected at
15 the demonstration site shall be deposited in a special
16 account in the Treasury for each agency and shall
17 remain available for expenditure in accordance with
18 paragraph (3) for use on an agencywide basis.

19 (2) For purposes of this subsection, "total collec-
20 tions" for each site shall be defined as gross collections
21 before any reduction for amounts attributable to collection
22 costs.

23 (3) Expenditures from the special funds shall be ac-
24 counted for separately.

1 (4) In order to increase the quality of the visitor expe-
2 rience at public recreational areas and enhance the protec-
3 tion of resources, amounts available for expenditure under
4 paragraph (1) may only be used for the site or project
5 concerned, for backlogged repair and maintenance projects
6 (including projects relating to health and safety) and for
7 interpretation, signage, habitat or facility enhancement,
8 resource preservation, annual operation, maintenance, and
9 law enforcement relating to public use. The agencywide
10 accounts may be used for the same purposes set forth in
11 the preceding sentence, but for sites or projects selected
12 at the discretion of the respective agency head.

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

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

1 (e) The Secretary of the Interior and the Secretary
2 of Agriculture shall carry out this section without promul-
3 gating regulations.

4 (f) The authority to collect fees under this section
5 shall commence on October 1, 1995, and end on Septem-
6 ber 30, 1996. Funds in accounts established shall remain
7 available through September 30, 1997.

8 SEC. 316. The Forest Service and Bureau of Land
9 Management may offer for sale salvageable timber in the
10 Pacific Northwest in fiscal year 1996: *Provided*, That for
11 public lands known to contain the Northern spotted owl,
12 such salvage sales may be offered as long as the offering
13 of such sale will not render the area unsuitable as habitat
14 for the Northern spotted owl: *Provided further*, That tim-
15 ber salvage activity in spotted owl habitat is to be done
16 in full compliance with all existing environmental and for-
17 est management laws.

18 SEC. 317. None of the funds made available in this
19 Act may be used for any program, project, or activity
20 when it is made known to the Federal entity or official
21 to which the funds are made available that the program,
22 project, or activity is not in compliance with any applicable
23 Federal law relating to risk assessment, the protection of
24 private property rights, or unfunded mandates.

1 This Act may be cited as the “Department of the In-
2 terior and Related Agencies Appropriations Act, 1996”.

HR 1977 RH—2

HR 1977 RH—3

HR 1977 RH—4

HR 1977 RH—5

HR 1977 RH—6

HR 1977 RH—7

Union Calendar No. 84

104TH CONGRESS
1ST SESSION

H. R. 1977

[Report No. 104-173]

A BILL

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

JUNE 30, 1995

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed