

**Calendar No. 160**

104TH CONGRESS  
1ST SESSION

**H. R. 1977**

**[Report No. 104-125]**

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## **AN ACT**

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

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JULY 19 (legislative day, JULY 10), 1995

Received: read twice and referred to the Committee on Appropriations

JULY 28 (legislative day, JULY 10), 1995

Reported with amendments

**Calendar No. 160**104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**H. R. 1977****[Report No. 104-125]**

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**IN THE SENATE OF THE UNITED STATES**

JULY 19 (legislative day, JULY 10), 1995

Received; read twice and referred to the Committee on Appropriations

JULY 28 (legislative day, JULY 10), 1995

Reported by Mr. GORTON, with amendments

[Omit the part struck through and insert the part printed in italic]

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**AN ACT**

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

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~~ *\$565,936,000*,  
12 to remain available until expended, ~~of which not more than~~  
13 ~~\$599,999~~ shall be available to the Needles Resources Area  
14 for the management of the East Mojave National Scenic  
15 Area, as defined by the Bureau of Land Management  
16 prior to October 1, 1994, in the California Desert District  
17 of the Bureau of Land Management, and of which  
18 \$4,000,000 shall be derived from the special receipt ac-  
19 count established by section 4 of the Land and Water Con-  
20 servation Fund Act of 1965, as amended (16 U.S.C. 460l-  
21 6a(i)): *Provided*, That appropriations herein made shall  
22 not be available for the destruction of healthy, unadopted,  
23 wild horses and burros in the care of the Bureau or its  
24 contractors; and in addition, \$27,650,000 for Mining Law  
25 Administration program operations, to remain available

1 until expended, to be reduced by amounts collected by the  
2 Bureau of Land Management and credited to this appro-  
3 priation from annual mining claim fees so as to result in  
4 a final appropriation estimated at not more than  
5 ~~\$570,017,000~~ \$565,936,000. *Provided further*, That in ad-  
6 dition to funds otherwise available, and to remain available  
7 until expended, not to exceed \$5,000,000 from annual  
8 mining claim fees shall be credited to this account for the  
9 costs of administering the mining claim fee program, and  
10 \$2,000,000 from communication site rental fees estab-  
11 lished by the Bureau.

12 WILDLAND FIRE MANAGEMENT

13 For necessary expenses for fire use and management,  
14 fire preparedness, emergency presuppression, suppression  
15 operations, emergency rehabilitation, and renovation or  
16 construction of fire facilities in the Department of the In-  
17 terior, ~~\$235,924,000~~ \$242,159,000, to remain available  
18 until expended, of which not to exceed \$5,025,000, shall  
19 be available for the renovation or construction of fire fa-  
20 cilities: *Provided*, That notwithstanding any other provi-  
21 sion of law, persons hired pursuant to 43 U.S.C. 1469  
22 may be furnished subsistence and lodging without cost  
23 from funds available from this appropriation: *Provided*  
24 *further*, That such funds are also available for repayment  
25 of advances to other appropriation accounts from which  
26 funds were previously transferred for such purposes: *Pro-*

1 *vided further*, That unobligated balances of amounts pre-  
2 viously appropriated to the Fire Protection and Emer-  
3 gency Department of the Interior Firefighting Fund may  
4 be transferred or merged with this appropriation.

5 CENTRAL HAZARDOUS MATERIALS FUND

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

1 of by the Secretary of the Interior and which shall be cred-  
2 ited to this account.

3 CONSTRUCTION AND ACCESS

4 For acquisition of lands and interests therein, and  
5 construction of buildings, recreation facilities, roads,  
6 trails, and appurtenant facilities, ~~\$2,515,000~~ *\$2,615,000*,  
7 to remain available until expended.

8 PAYMENTS IN LIEU OF TAXES

9 For expenses necessary to implement the Act of Octo-  
10 ber 20, 1976, as amended (31 U.S.C. 6901-07),  
11 ~~\$111,409,000~~ *\$100,000,000*, of which not to exceed  
12 \$400,000 shall be available for administrative expenses.

13 LAND ACQUISITION

14 For expenses necessary to carry out the provisions  
15 of sections 205, 206, and 318(d) of Public Law 94-579  
16 including administrative expenses and acquisition of lands  
17 or waters, or interests therein, ~~\$8,500,000~~ *\$10,550,000* to  
18 be derived from the Land and Water Conservation Fund,  
19 to remain available until expended.

20 OREGON AND CALIFORNIA GRANT LANDS

21 For expenses necessary for management, protection,  
22 and development of resources and for construction, oper-  
23 ation, and maintenance of access roads, reforestation, and  
24 other improvements on the revested Oregon and California  
25 Railroad grant lands, on other Federal lands in the Or-  
26 egon and California land-grant counties of Oregon, and

1 on adjacent rights-of-way; and acquisition of lands or in-  
2 terests therein including existing connecting roads on or  
3 adjacent to such grant lands; ~~\$91,387,000~~ \$95,364,000, to  
4 remain available until expended: *Provided*, That 25 per  
5 centum of the aggregate of all receipts during the current  
6 fiscal year from the revested Oregon and California Rail-  
7 road grant lands is hereby made a charge against the Or-  
8 egon and California land-grant fund and shall be trans-  
9 ferred to the General Fund in the Treasury in accordance  
10 with the provisions of the second paragraph of subsection  
11 (b) of title II of the Act of August 28, 1937 (50 Stat.  
12 876).

13 RANGE IMPROVEMENTS

14 For rehabilitation, protection, and acquisition of  
15 lands and interests therein, and improvement of Federal  
16 rangelands pursuant to section 401 of the Federal Land  
17 Policy and Management Act of 1976 (43 U.S.C. 1701),  
18 notwithstanding any other Act, sums equal to 50 per cen-  
19 tum of all moneys received during the prior fiscal year  
20 under sections 3 and 15 of the Taylor Grazing Act (43  
21 U.S.C. 315 et seq.) and the amount designated for range  
22 improvements from grazing fees and mineral leasing re-  
23 cepts from Bankhead-Jones lands transferred to the De-  
24 partment of the Interior pursuant to law, but not less than  
25 \$9,113,000, to remain available until expended: *Provided*,

1 That not to exceed \$600,000 shall be available for admin-  
2 istrative expenses.

3 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

4 For administrative expenses and other costs related  
5 to processing application documents and other authoriza-  
6 tions for use and disposal of public lands and resources,  
7 for costs of providing copies of official public land docu-  
8 ments, for monitoring construction, operation, and termi-  
9 nation of facilities in conjunction with use authorizations,  
10 and for rehabilitation of damaged property, such amounts  
11 as may be collected under sections 209(b), 304(a), 304(b),  
12 305(a), and 504(g) of the Act approved October 21, 1976  
13 (43 U.S.C. 1701), and sections 101 and 203 of Public  
14 Law 93-153, to be immediately available until expended:  
15 *Provided*, That notwithstanding any provision to the con-  
16 trary of section 305(a) of the Act of October 21, 1976  
17 (43 U.S.C. 1735(a)), any moneys that have been or will  
18 be received pursuant to that section, whether as a result  
19 of forfeiture, compromise, or settlement, if not appropriate  
20 for refund pursuant to section 305(c) of that Act (43  
21 U.S.C. 1735(c)), shall be available and may be expended  
22 under the authority of this or subsequent appropriations  
23 Acts by the Secretary to improve, protect, or rehabilitate  
24 any public lands administered through the Bureau of  
25 Land Management which have been damaged by the ac-  
26 tion of a resource developer, purchaser, permittee, or any



1 unauthorized person, without regard to whether all mon-  
2 eys collected from each such forfeiture, compromise, or  
3 settlement are used on the exact lands damage to which  
4 led to the forfeiture, compromise, or settlement: *Provided*  
5 *further*, That such moneys are in excess of amounts need-  
6 ed to repair damage to the exact land for which collected.

7 MISCELLANEOUS TRUST FUNDS

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

16 ADMINISTRATIVE PROVISIONS

17 Appropriations for the Bureau of Land Management  
18 shall be available for purchase, erection, and dismantle-  
19 ment of temporary structures, and alteration and mainte-  
20 nance of necessary buildings and appurtenant facilities to  
21 which the United States has title; up to \$100,000 for pay-  
22 ments, at the discretion of the Secretary, for information  
23 or evidence concerning violations of laws administered by  
24 the Bureau of Land Management; miscellaneous and  
25 emergency expenses of enforcement activities authorized  
26 or approved by the Secretary and to be accounted for sole-

1 ly on his certificate, not to exceed \$10,000: *Provided*, That  
2 notwithstanding 44 U.S.C. 501, the Bureau may, under  
3 cooperative cost-sharing and partnership arrangements  
4 authorized by law, procure printing services from coopera-  
5 tors in connection with jointly-produced publications for  
6 which the cooperators share the cost of printing either in  
7 cash or in services, and the Bureau determines the co-  
8 operator is capable of meeting accepted quality standards.

9 UNITED STATES FISH AND WILDLIFE SERVICE

10 RESOURCE MANAGEMENT

11 For expenses necessary for scientific and economic  
12 studies, conservation, management, investigations, protec-  
13 tion, and utilization of fishery and wildlife resources, ex-  
14 cept whales, seals, and sea lions, and for the performance  
15 of other authorized functions related to such resources; for  
16 the general administration of the United States Fish and  
17 Wildlife Service; and for maintenance of the herd of long-  
18 horned cattle on the Wichita Mountains Wildlife Refuge;  
19 and not less than \$1,000,000 for high priority projects  
20 within the scope of the approved budget which shall be  
21 carried out by the Youth Conservation Corps as author-  
22 ized by the Act of August 13, 1970, as amended by Public  
23 Law 93-408, ~~\$498,035,000 (less \$885,000)~~ *\$496,978,000*,  
24 to remain available for obligation until September 30,  
25 1997, of which \$11,557,000 shall be *available until ex-*

1 *pended* for operation and maintenance of fishery mitiga-  
2 tion facilities constructed by the Corps of Engineers under  
3 the Lower Snake River Compensation Plan, authorized by  
4 the Water Resources Development Act of 1976 (90 Stat.  
5 2921), to compensate for loss of fishery resources from  
6 water development projects on the Lower Snake River:  
7 *Provided*, That unobligated and unexpended balances in  
8 the Resource Management account at the end of fiscal  
9 year 1995, shall be merged with and made a part of the  
10 fiscal year 1996 Resource Management appropriation, and  
11 shall remain available for obligation until September 30,  
12 1997: *Provided further*, That no monies appropriated  
13 under this Act or any other law shall be used to implement  
14 subsections (a), (b), (c), (e), (g), or (i) of section 4 of the  
15 *Endangered Species Act* until such time as legislation reau-  
16 *thorizing the Act* is enacted, except that monies appro-  
17 *priated under this Act* may be used to delist or reclassify  
18 *species pursuant to subsections 4(a)(2)(B), 4(c)(2)(B)(i),*  
19 *and 4(c)(2)(B)(ii) of the Act.*

20 CONSTRUCTION

21 For construction and acquisition of buildings and  
22 other facilities required in the conservation, management,  
23 investigation, protection, and utilization of fishery and  
24 wildlife resources, and the acquisition of lands and inter-  
25 ests therein; ~~\$26,355,000~~ \$38,775,000, to remain available  
26 until expended.

## 1 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

2 To conduct natural resource damage assessment ac-  
3 tivities by the Department of the Interior necessary to  
4 carry out the provisions of the Comprehensive Environ-  
5 mental Response, Compensation, and Liability Act, as  
6 amended (42 U.S.C. 9601, et seq.), Federal Water Pollu-  
7 tion Control Act, as amended (33 U.S.C. 1251, et seq.),  
8 the Oil Pollution Act of 1990 (Public Law 101-380), and  
9 the Act of July 27, 1990 (Public Law 101-337);  
10 ~~\$6,019,000~~ \$4,000,000, to remain available until ex-  
11 pended: *Provided*, That sums provided by any party in fis-  
12 cal year 1996 and thereafter are not limited to monetary  
13 payments and may include stocks, bonds or other personal  
14 or real property, which may be retained, liquidated or oth-  
15 erwise disposed of by the Secretary and such sums or  
16 properties shall be utilized for the restoration of injured  
17 resources, and to conduct new damage assessment activi-  
18 ties.

## 19 LAND ACQUISITION

20 For expenses necessary to carry out the provisions  
21 of the Land and Water Conservation Fund Act of 1965,  
22 as amended (16 U.S.C. 4601-4-11), including administra-  
23 tive expenses, and for acquisition of land or waters, or in-  
24 terest therein, in accordance with statutory authority ap-  
25 plicable to the United States Fish and Wildlife Service,  
26 ~~\$14,100,000~~ \$32,031,000, to be derived from the Land

1 and Water Conservation Fund, to remain available until  
2 expended.

3 COOPERATIVE ENDANGERED SPECIES CONSERVATION  
4 FUND

5 For expenses necessary to carry out the provisions  
6 of the Endangered Species Act of 1973 (16 U.S.C. 1531–  
7 1543), as amended by Public Law 100–478, \$8,085,000  
8 for grants to States, to be derived from the Cooperative  
9 Endangered Species Conservation Fund, and to remain  
10 available until expended.

11 NATIONAL WILDLIFE REFUGE FUND

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

14 REWARDS AND OPERATIONS

15 For expenses necessary to carry out the provisions  
16 of the African Elephant Conservation Act (16 U.S.C.  
17 4201–4203, 4211–4213, 4221–4225, 4241–4245, and  
18 1538), \$600,000, to remain available until expended.

19 NORTH AMERICAN WETLANDS CONSERVATION FUND

20 For expenses necessary to carry out the provisions  
21 of the North American Wetlands Conservation Act, Public  
22 Law 101–233, ~~\$4,500,000~~ *\$6,750,000*, to remain available  
23 until expended.

1 LAHONTAN VALLEY AND PYRAMID LAKE FISH AND  
2 WILDLIFE FUND

3 For carrying out section 206(f) of Public Law 101-  
4 618, such sums as have previously been credited or may  
5 be credited hereafter to the Lahontan Valley and Pyramid  
6 Lake Fish and Wildlife Fund, to be available until ex-  
7 pended without further appropriation.

8 RHINOCEROS AND TIGER CONSERVATION FUND

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

13 WILDLIFE CONSERVATION AND APPRECIATION FUND

14 For deposit to the Wildlife Conservation and Appre-  
15 ciation Fund, ~~\$998,000~~ \$800,000, to remain available  
16 until expended, ~~to be available for carrying out the Part-~~  
17 ~~nerships for Wildlife Act only to the extent such funds~~  
18 ~~are matched as provided in section 7105 of said Act.~~

19 ADMINISTRATIVE PROVISIONS

20 Appropriations and funds available to the United  
21 States Fish and Wildlife Service shall be available for pur-  
22 chase of not to exceed ~~54 passenger~~ 113 motor vehicles;  
23 ~~none of which are for police-type use;~~ not to exceed  
24 \$400,000 for payment, at the discretion of the Secretary,  
25 for information, rewards, or evidence concerning violations  
26 of laws administered by the United States Fish and Wild-

1 life Service, and miscellaneous and emergency expenses of  
2 enforcement activities, authorized or approved by the Sec-  
3 retary and to be accounted for solely on his certificate;  
4 repair of damage to public roads within and adjacent to  
5 reservation areas caused by operations of the United  
6 States Fish and Wildlife Service; options for the purchase  
7 of land at not to exceed \$1 for each option; facilities inci-  
8 dent to such public recreational uses on conservation areas  
9 as are consistent with their primary purpose; and the  
10 maintenance and improvement of aquaria, buildings, and  
11 other facilities under the jurisdiction of the United States  
12 Fish and Wildlife Service and to which the United States  
13 has title, and which are utilized pursuant to law in connec-  
14 tion with management and investigation of fish and wild-  
15 life resources: *Provided*, That notwithstanding 44 U.S.C.  
16 501, the Service may, under cooperative cost sharing and  
17 partnership arrangements authorized by law, procure  
18 printing services from cooperators in connection with  
19 jointly-produced publications for which the cooperators  
20 share at least one-half the cost of printing either in cash  
21 or services and the Service determines the cooperator is  
22 capable of meeting accepted quality standards: *Provided*  
23 *further*, That the United States Fish and Wildlife Service  
24 *may accept donated aircraft as replacements for existing*  
25 *aircraft. Provided further*, That notwithstanding any other

1 provision of law, the Secretary of the Interior may not  
2 spend any of the funds appropriated in this Act for the  
3 purchase of lands or interests in lands to be used in the  
4 establishment of any new unit of the National Wildlife  
5 Refuge System unless the purchase is approved in advance  
6 by the House and Senate Committees on Appropriations  
7 in compliance with the reprogramming procedures con-  
8 tained in House Report 103-551: *Provided further, That*  
9 ~~none of the funds made available in this Act may be used~~  
10 ~~by the U.S. Fish and Wildlife Service to impede or delay~~  
11 ~~the issuance of a wetlands permit by the U.S. Army Corps~~  
12 ~~of Engineers to the City of Lake Jackson, Texas, for the~~  
13 ~~development of a public golf course west of Buffalo Camp~~  
14 ~~Bayou between the Brazos River and Highway 332: Pro-~~  
15 ~~vided further, That notwithstanding the Emergency Wet-~~  
16 ~~lands Resources Act of 1986 (16 U.S.C. 3911), amounts col-~~  
17 ~~lected from the sale of admissions permits and from fees~~  
18 ~~collected at units of the Fish and Wildlife Service for fiscal~~  
19 ~~year 1996 shall be available for use by the Fish and Wildlife~~  
20 ~~Service pursuant to paragraph (c)(4) of section 315 of this~~  
21 ~~Act: Provided further, That, with respect to lands leased for~~  
22 ~~farming pursuant to Public Law 88-567, none of the funds~~  
23 ~~in this Act may be used to develop, implement, or enforce~~  
24 ~~regulations or policies (including pesticide use proposals)~~  
25 ~~related to the use of chemicals and pest management that~~



1 *are more restrictive than the requirements of applicable*  
2 *State and Federal laws related to the use of chemicals and*  
3 *pest management practices on non-Federal lands.*

4 *NATURAL RESOURCES SCIENCE AGENCY*  
5 *RESEARCH, INVENTORIES, AND SURVEYS*

6 *For authorized expenses necessary for scientific re-*  
7 *search relating to species biology, population dynamics,*  
8 *and ecosystems; inventory and monitoring activities; tech-*  
9 *nology development and transfer; the operation of Coopera-*  
10 *tive Research Units; for the purchase of not to exceed 61*  
11 *passenger motor vehicles, of which 55 are for replacement*  
12 *only; and for the general administration of the National*  
13 *Biological Service, \$145,965,000, of which \$145,915,000*  
14 *shall remain available until September 30, 1997, and of*  
15 *which \$50,000 shall remain available until expended for*  
16 *construction: Provided, That none of the funds under this*  
17 *head shall be used to conduct new surveys on private prop-*  
18 *erty unless specifically authorized in writing by the prop-*  
19 *erty owner: Provided further, That none of the funds pro-*  
20 *vided herein for resource research may be used to admin-*  
21 *ister a volunteer program when it is made known to the*  
22 *Federal official having authority to obligate or expend such*  
23 *funds that the volunteers are not properly trained or that*  
24 *information gathered by the volunteers is not carefully veri-*  
25 *fied: Provided further, That no later than April 1, 1996,*

1 *the Assistant Secretary for Water and Science shall issue*  
2 *agency guidelines for resource research that ensure that sci-*  
3 *entific and technical peer review is used as fully as possible*  
4 *in selection of projects for funding and ensure the validity*  
5 *and reliability of research and data collection on Federal*  
6 *lands: Provided further, That no funds available for re-*  
7 *source research may be used for any activity that was not*  
8 *authorized prior to the establishment of the National Bio-*  
9 *logical Survey: Provided further, That once every five years*  
10 *the National Academy of Sciences shall review and report*  
11 *on the resource research activities of the agency: Provided*  
12 *further, That if specific authorizing legislation is enacted*  
13 *during or before the start of fiscal year 1996, the agency*  
14 *should comply with the provisions of that legislation.*

15 NATIONAL PARK SERVICE

16 OPERATION OF THE NATIONAL PARK SYSTEM

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

1 Youth Conservation Corps as authorized by the Act of Au-  
2 gust 13, 1970, as amended by Public Law 93-408,  
3 ~~\$1,088,249,000~~ \$1,092,265,000, without regard to the Act  
4 of August 24, 1912, as amended (16 U.S.C. 451), of  
5 which not to exceed \$72,000,000, to remain available until  
6 expended is to be derived from the special fee account es-  
7 tablished pursuant to title V, section 5201, of Public Law  
8 100-203, and of which not more than \$1 shall be available  
9 for activities of the National Park Service at the Mojave  
10 National Preserve.

11 NATIONAL RECREATION AND PRESERVATION

12 For expenses necessary to carry out recreation pro-  
13 grams, natural programs, cultural programs, environ-  
14 mental compliance and review, international park affairs,  
15 statutory or contractual aid for other activities, and grant  
16 administration, not otherwise provided for, ~~\$35,725,000~~  
17 *\$38,051,000: Provided, That* ~~\$248,000~~ \$236,000 of the  
18 funds provided herein are for the William O. Douglas Out-  
19 door Education Center, subject to authorization.

20 HISTORIC PRESERVATION FUND

21 For expenses necessary in carrying out the provisions  
22 of the Historic Preservation Act of 1966 (80 Stat. 915),  
23 as amended (16 U.S.C. 470), ~~\$37,934,000~~ \$38,312,000,  
24 to be derived from the Historic Preservation Fund, estab-  
25 lished by section 108 of that Act, as amended, to remain  
26 available for obligation until September 30, 1997.

## 1 CONSTRUCTION

2 For construction, improvements, repair or replace-  
3 ment of physical facilities, ~~\$114,868,000~~ \$116,480,000, to  
4 remain available until expended: *Provided*, That not to ex-  
5 ceed ~~\$6,000,000~~ \$4,500,000 shall be paid to the Army  
6 Corps of Engineers for modifications authorized by section  
7 104 of the Everglades National Park Protection and Ex-  
8 pansion Act of 1989: *Provided further*, That up to  
9 \$1,500,000 of the funds provided under this head, to be de-  
10 rived from the Historic Preservation Fund, established by  
11 the Historic Preservation Act of 1966 (80 Stat. 915), as  
12 amended (16 U.S.C. 470), shall be available until expended  
13 to render the site safe for visitors and to continue building  
14 stabilization of the Kennicott, Alaska copper mine.

## 15 LAND AND WATER CONSERVATION FUND

## 16 (RESCISSION)

17 The contract authority provided for fiscal year 1996  
18 by 16 U.S.C. 460l-10a is rescinded.

## 19 LAND ACQUISITION AND STATE ASSISTANCE

20 For expenses necessary to carry out the provisions  
21 of the Land and Water Conservation Fund Act of 1965,  
22 as amended (16 U.S.C. 460l-4-11), including administra-  
23 tive expenses, and for acquisition of lands or waters, or  
24 interest therein, in accordance with statutory authority  
25 applicable to the National Park Service, ~~\$14,300,000~~  
26 \$43,230,000, to be derived from the Land and Water Con-

1 servation Fund, to remain available until expended, ~~of~~  
2 which \$4,800,000 is provided for Federal assistance to the  
3 State of Florida pursuant to Public Law 103-219, and  
4 of which \$1,500,000 is to administer the State assistance  
5 program: *Provided, That funds appropriated herein for the*  
6 *purpose of acquisition of the Elwha and Glines dams shall*  
7 *be used solely for acquisition, and shall not be expended*  
8 *until the full purchase amount has been appropriated by*  
9 *the Congress.*

10 ADMINISTRATIVE PROVISIONS

11 Appropriations for the National Park Service shall be  
12 available for the purchase of not to exceed 518 passenger  
13 motor vehicles, of which 323 shall be for replacement only,  
14 including not to exceed 411 for police-type use, 12 buses,  
15 and 5 ambulances: *Provided, That none of the funds ap-*  
16 *propriated to the National Park Service may be used to*  
17 *process any grant or contract documents which do not in-*  
18 *clude the text of 18 U.S.C. 1913: Provided further, That*  
19 *none of the funds appropriated to the National Park Serv-*  
20 *ice may be used to implement an agreement for the rede-*  
21 *velopment of the southern end of Ellis Island until such*  
22 *agreement has been submitted to the Congress and shall not*  
23 *be implemented prior to the expiration of 30 calendar days*  
24 *(not including any day in which either House of Congress*  
25 *is not in session because of adjournment of more than three*  
26 *calendar days to a day certain) from the receipt by the*

1 *Speaker of the House of Representatives and the President*  
2 *of the Senate of a full and comprehensive report on the de-*  
3 *velopment of the southern end of Ellis Island, including the*  
4 *facts and circumstances relied upon in support of the pro-*  
5 *posed project.*

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

9 UNITED STATES GEOLOGICAL SURVEY

10 SURVEYS, INVESTIGATIONS, AND RESEARCH

11 For expenses necessary for the United States Geo-  
12 logical Survey to perform surveys, investigations, and re-  
13 search covering topography, geology, hydrology, and the  
14 mineral and water resources of the United States, its Ter-  
15 ritories and possessions, and other areas as authorized by  
16 law (43 U.S.C. 31, 1332 and 1340); classify lands as to  
17 their mineral and water resources; give engineering super-  
18 vision to power permittees and Federal Energy Regulatory  
19 Commission licensees; administer the minerals exploration  
20 program (30 U.S.C. 641); and publish and disseminate  
21 data relative to the foregoing activities; ~~\$686,944,000~~  
22 *\$577,503,000*, of which \$62,130,000 shall be available for  
23 cooperation with States or municipalities for water re-  
24 sources investigations, ~~and of which \$112,888,000 for re-~~  
25 source research and the operations of Cooperative Re-

1 search Units shall remain available until September 30,  
2 1997: *Provided*, That no part of this appropriation shall  
3 be used to pay more than one-half the cost of any topo-  
4 graphic mapping or water resources investigations carried  
5 on in cooperation with any State or municipality: *Provided*  
6 *further*, That funds available herein for resource research  
7 may be used for the purchase of not to exceed 61 pas-  
8 senger motor vehicles, of which 55 are for replacement  
9 only: *Provided further*, That none of the funds available  
10 under this head for resource research shall be used to con-  
11 duct new surveys on private property except when it is  
12 made known to the Federal official having authority to  
13 obligate or expend such funds that the survey or research  
14 has been requested and authorized in writing by the prop-  
15 erty owner or the owner's authorized representative: *Pro-*  
16 *vided further*, That none of the funds provided herein for  
17 resource research may be used to administer a volunteer  
18 program when it is made known to the Federal official  
19 having authority to obligate or expend such funds that the  
20 volunteers are not properly trained or that information  
21 gathered by the volunteers is not carefully verified: *Pro-*  
22 *vided further*, That no later than April 1, 1996, the Direc-  
23 tor of the United States Geological Survey shall issue  
24 agency guidelines for resource research that ensure that  
25 scientific and technical peer review is utilized as fully as

1 possible in selection of projects for funding and ensure the  
2 validity and reliability of research and data collection on  
3 Federal lands: *Provided further*, That no funds available  
4 for resource research may be used for any activity that  
5 was not authorized prior to the establishment of the Na-  
6 tional Biological Survey: *Provided further*, That once every  
7 five years the National Academy of Sciences shall review  
8 and report on the resource research activities of the Sur-  
9 vey: *Provided further*, That if specific authorizing legisla-  
10 tion is enacted during or before the start of fiscal year  
11 1996, the resource research component of the Survey  
12 should comply with the provisions of that legislation: *Pro-*  
13 *vided further*, That unobligated and unexpended balances  
14 in the National Biological Survey, Research, inventories  
15 and surveys account at the end of fiscal year 1995, shall  
16 be merged with and made a part of the United States Geo-  
17 logical Survey, Surveys, investigations, and research ac-  
18 count and shall remain available for obligation until Sep-  
19 tember 30, 1996.

20 ADMINISTRATIVE PROVISIONS

21 The amount appropriated for the United States Geo-  
22 logical Survey shall be available for purchase of not to ex-  
23 ceed 22 passenger motor vehicles, for replacement only;  
24 reimbursement to the General Services Administration for  
25 security guard services; contracting for the furnishing of  
26 topographic maps and for the making of geophysical or



1 other specialized surveys when it is administratively deter-  
2 mined that such procedures are in the public interest; con-  
3 struction and maintenance of necessary buildings and ap-  
4 purtenant facilities; acquisition of lands for gauging sta-  
5 tions and observation wells; expenses of the United States  
6 National Committee on Geology; and payment of com-  
7 pensation and expenses of persons on the rolls of the Unit-  
8 ed States Geological Survey appointed, as authorized by  
9 law, to represent the United States in the negotiation and  
10 administration of interstate compacts: *Provided*, That ac-  
11 tivities funded by appropriations herein made may be ac-  
12 complished through the use of contracts, grants, or coop-  
13 erative agreements as defined in 31 U.S.C. 6302, et seq.

#### 14 MINERALS MANAGEMENT SERVICE

##### 15 ROYALTY AND OFFSHORE MINERALS MANAGEMENT

16 For expenses necessary for minerals leasing and envi-  
17 ronmental studies, regulation of industry operations, and  
18 collection of royalties, as authorized by law; for enforcing  
19 laws and regulations applicable to oil, gas, and other min-  
20 erals leases, permits, licenses and operating contracts; and  
21 for matching grants or cooperative agreements; including  
22 the purchase of not to exceed eight passenger motor vehi-  
23 cles for replacement only; ~~\$186,556,000~~ \$182,169,000, of  
24 which not less than \$70,105,000 shall be available for roy-  
25 alty management activities; and an amount not to exceed

1 ~~\$12,400,000~~ \$15,400,000 for the Technical Information  
2 Management System ~~of~~ and Related Activities of the Outer  
3 Continental Shelf (OCS) Lands Activity, to be credited to  
4 this appropriation and to remain available until expended,  
5 from additions to receipts resulting from increases to rates  
6 in effect on August 5, 1993, from rate increases to fee  
7 collections for OCS administrative activities performed by  
8 the Minerals Management Service over and above the  
9 rates in effect on September 30, 1993, and from addi-  
10 tional fees for OCS administrative activities established  
11 after September 30, 1993: *Provided*, That beginning in  
12 fiscal year 1996 and thereafter, fees for royalty rate relief  
13 applications shall be established (and revised as needed)  
14 in Notices to Lessees, and shall be credited to this account  
15 in the program areas performing the function, and remain  
16 available until expended for the costs of administering the  
17 royalty rate relief authorized by 43 U.S.C. 1337(a)(3):  
18 *Provided further*, That \$1,500,000 for computer acquisi-  
19 tions shall remain available until September 30, 1997:  
20 *Provided further*, That funds appropriated under this Act  
21 shall be available for the payment of interest in accordance  
22 with 30 U.S.C. 1721 (b) and (d): *Provided further*, That  
23 not to exceed \$3,000 shall be available for reasonable ex-  
24 penses related to promoting volunteer beach and marine  
25 cleanup activities: *Provided further*, That notwithstanding

1 any other provision of law, \$15,000 under this head shall  
2 be available for refunds of overpayments in connection  
3 with certain Indian leases in which the Director of the  
4 Minerals Management Service concurred with the claimed  
5 refund due, to pay amounts owed to Indian allottees or  
6 Tribes, or to correct prior unrecoverable erroneous pay-  
7 ments: *Provided further*, That beginning in fiscal year  
8 1996 and thereafter, the Secretary shall take appropriate  
9 action to collect unpaid and underpaid royalties and late  
10 payment interest owed by Federal and Indian mineral les-  
11 sees and other royalty payors on amounts received in set-  
12 tlement or other resolution of disputes under, and for par-  
13 tial or complete termination of, sales agreements for min-  
14 erals from Federal and Indian leases.

15 OIL SPILL RESEARCH

16 For necessary expenses to carry out the purposes of  
17 title I, section 1016, title IV, sections 4202 and 4303, title  
18 VII, and title VIII, section 8201 of the Oil Pollution Act  
19 of 1990, \$6,440,000, which shall be derived from the Oil  
20 Spill Liability Trust Fund, to remain available until ex-  
21 pended.

22 BUREAU OF MINES

23 MINES AND MINERALS

24 For expenses necessary for the orderly closure of the  
25 ~~Bureau of Mines, \$87,000,000~~ *For expenses necessary for*  
26 *conducting inquiries, technological investigations, and re-*

1 *search concerning the extraction, processing, use, and dis-*  
2 *posal of mineral substances without objectionable social and*  
3 *environmental costs; to foster and encourage private enter-*  
4 *prise in the development of mineral resources and the pre-*  
5 *vention of waste in the mining, minerals, metal, and min-*  
6 *eral reclamation industries; to inquire into the economic*  
7 *conditions affecting those industries; to promote health and*  
8 *safety in mines and the mineral industry through research;*  
9 *and for other related purposes as authorized by law,*  
10 *\$132,507,000, of which \$111,192,000 shall remain available*  
11 *until expended.*

12 ADMINISTRATIVE PROVISIONS

13 The Secretary is authorized to accept lands, buildings,  
14 equipment, other contributions, and fees from public and  
15 private sources, and to prosecute projects using such con-  
16 tributions and fees in cooperation with other Federal,  
17 State or private agencies: *Provided*, That the Bureau of  
18 Mines is authorized, during the current fiscal year, to sell  
19 directly or through any Government agency, including cor-  
20 porations, any metal or mineral products that may be  
21 manufactured in pilot plants operated by the Bureau of  
22 Mines, and the proceeds of such sales shall be covered into  
23 the Treasury as miscellaneous receipts: *Provided further*,  
24 That notwithstanding any other provision of law, the Sec-  
25 retary is authorized to convey, without reimbursement,  
26 title and all interest of the United States in property and

1 facilities of the United States Bureau of Mines in Juneau,  
2 Alaska to the City and Borough of Juneau, Alaska; in  
3 Tuscaloosa, Alabama, to The University of Alabama; in  
4 Rolla, Missouri, to the University of Missouri-Rolla; and  
5 in other localities to such university or government entities  
6 as the Secretary deems appropriate.

7 OFFICE OF SURFACE MINING RECLAMATION AND

8 ENFORCEMENT

9 REGULATION AND TECHNOLOGY

10 For necessary expenses to carry out the provisions  
11 of the Surface Mining Control and Reclamation Act of  
12 1977, Public Law 95-87, as amended, including the pur-  
13 chase of not to exceed 15 passenger motor vehicles for re-  
14 placement only; ~~\$92,751,000~~ \$95,470,000, and notwith-  
15 standing 31 U.S.C. 3302, an additional amount shall be  
16 credited to this account, to remain available until ex-  
17 pended, from performance bond forfeitures in fiscal year  
18 1996: *Provided*, That notwithstanding any other provision  
19 of law, the Secretary of the Interior, pursuant to regula-  
20 tions, may utilize directly or through grants to States,  
21 moneys collected in fiscal year 1996 pursuant to the as-  
22 sessment of civil penalties under section 518 of the Sur-  
23 face Mining Control and Reclamation Act of 1977 (30  
24 U.S.C. 1268), to reclaim lands adversely affected by coal  
25 mining practices after August 3, 1977, to remain available

1 until expended: *Provided further*, That notwithstanding  
2 any other provision of law, appropriations for the Office  
3 of Surface Mining Reclamation and Enforcement may pro-  
4 vide for the travel and per diem expenses of State and  
5 tribal personnel attending Office of Surface Mining Rec-  
6 lamation and Enforcement sponsored training.

7 ABANDONED MINE RECLAMATION FUND

8 For necessary expenses to carry out the provisions  
9 of title IV of the Surface Mining Control and Reclamation  
10 Act of 1977, Public Law 95-87, as amended, including  
11 the purchase of not more than 22 passenger motor vehicles  
12 for replacement only, ~~\$176,327,000~~ \$170,441,000, to be  
13 derived from receipts of the Abandoned Mine Reclamation  
14 Fund and to remain available until expended, ~~of which~~  
15 \$5,000,000 shall be used for supplemental grants to  
16 States for the reclamation of abandoned sites with acid  
17 mine rock drainage from coal mines through the Appa-  
18 lachian Clean Streams Initiative: *Provided*, That grants  
19 to minimum program States will be \$1,500,000 per State  
20 in fiscal year 1996: *Provided further*, That of the funds  
21 herein provided up to \$18,000,000 may be used for the  
22 emergency program authorized by section 410 of Public  
23 Law 95-87, as amended, of which no more than 25 per  
24 centum shall be used for emergency reclamation projects  
25 in any one State and funds for Federally-administered  
26 emergency reclamation projects under this proviso shall

1 not exceed \$11,000,000: *Provided further*, That donations  
2 credited to the Abandoned Mine Reclamation Fund, pur-  
3 suant to section 401(b)(3) of Public Law 95-87, are here-  
4 by appropriated and shall be available until expended to  
5 support projects under the Appalachian Clean Streams  
6 Initiative, directly, through agreements with other Federal  
7 agencies, as otherwise authorized, or through grants to  
8 States or local governments, or tax-exempt private enti-  
9 ties: *Provided further*, That prior year unobligated funds  
10 appropriated for the emergency reclamation program shall  
11 not be subject to the 25 per centum limitation per State  
12 and may be used without fiscal year limitation for emer-  
13 gency projects: *Provided further*, That pursuant to Public  
14 Law 97-365, the Department of the Interior is authorized  
15 to utilize up to 20 per centum from the recovery of the  
16 delinquent debt owed to the United States Government to  
17 pay for contracts to collect these debts.

18 BUREAU OF INDIAN AFFAIRS

19 OPERATION OF INDIAN PROGRAMS

20 For operation of Indian programs by direct expendi-  
21 ture, contracts, cooperative agreements, compacts, and  
22 grants including expenses necessary to provide education  
23 and welfare services for Indians, either directly or in co-  
24 operation with States and other organizations, including  
25 payment of care, tuition, assistance, and other expenses

1 of Indians in boarding homes, or institutions, or schools;  
2 grants and other assistance to needy Indians; maintenance  
3 of law and order; ~~management, development, improve-~~  
4 ~~ment, and protection of resources and appurtenant facili-~~  
5 ~~ties under the jurisdiction of the Bureau of Indian Affairs,~~  
6 ~~including payment of irrigation assessments and charges;~~  
7 ~~acquisition of water rights;~~ advances for Indian industrial  
8 and business enterprises; operation of Indian arts and  
9 crafts shops and museums; development of Indian arts  
10 and crafts, as authorized by law; for the general adminis-  
11 tration of the Bureau of Indian Affairs, including such  
12 expenses in field offices; maintaining of Indian reservation  
13 roads as defined in section 101 of title 23, United States  
14 Code; and construction, repair, and improvement of Indian  
15 housing, ~~\$1,508,777,000 (plus \$851,000)~~ *\$997,221,000*, of  
16 which not to exceed ~~\$106,126,000~~ *\$104,626,000* shall be  
17 for payments to tribes and tribal organizations for con-  
18 tract support costs associated with ongoing contracts or  
19 grants or compacts entered into with the Bureau of Indian  
20 Affairs prior to fiscal year 1996, as authorized by the In-  
21 dian Self-Determination Act of 1975, as amended, and  
22 ~~\$5,000,000~~ *up to \$5,000,000* shall be for the Indian Self-  
23 Determination Fund, which shall be available for the tran-  
24 sitional cost of initial or expanded tribal contracts, grants,  
25 compacts, or cooperative agreements with the Bureau of



1 Indian Affairs under the provisions of the Indian Self-De-  
2 termination Act; and of which not to exceed ~~\$330,711,000~~  
3 *\$330,991,000* for school operations costs of Bureau-funded  
4 schools and other education programs shall become avail-  
5 able for obligation on July 1, 1996, and shall remain avail-  
6 able for obligation until September 30, 1997; and of which  
7 not to exceed ~~\$67,138,000~~ *\$69,477,000* for higher edu-  
8 cation scholarships, adult vocational training, and assist-  
9 ance to public schools under the ~~Johnson O'Malley Act~~  
10 *Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C.*  
11 *452 et seq.)*, shall remain available for obligation until Sep-  
12 tember 30, 1997; and of which not to exceed ~~\$74,814,000~~  
13 *\$35,331,000* shall remain available until expended for ~~trust~~  
14 ~~funds management~~, housing improvement, road mainte-  
15 nance, ~~attorney fees~~, ~~litigation support~~, self-governance  
16 grants, *and* the Indian Self-Determination Fund,~~and the~~  
17 ~~Navajo-Hopi Settlement Program~~: *Provided*, That tribes  
18 and tribal contractors may use their tribal priority alloca-  
19 tions for unmet indirect costs of ongoing contracts, grants  
20 or compact agreements: *Provided further*, That funds  
21 made available to tribes and tribal organizations through  
22 contracts or grants obligated during fiscal year 1996, as  
23 authorized by the Indian Self-Determination Act of 1975  
24 (88 Stat. 2203; 25 U.S.C. 450 et seq.), or grants author-  
25 ized by the Indian Education Amendments of 1988 (25

1 U.S.C. 2001 and 2008A) shall remain available until ex-  
2 pended by the contractor or grantee: *Provided further,*  
3 ~~That notwithstanding any other provision of law, the stat-~~  
4 ~~ute of limitations shall not commence to run on any claim,~~  
5 ~~including any claim in litigation pending on the date of~~  
6 ~~this Act, concerning losses to or mismanagement of trust~~  
7 ~~funds, until the affected tribe or individual Indian has~~  
8 ~~been furnished with the accounting of such funds from~~  
9 ~~which the beneficiary can determine whether there has~~  
10 ~~been a loss: *Provided further,* That to provide funding uni-~~  
11 ~~formity within a Self-Governance Compact, any funds pro-~~  
12 ~~vided in this Act with availability for more than one year~~  
13 ~~may be reprogrammed to one year availability but shall~~  
14 ~~remain available within the Compact until expended: *Pro-*~~  
15 ~~*vided further,* That notwithstanding any other provision of~~  
16 ~~law, Indian tribal governments may, by appropriate~~  
17 ~~changes in eligibility criteria or by other means, change~~  
18 ~~eligibility for general assistance or change the amount of~~  
19 ~~general assistance payments for individuals within the~~  
20 ~~service area of such tribe who are otherwise deemed eligi-~~  
21 ~~ble for general assistance payments so long as such~~  
22 ~~changes are applied in a consistent manner to individuals~~  
23 ~~similarly situated: *Provided further,* That any savings real-~~  
24 ~~ized by such changes shall be available for use in meeting~~  
25 ~~other priorities of the tribes: *Provided further,* That any~~

1 net increase in costs to the Federal Government which re-  
2 sult solely from tribally increased payment levels for gen-  
3 eral assistance shall be met exclusively from funds avail-  
4 able to the tribe from within its tribal priority allocation:—  
5 *Provided further,* That any forestry funds allocated to a  
6 tribe which remain unobligated as of September 30, 1996,  
7 may be transferred during fiscal year 1997 to an Indian  
8 forest land assistance account established for the benefit  
9 of such tribe within the tribe's trust fund account: *Pro-*  
10 *vided further,* That any such unobligated balances not so  
11 transferred shall expire on September 30, 1997: *Provided*  
12 *further,* That notwithstanding any other provision of law,  
13 no funds available to the Bureau of Indian Affairs, other  
14 than the amounts provided herein for assistance to public  
15 schools under the Act of April 16, 1934 (48 Stat. 596),  
16 as amended (25 U.S.C. 452 et seq.), shall be available to  
17 support the operation of any elementary or secondary  
18 school in the State of Alaska in fiscal year 1996: *Provided*  
19 *further,* That funds made available in this or any other  
20 Act for expenditure through September 30, 1997 for  
21 schools funded by the Bureau of Indian Affairs shall be  
22 available only to the schools which are in the Bureau of  
23 Indian Affairs school system as of September 1, 1995:  
24 *Provided further,* That no funds available to the Bureau  
25 of Indian Affairs shall be used to support expanded grades

1 for any school beyond the grade structure in place at each  
2 school in the Bureau of Indian Affairs school system as  
3 of October 1, 1995: *Provided further*, That notwithstand-  
4 ing the provisions of 25 U.S.C. 2011(h)(1)(B) and (c),  
5 upon the recommendation of a local school board for a  
6 Bureau of Indian Affairs operated school, the Secretary  
7 shall establish rates of basic compensation or annual sal-  
8 ary rates for the positions of teachers and counselors (in-  
9 cluding dormitory and homeliving counselors) at the school  
10 at a level not less than that for comparable positions in  
11 public school districts in the same geographic area: *Pro-*  
12 *vided further*, *That notwithstanding any other provision of*  
13 *law, no funds available to the Bureau of Indian Affairs for*  
14 *central office operations or pooled overhead general admin-*  
15 *istration shall be available for tribal contracts, grants, com-*  
16 *pacts, or cooperative agreements with the Bureau of Indian*  
17 *Affairs under the provisions of the Indian Self-Determina-*  
18 *tion Act or the Tribal Self-Governance Act of 1994 (Public*  
19 *Law 103-413), unless a proposal for amounts to be avail-*  
20 *able for such tribal contracts, grants, compacts, or coopera-*  
21 *tive agreements has been submitted to and approved by the*  
22 *Committees on Appropriations: Provided further*, *That of*  
23 *the funds available only through September 30, 1995, not*  
24 *to exceed \$8,000,000 in unobligated and unexpended bal-*  
25 *ances in the Operation of Indian Programs account shall*

1 *be merged with and made a part of the fiscal year 1996*  
2 *Operation of Indian Programs appropriation, and shall re-*  
3 *main available for obligation for employee severance, relo-*  
4 *cation, and related expenses, until March 31, 1996.*

5 CONSTRUCTION

6 For construction, major repair, and improvement of  
7 ~~irrigation and power systems,~~ buildings, utilities, and  
8 other facilities, including architectural and engineering  
9 services by contract;~~—acquisition of lands and interests in~~  
10 ~~lands; and preparation of lands for farming, \$98,033,000~~  
11 ~~\$60,088,000, to remain available until expended: *Provided,*~~  
12 ~~That such amounts as may be available for the construc-~~  
13 ~~tion of the Navajo Indian Irrigation Project and for other~~  
14 ~~water resource development activities related to the South-~~  
15 ~~ern Arizona Water Rights Settlement Act may be trans-~~  
16 ~~ferred to the Bureau of Reclamation: *Provided further,*~~  
17 ~~That not to exceed 6 per centum of contract authority~~  
18 ~~available to the Bureau of Indian Affairs from the Federal~~  
19 ~~Highway Trust Fund may be used to cover the road pro-~~  
20 ~~gram management costs of the Bureau of Indian Affairs:—~~  
21 ~~*Provided further,* That any funds provided for the Safety~~  
22 ~~of Dams program pursuant to 25 U.S.C. 13 shall be made~~  
23 ~~available on a non-reimbursable basis: *Provided further,*~~  
24 ~~That for the fiscal year ending September 30, 1996, in~~  
25 ~~implementing new construction or facilities improvement~~  
26 ~~and repair project grants in excess of \$100,000 that are~~

1 provided to tribally controlled grant schools under Public  
2 Law 100–297, as amended, the Secretary of the Interior  
3 shall use the Administrative and Audit Requirements and  
4 Cost Principles for Assistance Programs contained in 43  
5 CFR part 12 as the regulatory requirements: *Provided*  
6 *further*, That such grants shall not be subject to section  
7 12.61 of 43 CFR; the Secretary and the grantee shall ne-  
8 gotiate and determine a schedule of payments for the work  
9 to be performed: *Provided further*, That in considering ap-  
10 plications, the Secretary shall consider whether the Indian  
11 tribe or tribal organization would be deficient in assuring  
12 that the construction projects conform to applicable build-  
13 ing standards and codes and Federal, tribal, or State  
14 health and safety standards as required by 25 U.S.C.  
15 2005(a), with respect to organizational and financial man-  
16 agement capabilities: *Provided further*, That if the Sec-  
17 retary declines an application, the Secretary shall follow  
18 the requirements contained in 25 U.S.C. 2505(f): *Provided*  
19 *further*, That any disputes between the Secretary and any  
20 grantee concerning a grant shall be subject to the disputes  
21 provision in 25 U.S.C. 2508(e).

22 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND  
23 MISCELLANEOUS PAYMENTS TO INDIANS

24 For miscellaneous payments to Indian tribes and in-  
25 dividuals and for necessary administrative expenses,  
26 \$75,145,000, to remain available until expended; of which

1 \$73,100,000 shall be available for implementation of en-  
2 acted Indian land and water claim settlements pursuant  
3 to Public Laws ~~87-483, 97-293, 101-618, 102-374, 102-~~  
4 ~~441, 102-575, and 103-116~~, and for implementation of  
5 other enacted water rights settlements, including not to  
6 exceed \$8,000,000, which shall be for the Federal share  
7 of the Catawba Indian Tribe of South Carolina Claims  
8 Settlement, as authorized by section 5(a) of Public Law  
9 ~~103-116~~; and of which \$1,045,000 shall be available pur-  
10 suant to Public Laws ~~98-500, 99-264, and 100-580~~; and  
11 of which \$1,000,000 shall be available (1) to liquidate obli-  
12 gations owed tribal and individual Indian payees of any  
13 checks canceled pursuant to section 1003 of the Competi-  
14 tive Equality Banking Act of 1987 (Public Law ~~100-86~~  
15 ~~(101 Stat. 659)~~), 31 U.S.C. 3334(b), (2) to restore to In-  
16 dividual Indian Monies trust funds, Indian Irrigation Sys-  
17 tems, and Indian Power Systems accounts amounts in-  
18 vested in credit unions or defaulted savings and loan asso-  
19 ciations and which were not Federally insured, and (3)  
20 to reimburse Indian trust fund account holders for losses  
21 to their respective accounts where the claim for said  
22 loss(es) has been reduced to a judgment or settlement  
23 agreement approved by the Department of Justice.

1           *TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES*

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

5           *INDIAN GUARANTEED LOAN PROGRAM ACCOUNT*

6           *For the cost of guaranteed loans \$7,000,000, as author-*  
7 *ized by the Indian Financing Act of 1974, as amended: Pro-*  
8 *vided, That such costs, including the cost of modifying such*  
9 *loans, shall be as defined in section 502 of the Congressional*  
10 *Budget Act of 1974, as amended: Provided further, That*  
11 *these funds are available to subsidize total loan principal,*  
12 *any part of which is to be guaranteed, not to exceed*  
13 *\$50,680,000.*

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

16                           ADMINISTRATIVE PROVISIONS

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

21                   TERRITORIAL AND INTERNATIONAL AFFAIRS

22                           ASSISTANCE TO TERRITORIES

23          For expenses necessary for assistance to territories  
24 under the jurisdiction of the Department of the Interior,  
25 ~~\$52,405,000, to remain available until expended for brown~~  
26 ~~tree snake control and research~~ *\$68,188,000, of which (1)*



1 *\$64,661,000 shall be available until expended for technical*  
2 *assistance, including maintenance assistance, disaster as-*  
3 *sistance, insular management controls, and brown tree*  
4 *snake control and research; grants to the judiciary in*  
5 *American Samoa for compensation and expenses, as au-*  
6 *thorized by law (48 U.S.C. 1661(c)); grants to the Govern-*  
7 *ment of American Samoa, in addition to current local rev-*  
8 *enues, for construction and support of governmental func-*  
9 *tions; grants to the Government of the Virgin Islands as*  
10 *authorized by law; grants to the Government of Guam,*  
11 *as authorized by law; and grants to the Government of*  
12 *the Northern Mariana Islands as authorized by law (Pub-*  
13 *lic Law 94-241; 90 Stat. 272); and (2) \$3,527,000 shall*  
14 *be available for salaries and expenses of the Office of Insular*  
15 *Affairs: Provided, That all financial transactions of the*  
16 *territorial and local governments herein provided for, in-*  
17 *cluding such transactions of all agencies or instrumental-*  
18 *ities established or utilized by such governments, may be*  
19 *audited by the General Accounting Office, at its discre-*  
20 *tion, in accordance with chapter 35 of title 31, United*  
21 *States Code: Provided further, That Northern Mariana Is-*  
22 *lands Covenant grant funding shall be provided according*  
23 *to those terms of the Agreement of the Special Represent-*  
24 *atives on Future United States Financial Assistance for*  
25 *the Northern Mariana Islands approved by Public Law*

1 99–396, or any subsequent legislation related to Common-  
2 wealth of the Northern Mariana Islands Covenant grant  
3 funding: *Provided further, That of the amounts provided*  
4 *for technical assistance, sufficient funding shall be made*  
5 *available for a grant to the Close Up Foundation: Provided*  
6 *further, That the funds for the program of operations and*  
7 *maintenance improvement are appropriated to institu-*  
8 *tionalize routine operations and maintenance of capital in-*  
9 *frastructure in American Samoa, Guam, the Virgin Is-*  
10 *lands, the Commonwealth of the Northern Mariana Islands,*  
11 *the Republic of Palau, the Republic of the Marshall Islands,*  
12 *and the Federated States of Micronesia through assessments*  
13 *of long-range operations and maintenance needs, improved*  
14 *capability of local operations and maintenance institutions*  
15 *and agencies (including management and vocational edu-*  
16 *cation training), and project-specific maintenance (with*  
17 *territorial participation and cost sharing to be determined*  
18 *by the Secretary based on the individual territory's commit-*  
19 *ment to timely maintenance of its capital assets): Provided*  
20 *further, That any appropriation for disaster assistance*  
21 *under this head in this Act or previous appropriations Acts*  
22 *may be used as non-Federal matching funds for the purpose*  
23 *of hazard mitigation grants provided pursuant to section*  
24 *404 of the Robert T. Stafford Disaster Relief and Emer-*  
25 *gency Assistance Act (42 U.S.C. 5170c).*

## 1 COMPACT OF FREE ASSOCIATION

2 For economic assistance and necessary expenses for  
3 the Federated States of Micronesia and the Republic of  
4 the Marshall Islands as provided for in sections 122, 221,  
5 223, 232, and 233 of the Compacts of Free Association,  
6 and for economic assistance and necessary expenses for  
7 the Republic of Palau as provided for in sections 122, 221,  
8 223, 232, and 233 of the Compact of Free Association,  
9 \$24,938,000, to remain available until expended, as au-  
10 thorized by Public Law 99-239 and Public Law 99-658,—  
11 and \$4,580,000 for impact aid for Guam under section  
12 ~~104(e)(6) of Public Law 99-239~~: *Provided*, That notwith-  
13 standing section 112 of Public Law 101-219 (103 Stat.  
14 1873), the Secretary of the Interior may agree to technical  
15 changes in the specifications for the project described in  
16 the subsidiary agreement negotiated under section 212(a)  
17 of the Compact of Free Association, Public Law 99-658,  
18 or its annex, if the changes do not result in increased costs  
19 to the United States.

20 DEPARTMENTAL OFFICES

21 OFFICE OF THE SECRETARY

22 *DEPARTMENTAL MANAGEMENT*

23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of the Secretary  
25 *for management of the Department* of the Interior,

1 ~~\$53,919,000~~ \$58,109,000, of which not to exceed \$7,500  
2 may be for official reception and representation expenses:  
3 *Provided, That none of the funds provided herein for official*  
4 *reception and representation expenses shall be available*  
5 *until the Charter for the Advisory Commission referred to*  
6 *in Title 30 of Public Law 102-575 has been filed and the*  
7 *Members of such Commission appointed.*

8 OFFICE OF THE SOLICITOR

9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of the Solicitor,  
11 \$34,608,000.

12 OFFICE OF INSPECTOR GENERAL

13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of Inspector  
15 General, \$23,939,000.

16 *CONSTRUCTION MANAGEMENT*

17 *SALARIES AND EXPENSES*

18 *For necessary expenses of the Office of Construction*  
19 *Management, \$500,000.*

20 NATIONAL INDIAN GAMING COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the National Indian Gam-  
23 ing Commission, pursuant to Public Law 100-497,  
24 \$1,000,000: *Provided, That on October 1, 1995, the Chair-*  
25 *man shall submit to the Secretary a report detailing those*

1 *Indian tribes or tribal organizations with gaming oper-*  
2 *ations that are in full compliance, partial compliance, or*  
3 *non-compliance with the provisions of the Indian Gaming*  
4 *Regulatory Act (25 U.S.C. 2701, et seq.): Provided further,*  
5 *That the information contained in the report shall be up-*  
6 *dated on a continuing basis.*

7 *OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS*

8 *FEDERAL TRUST PROGRAMS*

9 *For operation of trust programs for Indians by direct*  
10 *expenditure, contracts, cooperative agreements, compacts,*  
11 *and grants including expenses necessary to provide for*  
12 *management, development, improvement, and protection of*  
13 *resources and appurtenant facilities formerly under the ju-*  
14 *risdiction of the Bureau of Indian Affairs, including pay-*  
15 *ment of irrigation assessments and charges and acquisition*  
16 *of water rights, \$280,038,000, of which \$15,964,000 shall*  
17 *remain available until expended for trust funds manage-*  
18 *ment, attorney fees, litigation support, and the Navajo-*  
19 *Hopi Settlement Program: Provided, That funds made*  
20 *available to tribes and tribal organizations through con-*  
21 *tracts or grants obligated during fiscal year 1996, as au-*  
22 *thorized by the Indian Self-Determination Act of 1975 (88*  
23 *Stat. 2203; 25 U.S.C. 450 et seq.), shall remain available*  
24 *until expended by the contractor or grantee: Provided fur-*  
25 *ther, That notwithstanding any other provision of law, the*

1 *statute of limitations shall not commence to run on any*  
2 *claim, including any claim in litigation pending on the*  
3 *date of this Act, concerning losses to or mismanagement of*  
4 *trust funds, until the affected tribe or individual Indian*  
5 *has been furnished with the accounting of such funds from*  
6 *which the beneficiary can determine whether there has been*  
7 *a loss: Provided further, That notwithstanding any other*  
8 *provision of law, the reconciliation report to be submitted*  
9 *pursuant to Public Law 103-412 shall be submitted by No-*  
10 *vember 30, 1997: Provided further, That any forestry funds*  
11 *allocated to a tribe which remain unobligated as of Septem-*  
12 *ber 30, 1996, may be transferred during fiscal year 1997*  
13 *to an Indian forest land assistance account established for*  
14 *the benefit of such tribe within the tribe's fund account: Pro-*  
15 *vided further, That any such obligated balances not so*  
16 *transferred shall expire on September 30, 1997: Provided*  
17 *further, That obligated and unobligated balances provided*  
18 *for trust funds management, attorney fees, litigation sup-*  
19 *port, and the Navajo-Hopi Settlement Program within*  
20 *"Operation of Indian programs," Bureau of Indian Affairs*  
21 *are hereby transferred to and merged with this appropria-*  
22 *tion.*

23 *CONSTRUCTION*

24 *For construction, major repair, and improvement of*  
25 *irrigation and power systems; acquisition of lands and in-*  
26 *terest in lands; and preparation of lands for farming,*

1 \$47,245,000, to remain available until expended: Provided,  
2 That such amounts as may be available for the construction  
3 of the Navajo Indian Irrigation Project and for other water  
4 resource 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 any  
7 funds provided for the Safety of Dams program pursuant  
8 to 25 U.S.C. 13 shall be made available on a non-reimburs-  
9 able basis: Provided further, That all irrigation and power  
10 projects and dams under the jurisdiction of the Bureau of  
11 Indian Affairs on the date of enactment of this Act are here-  
12 by transferred to the jurisdiction of the Special Trustee for  
13 American Indians: Provided further, That the obligated and  
14 unobligated balances of the resources management activity  
15 within "Construction," Bureau of Indian Affairs, are here-  
16 by transferred to and merged with this appropriation.

17 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND  
18 MISCELLANEOUS PAYMENTS TO INDIANS

19 For miscellaneous payments to Indian tribes and indi-  
20 viduals and for necessary administrative expenses,  
21 \$82,745,000, to remain available until expended; of which  
22 \$78,600,000 shall be available for implementation of en-  
23 acted Indian land and water claim settlements pursuant  
24 to Public Laws 87-483, 97-293, 101-618, 102-374, 102-  
25 441, 102-575, and 103-116, and for implementation of  
26 other enacted water rights settlements, including not to ex-

1 *ceed \$8,000,000, which shall be for the Federal share of the*  
2 *Catawba Indian Tribe of South Carolina Claims Settle-*  
3 *ment, as authorized by section 5(a) of Public Law 103-*  
4 *116; and of which \$1,045,000 shall be available pursuant*  
5 *to Public Laws 98-500, 99-264, and 100-580; and of which*  
6 *\$3,100,000 shall be available (1) to liquidate obligations*  
7 *owed tribal and individual Indian payees of any checks*  
8 *canceled pursuant to section 1003 of the Competitive Equal-*  
9 *ity Banking Act of 1987 (Public Law 100-86 (101 Stat.*  
10 *659)), 31 U.S.C. 3334(b), (2) to restore to Individual In-*  
11 *dian Monies trust funds, Indian Irrigation Systems, and*  
12 *Indian Power Systems accounts amounts invested in credit*  
13 *unions or defaulted savings and loan associations and*  
14 *which were not Federally insured, and (3) to reimburse In-*  
15 *dian trust fund account holders for losses to their respective*  
16 *accounts where the claim for said loss(es) has been reduced*  
17 *to a judgment or settlement agreement approved by the De-*  
18 *partment of Justice: Provided, That the obligated and unob-*  
19 *ligated balances of "Indian land and water claim settle-*  
20 *ments and miscellaneous payments to Indians," Bureau of*  
21 *Indian Affairs, are hereby transferred to and merged with*  
22 *this appropriation.*

23 *TRANSFERS OF BALANCES OF APPROPRIATIONS*

24 *Under the terms and conditions of the original appro-*  
25 *priations, the obligated and unobligated balances of the fol-*  
26 *lowing appropriations are hereby transferred from the Bu-*



1 *reau of Indian Affairs to the Office of the Special Trustee*  
2 *for American Indians: Navajo Rehabilitation Trust Fund,*  
3 *Claims and Treaty Obligations, O&M Indian Irrigation*  
4 *Systems, Cooperative Fund (Papago), Tribal Trust Funds,*  
5 *Funds Contributed for the Advancement of the Indian Race,*  
6 *Bequest of George C. Edgeter, Northern Cheyenne, Payment*  
7 *to Tribal Economic Recovery Fund, Crow Boundary Settle-*  
8 *ment Act, and Tribal Economic Recovery Fund.*

#### 9 ADMINISTRATIVE PROVISIONS

10 There is hereby authorized for acquisition from avail-  
11 able resources within the Working Capital Fund, 15 air-  
12 craft, 10 of which shall be for replacement and which may  
13 be obtained by donation, purchase or through available ex-  
14 cess surplus property: *Provided*, That notwithstanding any  
15 other provision of law, existing aircraft being replaced may  
16 be sold, with proceeds derived or trade-in value used to  
17 offset the purchase price for the replacement aircraft: *Pro-*  
18 *vided further*, That no programs funded with appropriated  
19 funds in the “Office of the Secretary” “*Departmental*  
20 *Management*”, “Office of the Solicitor”, and “Office of In-  
21 spector General” may be augmented through the Working  
22 Capital Fund or the Consolidated 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~~, *must*  
17 be replenished by a supplemental appropriation which  
18 must be 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 ex-  
4 pended by the Department of the Interior for the conduct  
5 of leasing, or the approval or permitting of any drilling  
6 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 ex-  
15 pended by the Department of the Interior for the conduct  
16 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.

20 *SEC. 115. (a) Of the funds appropriated by this Act*  
21 *or any subsequent Act providing for appropriations in fis-*  
22 *cal years 1996 and 1997, not more than 50 percent of any*  
23 *self-governance funds that would otherwise be allocated to*  
24 *each Indian tribe in the State of Washington shall actually*

1 *be paid to or on account of such Indian tribe from and*  
2 *after the time at which such tribe shall—*

3 *(1) take unilateral action that adversely impacts*  
4 *the existing rights to and/or customary uses of,*  
5 *nontribal member owners of fee simple land within*  
6 *the exterior boundary of the tribe's reservation to*  
7 *water, electricity, or any other similar utility or ne-*  
8 *cessity for the nontribal members' residential use of*  
9 *such land; or*

10 *(2) restrict or threaten to restrict said owners*  
11 *use of or access to publicly maintained rights of way*  
12 *necessary or desirable in carrying the utilities or ne-*  
13 *cessities described above.*

14 *(b) Such penalty shall attach to the initiation of any*  
15 *legal action with respect to such rights or the enforcement*  
16 *of any final judgment, appeals from which has been ex-*  
17 *hausted, with respect thereto.*

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

23 *SEC. 117. Notwithstanding Public Law 90-544, as*  
24 *amended, the National Park Service is authorized to expend*  
25 *appropriated funds for maintenance and repair of the Com-*



1 *pany Creek Road in the Lake Chelan National Recreation*  
2 *Area: Provided, That appropriated funds shall not be ex-*  
3 *pende for the purpose of improving the property of private*  
4 *individuals unless specifically authorized by law.*

5 *SEC. 118. INSULAR DEVELOPMENT.—*

6 *Section 1. Territorial and Freely Associated State*

7 *Infrastructure Assistance*

8 *Section 4(b) of Public Law 94-241 (90 Stat. 263) as*  
9 *added by section 10 of Public Law 99-396 (99 Stat. 837,*  
10 *841) is amended by deleting “until Congress otherwise pro-*  
11 *vides by law.” and inserting in lieu thereof: “except that,*  
12 *for fiscal years 1996 and thereafter, payments to the Com-*  
13 *monwealth of the Northern Mariana Islands pursuant to*  
14 *the multi-year funding agreements contemplated under the*  
15 *Covenant shall be limited to the amounts set forth in the*  
16 *Agreement of the Special Representatives on Future Federal*  
17 *Financial Assistance of the Northern Mariana Islands, exe-*  
18 *cuted on December 17, 1992 between the special representa-*  
19 *tive of the President of the United States and special rep-*  
20 *resentatives of the Governor of the Northern Mariana Is-*  
21 *lands and shall be subject to all the requirements of such*  
22 *Agreement with any additional amounts otherwise made*  
23 *available under this section in any fiscal year and not re-*  
24 *quired to meet the schedule of payments set forth in the*

1 *Agreement to be provided as set forth in subsection (c) until*  
2 *Congress otherwise provides by law.*

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

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

9               “(2) *for fiscal years 1997 and thereafter, all such*  
10 *amounts shall be available solely for capital infra-*  
11 *structure projects in Guam, the Virgin Islands, Amer-*  
12 *ican Samoa, the Commonwealth of the Northern Mar-*  
13 *iana Islands, the Republic of Palau, the Federated*  
14 *States of Micronesia and the Republic of the Marshall*  
15 *Islands: Provided, That, in fiscal year 1997,*  
16 *\$3,000,000 of such amounts shall be made available*  
17 *to the College of the Northern Marianas and begin-*  
18 *ning in fiscal year 1997, and in each year thereafter,*  
19 *not to exceed \$3,000,000 may be allocated, as pro-*  
20 *vided in Appropriation Acts, to the Secretary of the*  
21 *Interior for use by Federal agencies or the Common-*  
22 *wealth of the Northern Mariana Islands to address*  
23 *immigration, labor, and law enforcement issues in the*  
24 *Northern Mariana Islands, including, but not limited*  
25 *to detention and corrections needs. The specific*

1     *projects to be funded shall be set forth in a five-year*  
2     *plan for infrastructure assistance developed by the*  
3     *Secretary of the Interior in consultation with each of*  
4     *the island governments and updated annually and*  
5     *submitted to the Congress concurrent with the budget*  
6     *justifications for the Department of the Interior. In*  
7     *developing and updating the five year plan for cap-*  
8     *ital infrastructure needs, the Secretary shall indicate*  
9     *the highest priority projects, consider the extent to*  
10    *which particular projects are part of an overall mas-*  
11    *ter plan, whether such project has been reviewed by*  
12    *the Corps of Engineers and any recommendations*  
13    *made as a result of such review, the extent to which*  
14    *a set-aside for maintenance would enhance the life of*  
15    *the project, the degree to which a local cost-share re-*  
16    *quirement would be consistent with local economic*  
17    *and fiscal capabilities, and may propose an incre-*  
18    *mental set-aside, not to exceed \$2,000,000 per year, to*  
19    *remain available without fiscal year limitation, as an*  
20    *emergency fund in the event of natural or other disas-*  
21    *ters to supplement other assistance in the repair, re-*  
22    *placement, or hardening of essential facilities: Pro-*  
23    *vided further, That the cumulative amount set aside*  
24    *for such emergency fund may not exceed \$10,000,000*  
25    *at any time.*

1       “(d) Within the amounts allocated for infrastructure  
2 pursuant to this section, and subject to the specific alloca-  
3 tions made in subsection (c), additional contributions may  
4 be made, as set forth in Appropriation Acts, to assist in  
5 the resettlement of Rongelap Atoll: Provided, That the total  
6 of all contributions from any Federal source after January  
7 1, 1996 may not exceed \$32,000,000 and shall be contingent  
8 upon an agreement, satisfactory to the President, that such  
9 contributions are a full and final settlement of all obliga-  
10 tions of the United States to assist in the resettlement of  
11 Rongelap Atoll and that such funds will be expended solely  
12 on resettlement activities and will be properly audited and  
13 accounted for. In order to provide such contributions in a  
14 timely manner, each Federal agency providing assistance  
15 or services, or conducting activities, in the Republic of the  
16 Marshall Islands, is authorized to make funds available,  
17 through the Secretary of the Interior, to assist in the reset-  
18 tlement of Rongelap. Nothing in this subsection shall be con-  
19 strued to limit the provision of ex gratia assistance pursu-  
20 ant to section 105(c)(2) of the Compact of Free Association  
21 Act of 1985 (Public Law 99–239, 99 Stat. 1770, 1792) in-  
22 cluding for individuals choosing not to resettle at Rongelap,  
23 except that no such assistance for such individuals may be  
24 provided until the Secretary notifies the Congress that the

1 *full amount of all funds necessary for resettlement at*  
2 *Rongelap has been provided.”.*

3 *Sec. 2. Federal Minimum Wage*

4 *Effective thirty days after the date of enactment of this*  
5 *Act, the minimum wage provisions, including, but not lim-*  
6 *ited to, the coverage and exemptions provisions, of section*  
7 *6 of the Fair Labor Standards Act of June 25, 1938 (52*  
8 *Stat. 1062), as amended, shall apply to the Commonwealth*  
9 *of the Northern Mariana Islands, except—*

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

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

16 *(c) effective January 1, 1997 and every January*  
17 *1 thereafter, the minimum wage rate shall be raised*  
18 *by thirty cents per hour or the amount necessary to*  
19 *raise the minimum wage rate to the wage rate set*  
20 *forth in section 6(a)(1) of the Fair Labor Standards*  
21 *Act, whichever is less; and*

22 *(d) once the minimum wage rate is equal to the*  
23 *wage rate set forth in section 6(a)(1) of the Fair*  
24 *Labor Standards Act, the minimum wage rate appli-*  
25 *cable to the Commonwealth of the Northern Mariana*

1 *Islands shall thereafter be the wage rate set forth in*  
2 *section 6(a)(1) of the Fair Labor Standards Act.*

3 *Sec. 3. Report*

4 *The Secretary of the Interior, in consultation with the*  
5 *Attorney General and Secretaries of Treasury, Labor, and*  
6 *State, shall report to the Congress by the March 15 follow-*  
7 *ing each fiscal year for which funds are allocated pursuant*  
8 *to section 4(c) of Public Law 94-241 for use by Federal*  
9 *agencies or the Commonwealth to address immigration,*  
10 *labor or law enforcement activities. The report shall include*  
11 *but not be limited to—*

12 *(1) pertinent immigration information provided*  
13 *by the Immigration and Naturalization Service, in-*  
14 *cluding the number of non-United States citizen con-*  
15 *tract workers in the CNMI, based on data the Immi-*  
16 *gration and Naturalization Service may require of*  
17 *the Commonwealth of the Northern Mariana Islands*  
18 *on a semiannual basis, or more often if deemed nec-*  
19 *essary by the Immigration and Naturalization Serv-*  
20 *ice.*

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

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

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

5           (5) *the accuracy and reliability of the computer-*  
6           *ized alien identification and tracking system and its*  
7           *compatibility with the system of the Immigration and*  
8           *Naturalization Service, and*

9           (6) *the reasons why Federal agencies are unable*  
10          *or unwilling to fully and effectively enforce Federal*  
11          *laws applicable within the Commonwealth of the*  
12          *Northern Mariana Islands unless such activities are*  
13          *funded by the Secretary of the Interior.*

14                   *Sec. 4. Immigration Cooperation*

15          *The Commonwealth of the Northern Mariana Islands*  
16          *and the Immigration and Naturalization Service shall co-*  
17          *operate in the identification and, if necessary, exclusion or*  
18          *deportation from the Commonwealth of the Northern Mari-*  
19          *ana Islands of persons who represent security or law en-*  
20          *forcement risks to the Commonwealth of the Northern Mari-*  
21          *ana Islands or the United States.*

1       *Sec. 5. Clarification of Local Employment in the*  
2                                   *Marianas*

3       *(a) Section 8103(i) of title 46 of the United States*  
4       *Code is amended by renumbering paragraph (3) as para-*  
5       *graph (4) and by adding a new paragraph (3) as follows:*  
6               *“(3) Notwithstanding any other provision of this sub-*  
7       *section, any alien allowed to be employed under the immi-*  
8       *gration laws of the Commonwealth of the Northern Mariana*  
9       *Islands (CNMI) may serve as an unlicensed seaman on a*  
10       *fishing, fish processing, or fish tender vessel that is operated*  
11       *exclusively from a port within the CNMI and within the*  
12       *navigable waters and exclusive economic zone of the United*  
13       *States surrounding the CNMI. Pursuant to 46 U.S.C. 8704,*  
14       *such persons are deemed to be employed in the United*  
15       *States and are considered to have the permission of the At-*  
16       *torney General of the United States to accept such employ-*  
17       *ment: Provided, That paragraph (2) of this subsection shall*  
18       *not apply to persons allowed to be employed under this*  
19       *paragraph.”.*

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



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

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

9 *(b) striking “Guam, American Samoa” in sec-*  
10 *tion 2 and inserting in lieu thereof “Guam, the Com-*  
11 *monwealth of the Northern Mariana Islands, Amer-*  
12 *ican Samoa”; and*

13 *(c) striking “Guam, the Virgin Islands” in sec-*  
14 *tion 2 and inserting in lieu thereof “Guam, the Com-*  
15 *monwealth of the Northern Mariana Islands, the Vir-*  
16 *gin Islands.”.*

17 *With respect to the Commonwealth of the Northern*  
18 *Mariana Islands, references to “the date of enactment of this*  
19 *Act” or “date of enactment of this subsection” contained*  
20 *in Public Law 93–435, as amended, shall mean the date*  
21 *of enactment of this section.*

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

23 *The Secretary of the Interior shall submit to the Con-*  
24 *gress, annually, a “State of the Islands” report on Amer-*  
25 *ican Samoa, Guam, the United States Virgin Islands, the*

1 *Commonwealth of the Northern Mariana Islands, the Re-*  
 2 *public of Palau, the Republic of the Marshall Islands, and*  
 3 *the Federated States of Micronesia that includes basic eco-*  
 4 *nomie development information, data on direct and indi-*  
 5 *rect Federal assistance, local revenues and expenditures,*  
 6 *employment and unemployment, the adequacy of essential*  
 7 *infrastructure and maintenance thereof, and an assessment*  
 8 *of local financial management and administrative capabili-*  
 9 *ties, and Federal efforts to improve those capabilities.*

10 *Sec. 8. Technical correction*

11 *Section 501 of Public Law 95–134 (91 Stat. 1159,*  
 12 *1164), as amended, is further amended by deleting “the*  
 13 *Trust Territory of the Pacific Islands,” and inserting in*  
 14 *lieu thereof “the Republic of Palau, the Republic of the Mar-*  
 15 *shall Islands, the Federated States of Micronesia.”*

16 TITLE II—RELATED AGENCIES

17 DEPARTMENT OF AGRICULTURE

18 FOREST SERVICE

19 FOREST RESEARCH

20 For necessary expenses of forest research as author-  
 21 ized by law, ~~\$182,000,000~~ \$177,000,000, to remain avail-  
 22 able until September 30, 1997.

23 STATE AND PRIVATE FORESTRY

24 For necessary expenses of cooperating with, and pro-  
 25 viding technical and financial assistance to States, Terri-

1 tories, possessions, and others and for forest pest manage-  
2 ment activities, cooperative forestry and education and  
3 land conservation activities, ~~\$129,551,000~~ \$128,294,000,  
4 to remain available until expended, as authorized by law.

5 NATIONAL FOREST SYSTEM

6 For necessary expenses of the Forest Service, not  
7 otherwise provided for, for management, protection, im-  
8 provement, and utilization of the National Forest System,  
9 for ecosystem planning, inventory, and monitoring, and for  
10 administrative expenses associated with the management  
11 of funds provided under the heads "Forest Research",  
12 "State and Private Forestry", "National Forest System",  
13 "Construction", "Fire Protection and Emergency Sup-  
14 pression", and "Land Acquisition", ~~\$1,266,688,000~~  
15 \$1,256,043,000, to remain available for obligation until  
16 September 30, 1997, and including 65 per centum of all  
17 monies received during the prior fiscal year as fees col-  
18 lected under the Land and Water Conservation Fund Act  
19 of 1965, as amended, in accordance with section 4 of the  
20 Act (16 U.S.C. 460l-6a(i)): *Provided*, That unobligated  
21 and unexpended balances in the National Forest System  
22 account at the end of fiscal year 1995, shall be merged  
23 with and made a part of the fiscal year 1996 National  
24 Forest System appropriation, and shall remain available  
25 for obligation until September 30, 1997: *Provided further*,

1 That up to \$5,000,000 of the funds provided herein for  
2 road maintenance shall be available for the planned oblit-  
3 eration of roads which are no longer needed.

4 FIRE PROTECTION AND EMERGENCY SUPPRESSION

5 WILDLAND FIRE MANAGEMENT

6 For necessary expenses for forest fire presuppression  
7 activities on National Forest System lands, for emergency  
8 fire suppression on or adjacent to National Forest System  
9 lands or other lands under fire protection agreement, and  
10 for emergency rehabilitation of burned over National For-  
11 est System lands, ~~\$385,485,000~~ \$385,485,000, to remain  
12 available until expended: *Provided*, That unexpended bal-  
13 ances of amounts previously appropriated under any other  
14 headings for Forest Service fire activities may be trans-  
15 ferred to and merged with this appropriation: *Provided*  
16 *further*, That such funds are available for repayment of  
17 advances from other appropriations accounts previously  
18 transferred for such purposes.

19 CONSTRUCTION

20 For necessary expenses of the Forest Service, not  
21 otherwise provided for, ~~\$120,000,000~~ \$186,888,000, to re-  
22 main available until expended, for construction and acqui-  
23 sition of buildings and other facilities, and for construction  
24 and repair of forest roads and trails by the Forest Service  
25 as authorized by 16 U.S.C. 532-538 and 23 U.S.C. 101  
26 and 205: *Provided*, That funds becoming available in fiscal

1 year 1996 under the Act of March 4, 1913 (16 U.S.C.  
2 501) shall be transferred to the General Fund of the  
3 Treasury of the United States: *Provided further, That not*  
4 *to exceed \$50,000,000, to remain available until expended,*  
5 *may be obligated for the construction of forest roads by*  
6 *timber purchasers: Provided further, That \$2,500,000 of the*  
7 *funds appropriated herein shall be available for a grant to*  
8 *the “Non-Profit Citizens for the Columbia Gorge Discovery*  
9 *Center” for the construction of the Columbia Gorge Discov-*  
10 *ery Center: Provided further, That the Forest Service is au-*  
11 *thorized to grant the unobligated balance of funds appro-*  
12 *priated in fiscal year 1995 for the construction of the Co-*  
13 *lumbia Gorge Discovery Center to the “Non-Profit Citizens*  
14 *for the Columbia Gorge Discovery Center” to be used for*  
15 *the same purpose: Provided further, That the Forest Service*  
16 *is authorized to convey the land needed for the construction*  
17 *of the Columbia Gorge Discovery Center without cost to the*  
18 *“Non-Profit Citizens for the Columbia Gorge Discovery*  
19 *Center”:* *Provided further, That notwithstanding any other*  
20 *provision of law, funds originally appropriated under this*  
21 *head in Public Law 101-512 for the Forest Service share*  
22 *of a new research facility at the University of Missouri,*  
23 *Columbia, shall be available for a grant to the University*  
24 *of Missouri, as the Federal share in the construction of the*  
25 *new facility: Provided further, That agreed upon lease of*

1 *space in the new facility shall be provided to the Forest*  
2 *Service without charge for the life of the building.*

3 LAND ACQUISITION

4 For expenses necessary to carry out the provisions  
5 of the Land and Water Conservation Fund Act of 1965,  
6 as amended (16 U.S.C. 460l-4-11), including administra-  
7 tive expenses, and for acquisition of land or waters, or in-  
8 terest therein, in accordance with statutory authority ap-  
9 plicable to the Forest Service, ~~\$14,600,000~~ \$41,167,000,  
10 to be derived from the Land and Water Conservation  
11 Fund, to remain available until expended.

12 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL

13 ACTS

14 For acquisition of lands within the exterior bound-  
15 aries of the Cache, Uinta, and Wasatch National Forests,  
16 Utah; the Toiyabe National Forest, Nevada; and the An-  
17 geles, San Bernardino, Sequoia, and Cleveland National  
18 Forests, California, as authorized by law, \$1,069,000, to  
19 be derived from forest receipts.

20 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

21 For acquisition of lands, to be derived from funds de-  
22 posited by State, county, or municipal governments, public  
23 school districts, or other public school authorities pursuant  
24 to the Act of December 4, 1967, as amended (16 U.S.C.  
25 484a), to remain available until expended.

## 1 RANGE BETTERMENT FUND

2 For necessary expenses of range rehabilitation, pro-  
3 tection, and improvement, 50 per centum of all moneys  
4 received during the prior fiscal year, as fees for grazing  
5 domestic livestock on lands in National Forests in the six-  
6 teen Western States, pursuant to section 401(b)(1) of  
7 Public Law 94-579, as amended, to remain available until  
8 expended, of which not to exceed 6 per centum shall be  
9 available for administrative expenses associated with on-  
10 the-ground range rehabilitation, protection, and improve-  
11 ments.

12 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND  
13 RANGELAND RESEARCH

14 For expenses authorized by 16 U.S.C. 1643(b),  
15 \$92,000, to remain available until expended, to be derived  
16 from the fund established pursuant to the above Act.

## 17 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

18 Appropriations to the Forest Service for the current  
19 fiscal year shall be available for: (a) purchase of not to  
20 exceed 183 passenger motor vehicles of which 32 will be  
21 used primarily for law enforcement purposes and of which  
22 151 shall be for replacement; acquisition of 22 passenger  
23 motor vehicles from excess sources, and hire of such vehi-  
24 cles; operation and maintenance of aircraft, the purchase  
25 of not to exceed two for replacement only, and acquisition

1 of 20 aircraft from excess sources; notwithstanding other  
2 provisions of law, existing aircraft being replaced may be  
3 sold, with proceeds derived or trade-in value used to offset  
4 the purchase price for the replacement aircraft; (b) serv-  
5 ices pursuant to the second sentence of section 706(a) of  
6 the Organic Act of 1944 (7 U.S.C. 2225), and not to ex-  
7 ceed \$100,000 for employment under 5 U.S.C. 3109; (c)  
8 purchase, erection, and alteration of buildings and other  
9 public improvements (7 U.S.C. 2250); (d) acquisition of  
10 land, waters, and interests therein, pursuant to the Act  
11 of August 3, 1956 (7 U.S.C. 428a); (e) for expenses pur-  
12 suant to the Volunteers in the National Forest Act of  
13 1972 (16 U.S.C. 558a, 558d, 558a note); and (f) for debt  
14 collection contracts in accordance with 31 U.S.C. 3718(c).

15       None of the funds made available under this Act shall  
16 be obligated or expended to change the boundaries of any  
17 region, to abolish any region, to move or close any regional  
18 office for research, State and private forestry, or National  
19 Forest System administration of the Forest Service, De-  
20 partment of Agriculture, *or to implement any reorganiza-*  
21 *tion, "reinvention" or other type of organizational restruc-*  
22 *turing of the Forest Service*, without the consent of the  
23 House and Senate Committees on Appropriations and the  
24 Committee on Agriculture, Nutrition, and Forestry *and*  
25 *the Committee on Energy and Natural Resources* in the



1 United States Senate and the Committee on Agriculture  
2 *and the Committee on Resources* in the United States  
3 House of Representatives.

4 Any appropriations or funds available to the Forest  
5 Service may be advanced to the Fire and Emergency Sup-  
6 pression appropriation and may be used for forest fire-  
7 fighting and the emergency rehabilitation of burned-over  
8 lands under its jurisdiction: *Provided*, That no funds shall  
9 be made available under this authority until funds appro-  
10 priated to the “Emergency Forest Service Firefighting  
11 Fund” shall have been exhausted.

12 *The appropriation structure for the Forest Service*  
13 *may not be altered without advance approval of the House*  
14 *and Senate Committee on Appropriations.*

15 Funds appropriated to the Forest Service shall be  
16 available for assistance to or through the Agency for Inter-  
17 national Development and the Foreign Agricultural Serv-  
18 ice in connection with forest and rangeland research, tech-  
19 nical information, and assistance in foreign countries, and  
20 shall be available to support forestry and related natural  
21 resource activities outside the United States and its terri-  
22 tories and possessions, including technical assistance, edu-  
23 cation and training, and cooperation with United States  
24 and international organizations.

1       None of the funds made available to the Forest Serv-  
2 ice under this Act shall be subject to transfer under the  
3 provisions of section 702(b) of the Department of Agri-  
4 culture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C.  
5 147b unless the proposed transfer is approved in advance  
6 by the House and Senate Committees on Appropriations  
7 in compliance with the reprogramming procedures con-  
8 tained in House Report 103-551.

9       No funds appropriated to the Forest Service shall be  
10 transferred to the Working Capital Fund of the Depart-  
11 ment of Agriculture without the approval of the Chief of  
12 the Forest Service.

13       Notwithstanding any other provision of law, any ap-  
14 propriations or funds available to the Forest Service may  
15 be used to disseminate program information to private and  
16 public individuals and organizations through the use of  
17 nonmonetary items of nominal value and to provide  
18 nonmonetary awards of nominal value and to incur nec-  
19 essary expenses for the nonmonetary recognition of private  
20 individuals and organizations that make contributions to  
21 Forest Service programs.

22       Notwithstanding any other provision of law, money  
23 collected, in advance or otherwise, by the Forest Service  
24 under authority of section 101 of Public Law 93-153 (30  
25 U.S.C. 185(1)) as reimbursement of administrative and

1 other costs incurred in processing pipeline right-of-way or  
2 permit applications and for costs incurred in monitoring  
3 the construction, operation, maintenance, and termination  
4 of any pipeline and related facilities, may be used to reim-  
5 burse the applicable appropriation to which such costs  
6 were originally charged.

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

13 None of the funds available in this Act shall be used  
14 for timber sale preparation using clearcutting in hardwood  
15 stands in excess of 25 percent of the fiscal year 1989 har-  
16 vested volume in the Wayne National Forest, Ohio: *Pro-*  
17 *vided*, That this limitation shall not apply to hardwood  
18 stands damaged by natural disaster: *Provided further*,  
19 That landscape architects shall be used to maintain a vis-  
20 ually pleasing forest.

21 Any money collected from the States for fire suppres-  
22 sion assistance rendered by the Forest Service on non-  
23 Federal lands not in the vicinity of National Forest Sys-  
24 tem lands shall be used to reimburse the applicable appro-  
25 priation and shall remain available until expended as the

1 Secretary may direct in conducting activities authorized  
2 by 16 U.S.C. 2101 (note), 2101–2110, 1606, and 2111.

3 Of the funds available to the Forest Service, \$1,500  
4 is available to the Chief of the Forest Service for official  
5 reception and representation expenses.

6 Notwithstanding any other provision of law, the For-  
7 est Service is authorized to employ or otherwise contract  
8 with persons at regular rates of pay, as determined by the  
9 Service, to perform work occasioned by emergencies such  
10 as fires, storms, floods, earthquakes or any other unavoid-  
11 able cause without regard to Sundays, Federal holidays,  
12 and the regular workweek.

13 To the greatest extent possible, and in accordance  
14 with the Final Amendment to the Shawnee National For-  
15 est Plan, none of the funds available in this Act shall be  
16 used for preparation of timber sales using clearcutting or  
17 other forms of even aged management in hardwood stands  
18 in the Shawnee National Forest, Illinois.

19 Funds appropriated to the Forest Service shall be  
20 available for interactions with and providing technical as-  
21 sistance to rural communities for sustainable rural devel-  
22 opment purposes.

23 Notwithstanding any other provision of law, eighty  
24 percent of the funds appropriated to the Forest Service  
25 in the National Forest System and Construction accounts

1 and planned to be allocated to activities under the “Jobs  
2 in the Woods” program for projects on National Forest  
3 land in the State of Washington may be granted directly  
4 to the Washington State Department of Fish and Wildlife  
5 for accomplishment of planned projects. Twenty percent  
6 of said funds shall be retained by the Forest Service for  
7 planning and administering projects. Project selection and  
8 prioritization shall be accomplished by the Forest Service  
9 with such consultation with the State of Washington as  
10 the Forest Service deems appropriate.

11       None of the funds available in this Act shall be used  
12 for any activity that directly or indirectly causes harm to  
13 songbirds within the boundaries of the Shawnee National  
14 Forest.

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

18       *None of the funds provided in this or any other Appro-*  
19 *priations Act may be used on the Tongass National Forest*  
20 *except in compliance with Alternative P, identified in the*  
21 *Tongass Land Management Plan Revision Supplement to*  
22 *the Draft Environmental Impact Statement dated August*  
23 *1991.*

1 DEPARTMENT OF ENERGY  
2 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

3 For necessary expenses in carrying out fossil energy  
4 research and development activities, under the authority  
5 of the Department of Energy Organization Act (Public  
6 Law 95-91), including the acquisition of interest, includ-  
7 ing defeasible and equitable interests in any real property  
8 or any facility or for plant or facility acquisition or expan-  
9 sion, ~~\$379,524,000~~ \$376,181,000, to remain available until  
10 expended: *Provided*, That no part of the sum herein made  
11 available shall be used for the field testing of nuclear ex-  
12 plosives in the recovery of oil and gas.

13 ALTERNATIVE FUELS PRODUCTION  
14 (INCLUDING TRANSFER OF FUNDS)

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

## 1           NAVAL PETROLEUM AND OIL SHALE RESERVES

2           For necessary expenses in carrying out naval petro-  
3 leum and oil shale reserve activities, \$136,028,000, to re-  
4 main available until expended: Provided, That the require-  
5 ments of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal  
6 year 1996: *Provided further, That section 501 of Public*  
7 *Law 101-45 is hereby repealed.*

## 8   ENERGY CONSERVATION

9           For necessary expenses in carrying out energy con-  
10 servation activities, ~~\$556,371,000~~ *\$576,976,000*, to remain  
11 available until expended, including, notwithstanding any  
12 other provision of law, the excess amount for fiscal year  
13 1996 determined under the provisions of section 3003(d)  
14 of Public Law 99-509 (15 U.S.C. 4502), and of which  
15 \$16,000,000 shall be derived from available unobligated  
16 balances in the Biomass Energy Development account:  
17 *Provided, That ~~\$148,946,000~~ \$168,946,000 shall be for*  
18 *use in energy conservation programs as defined in section*  
19 *3008(3) of Public Law 99-509 (15 U.S.C. 4507) and shall*  
20 *not be available until excess amounts are determined*  
21 *under the provisions of section 3003(d) of Public Law 99-*  
22 *509 (15 U.S.C. 4502): *Provided further, That notwith-**  
23 *standing section 3003(d)(2) of Public Law 99-509 such*  
24 *sums shall be allocated to the eligible programs as follows:*  
25 ~~\$110,946,000~~ *\$137,446,000* for the weatherization assist-

1 ance program and ~~\$26,500,000~~ \$31,500,000 for the State  
2 energy conservation program.

3 ECONOMIC REGULATION

4 For necessary expenses in carrying out the activities  
5 of the Economic Regulatory Administration and the Office  
6 of Hearings and Appeals, ~~\$6,297,000~~ \$8,038,000, to re-  
7 main available until expended.

8 STRATEGIC PETROLEUM RESERVE

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses for Strategic Petroleum Re-  
11 serve facility development and operations and program  
12 management activities pursuant to the Energy Policy and  
13 Conservation Act of 1975, as amended (42 U.S.C. 6201  
14 et seq.), \$287,000,000, to remain available until expended,  
15 of which \$187,000,000 shall be derived by transfer of un-  
16 obligated balances from the “SPR petroleum account” and  
17 \$100,000,000 shall be derived by transfer from the “SPR  
18 Decommissioning Fund”: *Provided*, That notwithstanding  
19 section 161 of the Energy Policy and Conservation Act,  
20 the Secretary shall draw down and sell up to seven million  
21 barrels of oil from the Strategic Petroleum Reserve: *Pro-*  
22 *vided further*, That the proceeds from the sale shall be de-  
23 posited into a special account in the Treasury, to be estab-  
24 lished and known as the “SPR Decommissioning Fund”,  
25 and shall be available for the purpose of removal of oil



1 from and decommissioning of the Weeks Island site and  
2 for other purposes related to the operations of the Strate-  
3 gic Petroleum Reserve.

4 SPR PETROLEUM ACCOUNT

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

11 *Notwithstanding 42 U.S.C. 6240(d) the United States*  
12 *share of crude oil in Naval Petroleum Reserve Numbered*  
13 *1 may be sold or otherwise disposed of to other than the*  
14 *Strategic Petroleum Reserve: *Provided*, That outlays in fis-*  
15 *cal year 1996 resulting from the use of funds in this account*  
16 *shall not exceed \$5,000,000.*

17 ENERGY INFORMATION ADMINISTRATION

18 For necessary expenses in carrying out the activities  
19 of the Energy Information Administration, ~~\$79,766,000~~  
20 ~~\$64,766,000~~, to remain available until expended: *Provided*,  
21 That notwithstanding Section 4(d) of the Service Contract  
22 Act of 1965 (41 U.S.C. 353(d)) or any other provision  
23 of law, funds appropriated under this heading hereafter  
24 may be used to enter into a contract for end use consump-  
25 tion surveys for a term not to exceed eight years: *Provided*

1 *further*, That notwithstanding any other provision of law,  
2 hereafter the Manufacturing Energy Consumption Survey  
3 shall be conducted on a triennial basis.

4 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

5 Appropriations under this Act for the current fiscal  
6 year shall be available for hire of passenger motor vehicles;  
7 hire, maintenance, and operation of aircraft; purchase, re-  
8 pair, and cleaning of uniforms; and reimbursement to the  
9 General Services Administration for security guard serv-  
10 ices.

11 From appropriations under this Act, transfers of  
12 sums may be made to other agencies of the Government  
13 for the performance of work for which the appropriation  
14 is made.

15 None of the funds made available to the Department  
16 of Energy under this Act shall be used to implement or  
17 finance authorized price support or loan guarantee pro-  
18 grams unless specific provision is made for such programs  
19 in an appropriations Act.

20 The Secretary is authorized to accept lands, build-  
21 ings, equipment, and other contributions from public and  
22 private sources and to prosecute projects in cooperation  
23 with other agencies, Federal, State, private, or foreign:  
24 *Provided*, That revenues and other moneys received by or  
25 for the account of the Department of Energy or otherwise

1 generated by sale of products in connection with projects  
2 of the Department appropriated under this Act may be  
3 retained by the Secretary of Energy, to be available until  
4 expended, and used only for plant construction, operation,  
5 costs, and payments to cost-sharing entities as provided  
6 in appropriate cost-sharing contracts or agreements: *Pro-*  
7 *vided further,* That the remainder of revenues after the  
8 making of such payments shall be covered into the Treas-  
9 ury as miscellaneous receipts: *Provided further,* That any  
10 contract, agreement, or provision thereof entered into by  
11 the Secretary pursuant to this authority shall not be exe-  
12 cuted prior to the expiration of 30 calendar days (not in-  
13 cluding any day in which either House of Congress is not  
14 in session because of adjournment of more than three cal-  
15 endar days to a day certain) from the receipt by the  
16 Speaker of the House of Representatives and the Presi-  
17 dent of the Senate of a full comprehensive report on such  
18 project, including the facts and circumstances relied upon  
19 in support of the proposed project.

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

1 DEPARTMENT OF HEALTH AND HUMAN  
2 SERVICES

3 INDIAN HEALTH SERVICE

4 INDIAN HEALTH SERVICES

5 For expenses necessary to carry out the Act of Au-  
6 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-  
7 tion Act, the Indian Health Care Improvement Act, and  
8 titles II and III of the Public Health Service Act with re-  
9 spect to the Indian Health Service, ~~\$1,725,792,000~~  
10 ~~\$1,815,373,000~~ together with payments received during the  
11 fiscal year pursuant to 42 U.S.C. 300aaa-2 for services  
12 furnished by the Indian Health Service: *Provided*, That  
13 funds made available to tribes and tribal organizations  
14 through contracts, grant agreements, or any other agree-  
15 ments or compacts authorized by the Indian Self-Deter-  
16 mination and Education Assistance Act of 1975 (88 Stat.  
17 2203; 25 U.S.C. 450), shall be deemed to be obligated at  
18 the time of the grant or contract award and thereafter  
19 shall remain available to the tribe or tribal organization  
20 without fiscal year limitation: *Provided further*, That  
21 \$12,000,000 shall remain available until expended, for the  
22 Indian Catastrophic Health Emergency Fund: *Provided*  
23 *further*, That ~~\$351,258,000~~ ~~\$350,564,000~~ for contract  
24 medical care shall remain available for obligation until  
25 September 30, 1997: *Provided further*, That of the funds

1 provided, not less than \$11,306,000 shall be used to carry  
2 out the loan repayment program under section 108 of the  
3 Indian Health Care Improvement Act, as amended: *Pro-*  
4 *vided further*, That funds provided in this Act may be used  
5 for one-year contracts and grants which are to be per-  
6 formed in two fiscal years, so long as the total obligation  
7 is recorded in the year for which the funds are appro-  
8 priated: *Provided further*, That the amounts collected by  
9 the Secretary of Health and Human Services under the  
10 authority of title IV of the Indian Health Care Improve-  
11 ment Act shall be available for two fiscal years after the  
12 fiscal year in which they were collected, for the purpose  
13 of achieving compliance with the applicable conditions and  
14 requirements of titles XVIII and XIX of the Social Secu-  
15 rity Act (exclusive of planning, design, or construction of  
16 new facilities): *Provided further*, That of the funds pro-  
17 vided, \$7,500,000 shall remain available until expended,  
18 for the Indian Self-Determination Fund, which shall be  
19 available for the transitional costs of initial or expanded  
20 tribal contracts, grants or cooperative agreements with the  
21 Indian Health Service under the provisions of the Indian  
22 Self-Determination Act: *Provided further*, That funding  
23 contained herein, and in any earlier appropriations Acts  
24 for scholarship programs under the Indian Health Care  
25 Improvement Act (25 U.S.C. 1613) shall remain available

1 for obligation until September 30, 1997: *Provided further,*  
2 That amounts received by tribes and tribal organizations  
3 under title IV of the Indian Health Care Improvement  
4 Act, as amended, shall be reported and accounted for and  
5 available to the receiving tribes and tribal organizations  
6 until expended.

7 INDIAN HEALTH FACILITIES

8 For construction, repair, maintenance, improvement,  
9 and equipment of health and related auxiliary facilities,  
10 including quarters for personnel; preparation of plans,  
11 specifications, and drawings; acquisition of sites, purchase  
12 and erection of modular buildings, and purchases of trail-  
13 ers; and for provision of domestic and community sanita-  
14 tion facilities for Indians, as authorized by section 7 of  
15 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian  
16 Self-Determination Act and the Indian Health Care Im-  
17 provement Act, and for expenses necessary to carry out  
18 the Act of August 5, 1954 (68 Stat. 674), the Indian Self-  
19 Determination Act, the Indian Health Care Improvement  
20 Act, and titles II and III of the Public Health Service Act  
21 with respect to environmental health and facilities support  
22 activities of the Indian Health Service, \$236,975,000  
23 \$151,227,000, to remain available until expended: *Pro-*  
24 *vided,* That notwithstanding any other provision of law,  
25 funds appropriated for the planning, design, construction

1 or renovation of health facilities for the benefit of an In-  
2 dian tribe or tribes may be used to purchase land for sites  
3 to construct, improve, or enlarge health or related facili-  
4 ties.

5 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

6 Appropriations in this Act to the Indian Health Serv-  
7 ice shall be available for services as authorized by 5 U.S.C.  
8 3109 but at rates not to exceed the per diem rate equiva-  
9 lent to the maximum rate payable for senior-level positions  
10 under 5 U.S.C. 5376; hire of passenger motor vehicles and  
11 aircraft; purchase of medical equipment; purchase of re-  
12 prints; purchase, renovation and erection of modular  
13 buildings and renovation of existing facilities; payments  
14 for telephone service in private residences in the field,  
15 when authorized under regulations approved by the Sec-  
16 retary; and for uniforms or allowances therefor as author-  
17 ized by law (5 U.S.C. 5901–5902); and for expenses of  
18 attendance at meetings which are concerned with the func-  
19 tions or activities for which the appropriation is made or  
20 which will contribute to improved conduct, supervision, or  
21 management of those functions or activities: *Provided,*  
22 That in accordance with the provisions of the Indian  
23 Health Care Improvement Act, non-Indian patients may  
24 be extended health care at all tribally administered or In-  
25 dian Health Service facilities, subject to charges, and the

1 proceeds along with funds recovered under the Federal  
2 Medical Care Recovery Act (42 U.S.C. 2651–53) shall be  
3 credited to the account of the facility providing the service  
4 and shall be available without fiscal year limitation: *Pro-*  
5 *vided further*, That notwithstanding any other law or regu-  
6 lation, funds transferred from the Department of Housing  
7 and Urban Development to the Indian Health Service  
8 shall be administered under Public Law 86–121 (the In-  
9 dian Sanitation Facilities Act) and Public Law 93–638,  
10 as amended: *Provided further*, That funds appropriated to  
11 the Indian Health Service in this Act, except those used  
12 for administrative and program direction purposes, shall  
13 not be subject to limitations directed at curtailing Federal  
14 travel and transportation: *Provided further*, That the In-  
15 dian Health Service shall neither bill nor charge those In-  
16 dians who may have the economic means to pay unless  
17 and until such time as Congress has agreed upon a specific  
18 policy to do so and has directed the Indian Health Service  
19 to implement such a policy: *Provided further*, That, not-  
20 withstanding any other provision of law, funds previously  
21 or herein made available to a tribe or tribal organization  
22 through a contract, grant or agreement authorized by  
23 Title I of the Indian Self-Determination and Education  
24 Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450),  
25 may be deobligated and reobligated to a self-governance



1 funding agreement under Title III of the Indian Self-De-  
2 termination and Education Assistance Act of 1975 and  
3 thereafter shall remain available to the tribe or tribal orga-  
4 nization without fiscal year limitation: *Provided further,*  
5 That none of the funds made available to the Indian  
6 Health Service in this Act shall be used to implement the  
7 final rule published in the Federal Register on September  
8 16, 1987, by the Department of Health and Human Serv-  
9 ices, relating to eligibility for the health care services of  
10 the Indian Health Service until the Indian Health Service  
11 has submitted a budget request reflecting the increased  
12 costs associated with the proposed final rule, and such re-  
13 quest has been included in an appropriations Act and en-  
14 acted into law: *Provided further,* That funds made avail-  
15 able in this Act are to be apportioned to the Indian Health  
16 Service as appropriated in this Act, and accounted for in  
17 the appropriation structure set forth in this Act: *Provided*  
18 *further,* That the appropriation structure for the Indian  
19 Health Service may not be altered without advance ap-  
20 proval of the House and Senate Committees on Appropria-  
21 tions.

1 DEPARTMENT OF EDUCATION  
2 OFFICE OF ELEMENTARY AND SECONDARY EDUCATION  
3 INDIAN EDUCATION

4 For necessary expenses to carry out, to the extent  
5 not otherwise provided, title IX, part A, subpart 1 of the  
6 Elementary and Secondary Education Act of 1965, as  
7 amended, and section 215 of the Department of Education  
8 Organization Act, ~~\$52,500,000~~ \$54,660,000.

9 OTHER RELATED AGENCIES  
10 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION  
11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of Navajo and  
13 Hopi Indian Relocation as authorized by Public Law 93-  
14 531, ~~\$21,345,000~~ \$20,345,000, to remain available until  
15 expended: *Provided*, That funds provided in this or any  
16 other appropriations Act are to be used to relocate eligible  
17 individuals and groups including evictees from District 6,  
18 Hopi-partitioned lands residents, those in significantly  
19 substandard housing, and all others certified as eligible  
20 and not included in the preceding categories: *Provided fur-*  
21 *ther*, That none of the funds contained in this or any other  
22 Act may be used by the Office of Navajo and Hopi Indian  
23 Relocation to evict any single Navajo or Navajo family  
24 who, as of November 30, 1985, was physically domiciled  
25 on the lands partitioned to the Hopi Tribe unless a new

1 or replacement home is provided for such household: *Pro-*  
2 *vided further*, That no relocatee will be provided with more  
3 than one new or replacement home: *Provided further*, That  
4 the Office shall relocate any certified eligible relocatees  
5 who have selected and received an approved homesite on  
6 the Navajo reservation or selected a replacement residence  
7 off the Navajo reservation or on the land acquired pursu-  
8 ant to 25 U.S.C. 640d-10.

9 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE  
10 CULTURE AND ARTS DEVELOPMENT

11 PAYMENT TO THE INSTITUTE

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

16 SMITHSONIAN INSTITUTION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Smithsonian Institu-  
19 tion, as authorized by law, including research in the fields  
20 of art, science, and history; development, preservation, and  
21 documentation of the National Collections; presentation of  
22 public exhibits and performances; collection, preparation,  
23 dissemination, and exchange of information and publica-  
24 tions; conduct of education, training, and museum assist-  
25 ance programs; maintenance, alteration, operation, lease

1 (for terms not to exceed thirty years), and protection of  
2 buildings, facilities, and approaches; not to exceed  
3 \$100,000 for services as authorized by 5 U.S.C. 3109; up  
4 to 5 replacement passenger vehicles; purchase, rental, re-  
5 pair, and cleaning of uniforms for employees;  
6 ~~\$309,471,000~~ \$307,988,000, of which not to exceed  
7 ~~\$32,000,000~~ \$30,472,000 for the instrumentation pro-  
8 gram, collections acquisition, Museum Support Center  
9 equipment and move, exhibition reinstallation, the Na-  
10 tional Museum of the American Indian, the repatriation  
11 of skeletal remains program, research equipment, informa-  
12 tion management, and Latino programming shall remain  
13 available until expended and, including such funds as may  
14 be necessary to support American overseas research cen-  
15 ters and a total of \$125,000 for the Council of American  
16 Overseas Research Centers: *Provided*, That funds appro-  
17 priated herein are available for advance payments to inde-  
18 pendent contractors performing research services or par-  
19 ticipating in official Smithsonian presentations.

20 CONSTRUCTION AND IMPROVEMENTS, NATIONAL  
21 ZOOLOGICAL PARK

22 For necessary expenses of planning, construction, re-  
23 modeling, and equipping of buildings and facilities at the  
24 National Zoological Park, by contract or otherwise,

1 ~~\$3,000,000~~ *\$3,250,000*, to remain available until ex-  
2 pended.

3 REPAIR AND RESTORATION OF BUILDINGS

4 For necessary expenses of repair and restoration of  
5 buildings owned or occupied by the Smithsonian Institu-  
6 tion, by contract or otherwise, as authorized by section  
7 2 of the Act of August 22, 1949 (63 Stat. 623), including  
8 not to exceed \$10,000 for services as authorized by 5  
9 U.S.C. 3109, ~~\$24,954,000~~ *\$33,954,000*, to remain avail-  
10 able until expended: *Provided*, That contracts awarded for  
11 environmental systems, protection systems, and exterior  
12 repair or restoration of buildings of the Smithsonian Insti-  
13 tution may be negotiated with selected contractors and  
14 awarded on the basis of contractor qualifications as well  
15 as price.

16 CONSTRUCTION

17 For necessary expenses for construction,  
18 ~~\$12,950,000~~ *\$27,700,000*, to remain available until ex-  
19 pended. ~~Provided~~, That notwithstanding any other provi-  
20 sion of law, a single procurement for the construction of  
21 the National Museum of the American Indian Cultural Re-  
22 sources Center may be issued which includes the full scope  
23 of the project: *Provided further*, That the solicitation and  
24 the contract shall contain the clause "availability of  
25 funds" found at 48 CFR 52.232.18.

## 1 NATIONAL GALLERY OF ART

## 2 SALARIES AND EXPENSES

3 For the upkeep and operations of the National Gal-  
4 lery of Art, the protection and care of the works of art  
5 therein, and administrative expenses incident thereto, as  
6 authorized by the Act of March 24, 1937 (50 Stat. 51),  
7 as amended by the public resolution of April 13, 1939  
8 (Public Resolution 9, Seventy-sixth Congress), including  
9 services as authorized by 5 U.S.C. 3109; payment in ad-  
10 vance when authorized by the treasurer of the Gallery for  
11 membership in library, museum, and art associations or  
12 societies whose publications or services are available to  
13 members only, or to members at a price lower than to the  
14 general public; purchase, repair, and cleaning of uniforms  
15 for guards, and uniforms, or allowances therefor, for other  
16 employees as authorized by law (5 U.S.C. 5901–5902);  
17 purchase or rental of devices and services for protecting  
18 buildings and contents thereof, and maintenance, alter-  
19 ation, improvement, and repair of buildings, approaches,  
20 and grounds; and purchase of services for restoration and  
21 repair of works of art for the National Gallery of Art by  
22 contracts made, without advertising, with individuals,  
23 firms, or organizations at such rates or prices and under  
24 such terms and conditions as the Gallery may deem prop-  
25 er, ~~\$51,315,000~~ *\$51,844,000*, of which not to exceed

1 \$3,026,000 for the special exhibition program shall remain  
2 available until expended.

3 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

4 For necessary expenses of repair, restoration and  
5 renovation of buildings, grounds and facilities owned or  
6 occupied by the National Gallery of Art, by contract or  
7 otherwise, as authorized ~~\$5,500,000~~ \$7,385,000, to remain  
8 available until expended: *Provided*, That contracts award-  
9 ed for environmental systems, protection systems, and ex-  
10 terior repair or renovation of buildings of the National  
11 Gallery of Art may be negotiated with selected contractors  
12 and awarded on the basis of contractor qualifications as  
13 well as price.

14 JOHN F. KENNEDY CENTER FOR THE PERFORMING  
15 ARTS

16 OPERATIONS AND MAINTENANCE

17 For necessary expenses for the operation, mainte-  
18 nance and security of the John F. Kennedy Center for  
19 the Performing Arts, ~~\$9,800,000~~ \$10,323,000: *Provided*,  
20 *That 40 U.S.C. 193n is hereby amended by striking the*  
21 *word "and" after the word "Institution" and inserting in*  
22 *lieu thereof a comma, and by inserting "and the Trustees*  
23 *of the John F. Kennedy Center for the Performing Arts,"*  
24 *after the word "Art,".*

## 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, ~~\$5,140,100~~ *\$6,537,000*.

## 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,—~~subject to passage by the House~~  
20 ~~of Representatives of a bill authorizing such appropria-~~  
21 ~~tion,~~ shall be available to the National Endowment for the  
22 Arts for the support of projects and productions in the  
23 arts through assistance to groups and individuals pursu-  
24 ant to section 5(c) of the Act, and for administering the



1 functions of the Act, to remain available until September  
2 30, 1997.

3 MATCHING GRANTS

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

19 NATIONAL ENDOWMENT FOR THE HUMANITIES

20 GRANTS AND ADMINISTRATION

21 For necessary expenses to carry out the National  
22 Foundation on the Arts and the Humanities Act of 1965,  
23 as amended, ~~\$82,469,000~~ \$96,494,000 shall be available  
24 to the National Endowment for the Humanities for sup-  
25 port of activities in the humanities, pursuant to section

1 7(c) of the Act, and for administering the functions of the  
2 Act, to remain available until September 30, 1997.

3 MATCHING GRANTS

4 To carry out the provisions of section 10(a)(2) of the  
5 National Foundation on the Arts and the Humanities Act  
6 of 1965, as amended, ~~\$17,025,000~~ \$18,000,000, to remain  
7 available until September 30, 1997, of which ~~\$9,180,000~~  
8 \$10,000,000 shall be available to the National Endowment  
9 for the Humanities for the purposes of section 7(h): *Pro-*  
10 *vided*, That this appropriation shall be available for obliga-  
11 tion only in such amounts as may be equal to the total  
12 amounts of gifts, bequests, and devises of money, and  
13 other property accepted by the Chairman or by grantees  
14 of the Endowment under the provisions of subsections  
15 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-  
16 ceding fiscal years for which equal amounts have not pre-  
17 viously been appropriated.

18 INSTITUTE OF MUSEUM SERVICES

19 GRANTS AND ADMINISTRATION

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

23 ADMINISTRATIVE PROVISIONS

24 None of the funds appropriated to the National  
25 Foundation on the Arts and the Humanities may be used  
26 to process any grant or contract documents which do not

1 include the text of 18 U.S.C. 1913: *Provided*, That none  
2 of the funds appropriated to the National Foundation on  
3 the Arts and the Humanities may be used for official re-  
4 ception and representation expenses.

5 COMMISSION OF FINE ARTS

6 SALARIES AND EXPENSES

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

9 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

10 For necessary expenses as authorized by Public Law  
11 99–190 (99 Stat. 1261; 20 U.S.C. 956(a)), as amended,  
12 \$6,000,000.

13 ADVISORY COUNCIL ON HISTORIC PRESERVATION

14 SALARIES AND EXPENSES

15 For expenses necessary for the Advisory Council on  
16 Historic Preservation, ~~\$3,063,000~~ \$2,500,000.

17 NATIONAL CAPITAL PLANNING COMMISSION

18 SALARIES AND EXPENSES

19 For necessary expenses, as authorized by the Na-  
20 tional Capital Planning Act of 1952 (40 U.S.C. 71–71i),  
21 including services as authorized by 5 U.S.C. 3109,  
22 \$5,090,000: *Provided*, That all appointed members will be  
23 compensated at a rate not to exceed the rate for Executive  
24 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~~ \$147,000, to remain avail-  
7 able until 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 PUBLIC DEVELOPMENT

14 *Funds made available under this heading in prior*  
15 *years shall be available for operating and administrative*  
16 *expenses of the Corporation.*

17 UNITED STATES HOLOCAUST MEMORIAL COUNCIL  
18 HOLOCAUST MEMORIAL COUNCIL

19 For expenses of the Holocaust Memorial Council, as  
20 authorized by Public Law 96-388, as amended,  
21 ~~\$28,707,000~~ \$26,609,000, of which \$1,575,000 for the  
22 Museum's repair and rehabilitation program ~~and~~  
23 ~~\$1,264,000~~ for the Museum's exhibition program shall re-  
24 main available until expended.

## 1 TITLE III—GENERAL PROVISIONS

2 SEC. 301. The expenditure of any appropriation  
3 under this Act for any consulting service through procure-  
4 ment contract, pursuant to 5 U.S.C. 3109, shall be limited  
5 to those contracts where such expenditures are a matter  
6 of public record and available for public inspection, except  
7 where otherwise provided under existing law, or under ex-  
8 isting Executive order issued pursuant to existing law.

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

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

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

1        SEC. 305. None of the funds provided in this Act to  
2 any department or agency shall be obligated or expended  
3 to provide a personal cook, chauffeur, or other personal  
4 servants to any officer or employee of such department  
5 or agency except as otherwise provided by law.

6        SEC. 306. No assessments may be levied against any  
7 program, budget activity, subactivity, or project funded by  
8 this Act unless notice of such assessments and the basis  
9 therefor are presented to the Committees on Appropria-  
10 tions and are approved by such Committees.

11        SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN  
12 ACT.—None of the funds made available in this Act may  
13 be expended by an entity unless the entity agrees that in  
14 expending the funds the entity will comply with sections  
15 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–  
16 10c; popularly known as the “Buy American Act”).

17        (b) SENSE OF CONGRESS; REQUIREMENT REGARD-  
18 ING NOTICE.—

19                (1) PURCHASE OF AMERICAN-MADE EQUIPMENT  
20 AND PRODUCTS.—In the case of any equipment or  
21 product that may be authorized to be purchased  
22 with financial assistance provided using funds made  
23 available in this Act, it is the sense of the Congress  
24 that entities receiving the assistance should, in ex-

1 pending the assistance, purchase only American-  
2 made equipment and products.

3 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—

4 In providing financial assistance using funds made  
5 available in this Act, the head of each Federal agen-  
6 cy shall provide to each recipient of the assistance  
7 a notice describing the statement made in paragraph  
8 (1) by the Congress.

9 (c) PROHIBITION OF CONTRACTS WITH PERSONS  
10 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—

11 If it has been finally determined by a court or Federal  
12 agency that any person intentionally affixed a label bear-  
13 ing a “Made in America” inscription, or any inscription  
14 with the same meaning, to any product sold in or shipped  
15 to the United States that is not made in the United  
16 States, the person shall be ineligible to receive any con-  
17 tract or subcontract made with funds made available in  
18 this Act, pursuant to the debarment, suspension, and ineli-  
19 gibility procedures described in sections 9.400 through  
20 9.409 of title 48, Code of Federal Regulations.

21 SEC. 308. None of the funds in this Act may be used  
22 to plan, prepare, or offer for sale timber from trees classi-  
23 fied as giant sequoia (*sequoiadendron giganteum*) which  
24 are located on National Forest System or Bureau of Land

1 Management lands in a manner different than such sales  
2 were conducted in fiscal year 1995.

3 SEC. 309. None of the funds made available by this  
4 Act may be obligated or expended by the National Park  
5 Service to enter into or implement a concession contract  
6 which permits or requires the removal of the underground  
7 lunchroom at the Carlsbad Caverns National Park.

8 SEC. 310. Where the actual costs of construction  
9 projects under self-determination contracts, compacts, or  
10 grants, pursuant to Public Laws 93-638, ~~100-413~~ *103-*  
11 *413*, or 100-297, are less than the estimated costs thereof,  
12 use of the resulting excess funds shall be determined by  
13 the appropriate Secretary after consultation with the  
14 tribes.

15 SEC. 311. Notwithstanding Public Law 103-413,  
16 quarterly payments of funds to tribes and tribal organiza-  
17 tions under annual funding agreements pursuant to sec-  
18 tion 108 of Public Law 93-638, as amended, may be made  
19 on the first business day following the first day of a fiscal  
20 quarter.

21 ~~SEC. 312. None of funds in this Act may be used~~  
22 ~~for the Americorps program.~~

23 *SEC. 312. None of the funds appropriated or otherwise*  
24 *made available by this Act may be used for the AmeriCorps*  
25 *program.*



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

3           (1) transfer and assign in accordance with this  
4 section all of its rights, title, and interest in and to  
5 all of the leases, covenants, agreements, and ease-  
6 ments it has executed or will execute by March 31,  
7 1996, in carrying out its powers and duties under  
8 the Pennsylvania Avenue Development Corporation  
9 Act (40 U.S.C. 871–885) and the Federal Triangle  
10 Development Act (40 U.S.C. 1101–1109) to the  
11 General Services Administration, National Capital  
12 Planning Commission, or the National Park Service;  
13 and

14           (2) except as provided by subsection (d), trans-  
15 fer all rights, title, and interest in and to all prop-  
16 erty, both real and personal, held in the name of the  
17 Pennsylvania Avenue Development Corporation to  
18 the General Services Administration.

19       (b) The responsibilities of the Pennsylvania Avenue  
20 Development Corporation transferred to the General Serv-  
21 ices Administration under subsection (a) include, but are  
22 not limited to, the following:

23           (1) Collection of revenue owed the Federal Gov-  
24 ernment as a result of real estate sales or lease  
25 agreements entered into by the Pennsylvania Avenue

1 Development Corporation and private parties, in-  
2 cluding, at a minimum, with respect to the following  
3 projects:

4 (A) The Willard Hotel property on Square  
5 225.

6 (B) The Gallery Row project on Square  
7 457.

8 (C) The Lansburgh's project on Square  
9 431.

10 (D) The Market Square North project on  
11 Square 407.

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

17 (3) Application of collected revenue to repay  
18 United States Treasury debt incurred by the Penn-  
19 sylvania Avenue Development Corporation in the  
20 course of acquiring real estate.

21 (4) Performing financial audits for projects in  
22 which the Pennsylvania Avenue Development Cor-  
23 poration has actual or potential revenue expectation,  
24 as identified in paragraphs (1) and (2), in accord-

1       ance with procedures describe in applicable sale or  
2       lease agreements.

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

6           (6) Payment of benefits in accordance with the  
7       Uniform Relocation Assistance and Real Property  
8       Acquisitions Policies Act of 1970 to which persons  
9       in the project area squares are entitled as a result  
10      of the Pennsylvania Avenue Development Corpora-  
11      tion's acquisition of real estate.

12          (7) Carrying out the responsibilities of the  
13      Pennsylvania Avenue Development Corporation  
14      under the Federal Triangle Development Act (40  
15      U.S.C. 1101–1109), including responsibilities for  
16      managing assets and liabilities of the Corporation  
17      under such Act.

18      (c) In carrying out the responsibilities of the Penn-  
19      sylvania Avenue Development Corporation transferred  
20      under this section, the Administrator of the General Serv-  
21      ices Administration shall have the following powers:

22           (1) To acquire lands, improvements, and prop-  
23      erties by purchase, lease or exchange, and to sell,  
24      lease, or otherwise dispose of real or personal prop-  
25      erty as necessary to complete the development plan

1 developed under section 5 of the Pennsylvania Ave-  
2 nue Development Corporation Act of 1972 (40  
3 U.S.C. 874) if a notice of intention to carry out such  
4 acquisition or disposal is first transmitted to the  
5 Committee on Transportation and Infrastructure  
6 and the Committee on Appropriations of the House  
7 of Representatives and the Committee on Environ-  
8 ment and Public Works and the Committee on Ap-  
9 propriations of the Senate and at least 60 days  
10 elapse after the date of such transmission.

11 (2) To modify from time to time the plan re-  
12 ferred to in paragraph (1) if such modification is  
13 first transmitted to the Committee on Transpor-  
14 tation and Infrastructure and the Committee on Ap-  
15 propriations of the House of Representatives and the  
16 Committee on Environment and Public Works and  
17 the Committee on Appropriations of the Senate and  
18 at least 60 days elapse after the date of such trans-  
19 mission.

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

22 (4) To enter into and perform such leases, con-  
23 tracts, or other transactions with any agency or in-  
24 strumentality of the United States, the several  
25 States, or the District of Columbia or with any per-

1 son, firm, association, or corporation as may be nec-  
2 essary to carry out the responsibilities of the Penn-  
3 sylvania Avenue Development Corporation under the  
4 Federal Triangle Development Act (40 U.S.C.  
5 1101–1109).

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

9 (6) To use all of the funds transferred from the  
10 Pennsylvania Avenue Development Corporation or  
11 income earned on Pennsylvania Avenue Development  
12 Corporation property to complete any pending devel-  
13 opment projects.

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

19 (B) The property referred to in subparagraph (A) is  
20 the property located within the Pennsylvania Avenue Na-  
21 tional Historic Site depicted on a map entitled “Penn-  
22 sylvania Avenue National Historic Park”, dated June 1,  
23 1995, and numbered 840–82441, which shall be on file  
24 and available for public inspection in the offices of the Na-  
25 tional Park Service, Department of the Interior. The

1 Pennsylvania Avenue National Historic Site includes the  
2 parks, plazas, sidewalks, special lighting, trees, sculpture,  
3 and memorials.

4 ~~(2)~~ Jurisdiction of Pennsylvania Avenue and all other  
5 roadways from curb to curb shall remain with the District  
6 of Columbia but vendors shall not be permitted to occupy  
7 street space except during temporary special events.

8 ~~(3)~~ The National Park Service shall be responsible  
9 for management, administration, maintenance, law en-  
10 forcement, visitor services, resource protection, interpreta-  
11 tion, and historic preservation at the Pennsylvania Avenue  
12 National Historic Site.

13 ~~(4)~~ The National Park Service may enter into con-  
14 tracts, cooperative agreements, or other transactions with  
15 any agency or instrumentality of the United States, the  
16 several States, or the District of Columbia or with any  
17 person, firm, association, or corporation as may be deemed  
18 necessary or appropriate for the conduct of special events,  
19 festivals, concerts, or other art and cultural programs at  
20 the Pennsylvania Avenue National Historic Site or may  
21 establish a nonprofit foundation to solicit funds for such  
22 activities.

23 ~~(e)~~ Notwithstanding any other provision of law, the  
24 responsibility for ensuring that development or redevelop-  
25 ment in the Pennsylvania Avenue area is carried out in

1 accordance with the Pennsylvania Avenue Development  
2 Corporation Plan—1974, as amended, is transferred to  
3 the National Capital Planning Commission or its succes-  
4 sor commencing April 1, 1996.

5 (f) SAVINGS PROVISIONS.—

6 (1) REGULATIONS.—Any regulations prescribed  
7 by the Corporation in connection with the Penn-  
8 sylvania Avenue Development Corporation Act of  
9 1972 (40 U.S.C. 871–885) and the Federal Triangle  
10 Development Act (40 U.S.C. 1101–1109) shall con-  
11 tinue in effect until suspended by regulations pre-  
12 scribed by the Administrator of the General Services  
13 Administration.

14 (2) EXISTING RIGHTS, DUTIES, AND OBLIGA-  
15 TIONS NOT AFFECTED.—Subsection (a) shall not be  
16 construed as affecting the validity of any right, duty,  
17 or obligation of the United States or any other per-  
18 son arising under or pursuant to any contract, loan,  
19 or other instrument or agreement which was in ef-  
20 fect on the day before the date of the transfers  
21 under subsection (a).

22 (3) CONTINUATION OF SUITS.—No action or  
23 other proceeding commenced by or against the Cor-  
24 poration in connection with administration of the  
25 Pennsylvania Avenue Development Corporation Act

1 of 1972 (40 U.S.C. 871–885) and the Federal Tri-  
2 angle Development Act (40 U.S.C. 1101–1109) shall  
3 abate by reason of enactment and implementation of  
4 this Act, except that the General Services Adminis-  
5 tration shall be substituted for the Corporation as a  
6 party to any such action or proceeding.

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

10 “(b) The Corporation shall be dissolved on April 1,  
11 1996. Upon dissolution, assets, obligations, and indebted-  
12 ness of the Corporation shall be transferred in accordance  
13 with the Department of the Interior and Related Agencies  
14 Appropriations Act, 1996.”.

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

20 (b) From the funds appropriated to the Forest Serv-  
21 ice and the Bureau of Land Management, \$600,000 is  
22 made available to publish by January 1, 1996, for peer  
23 review and public comment, the scientific information col-  
24 lected, and analysis undertaken, by the Project prior to  
25 the date of enactment of this Act concerning forest health



1 conditions and forest management needs related to those  
2 conditions.

3 ~~(c)(1)~~ From the funds appropriated to the Forest  
4 Service, the Secretary of Agriculture (hereinafter “Sec-  
5 retary”) shall—

6 (A) review the land and resource management  
7 plan (hereinafter “plan”) for each national forest  
8 within the area encompassed by the Project and any  
9 policy which is applicable to such plan (whether or  
10 not such policy is final or draft, or has been added  
11 to such plan by amendment), which is or is intended  
12 to be of limited duration, and which the Project was  
13 tasked to address; and

14 (B) determine whether such policy modified to  
15 meet the specific conditions of such national forest,  
16 or another policy which serves the purpose of such  
17 policy, should be adopted for such national forest.

18 ~~(2)~~ If the Secretary makes a decision that such a  
19 modified or alternative policy should be adopted for such  
20 national forest, the Secretary shall prepare and adopt for  
21 the plan for such national forest an amendment which  
22 contains such policy, which is directed solely to and affects  
23 only such plan, and which addresses the specific conditions  
24 of the national forest and the relationship of such policy  
25 to such conditions.

1       ~~(3)~~ To the maximum extent practicable, any amend-  
2 ment prepared pursuant to paragraph ~~(2)~~ shall establish  
3 procedures to develop site-specific standards in lieu of im-  
4 posing general standards applicable to multiple sites. Any  
5 amendment which would result in any change in land allo-  
6 cations within the plan or reduce the likelihood of achieve-  
7 ment of the goals and objectives of the plan (prior to any  
8 previous amendment incorporating in the plan any policy  
9 referred to in paragraph ~~(1)(A)~~) shall be deemed a signifi-  
10 cant plan amendment pursuant to section ~~6(f)(4)~~ of the  
11 Forest and Rangeland Renewable Resources Planning Act  
12 of 1974 (~~16 U.S.C. 1604(f)(4)~~).

13       ~~(4)~~ Any amendment prepared pursuant to paragraph  
14 ~~(2)~~ which adopts a modified or alternative policy to sub-  
15 stitute for a policy referred to in paragraph ~~(1)(A)~~ which  
16 has undergone consultation pursuant to section 7 of the  
17 Endangered Species Act of 1973 shall not again be subject  
18 to the consultation provisions of such section 7. No further  
19 consultation shall be undertaken on any policy referred to  
20 in paragraph ~~(1)(A)~~.

21       ~~(5)~~ Any amendment prepared pursuant to paragraph  
22 ~~(2)~~ shall be adopted on or before March 31, 1996: *Pro-*  
23 *vided*, That any amendment deemed a significant amend-  
24 ment pursuant to paragraph ~~(3)~~ shall be adopted on or  
25 before June 30, 1996.

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

3       *SEC. 314. (a) Except as provided in subsection (b), no*  
4 *part of any appropriation contained in this Act or any*  
5 *other Act shall be obligated or expended for the operation*  
6 *or implementation of the Interior Columbia Basin Eco-*  
7 *system Management Project (hereinafter "Project").*

8       *(b) From the funds appropriated to the Forest Service*  
9 *and Bureau of Land Management, a sum of \$1,600,000 is*  
10 *made available for the appropriate line officers assigned to*  
11 *the Walla Walla office and the Boise office of the Project*  
12 *to publish by April 30, 1996, an eastside final environ-*  
13 *mental impact statement, without a record of decision, for*  
14 *the Federal lands subject to the Project in Oregon and*  
15 *Washington and an Upper Columbia Basin final environ-*  
16 *mental impact statement, without a record of decision, for*  
17 *the Federal lands subject to the Project in Idaho and Mon-*  
18 *tana and other affected States, respectively. Among other*  
19 *matters, the final environmental impact statements shall*  
20 *contain the scientific information collected and analysis*  
21 *undertaken by the Project on landscape dynamics and forest*  
22 *health conditions and the implications of such dynamics*  
23 *and conditions for forest management, including the man-*  
24 *agement of forest vegetation structure, composition, and*  
25 *density.*

1           (c)(1) *From the funds appropriated to the Forest Serv-*  
2 *ice and the Bureau of Land Management, the Secretary of*  
3 *Agriculture or the Secretary of the Interior as the case may*  
4 *be, shall—*

5           (A) *review the resource management plan (here-*  
6 *inafter “plan”) for each national forest and unit of*  
7 *lands administered by the Bureau of Land Manage-*  
8 *ment (hereinafter “forest”) within the area encom-*  
9 *passed by the Project, the analysis in the relevant*  
10 *draft environmental impact statement prepared pur-*  
11 *suant to subsection (b) which is applicable to such*  
12 *plan, and any policy which is applicable to such plan*  
13 *(whether or not such policy is final or draft, or has*  
14 *been added to such plan by amendment), which is or*  
15 *is intended to be of limited duration, and which the*  
16 *Project addresses; and*

17           (B) *based on such review, determine whether*  
18 *such policy modified to meet the specific conditions of*  
19 *such forest, or an alternative policy which serves the*  
20 *purpose of such policy, should be adopted for such for-*  
21 *est.*

22           (2) *If the Secretary concerned makes a decision that*  
23 *such a modified or alternative policy should be adopted for*  
24 *such forest, the Secretary concerned shall prepare and adopt*  
25 *for the resource management plan for such forest an amend-*

1 *ment which contains such policy, which is directed solely*  
2 *to and affects only such plan, and which addresses the spe-*  
3 *cific conditions of the forest and the relationship of such*  
4 *policy to such conditions. The Secretary shall consult with*  
5 *the Governor of the State, and the Commissioner of the*  
6 *county or counties, in which the forest is situated prior to*  
7 *such decision and, if the decision is to prepare an amend-*  
8 *ment, during the preparation thereof.*

9       (3) *To the maximum extent practicable, any amend-*  
10 *ment prepared pursuant to paragraph (2) shall establish*  
11 *procedures to develop site-specific standards in lieu of im-*  
12 *posing general standards applicable to multiple sites. Any*  
13 *amendment which would result in any change in land allo-*  
14 *cations within the land management plan or reduce the*  
15 *likelihood of achievement of the goals and objectives of the*  
16 *plan (prior to any previous amendment incorporating in*  
17 *the plan any policy referred to in paragraph (1)(A)) shall*  
18 *be deemed a significant plan amendment, or equivalent,*  
19 *pursuant to section 6(f)(4) of the Forest and Rangeland Re-*  
20 *newable Resources Planning Act of 1974 (16 U.S.C.*  
21 *1604(f)(4)) or section 202 of the Federal Land Policy and*  
22 *Management Act of 1976 (43 U.S.C. 1712).*

23       (4)(A) *Any amendment prepared pursuant to para-*  
24 *graph (2) which adopts a policy that is a modification of*  
25 *or alternative to a policy referred to in paragraph (1)(A)*

1 upon which consultation or conferencing has occurred pur-  
2 suant to section 7 of the Endangered Species Act of 1973  
3 (16 U.S.C. 1536) shall not again be subject to the consulta-  
4 tion or conferencing provisions of such section 7.

5 (B) If required by such section 7, the Secretary con-  
6 cerned shall consult or conference separately on each  
7 amendment prepared pursuant to paragraph (2) which is  
8 not subject to subparagraph (A).

9 (C) No further consultation other than the consultation  
10 specified in subparagraph (B) shall be undertaken on any  
11 amendments prepared pursuant to paragraph (2), on any  
12 project or activity which is consistent with an applicable  
13 amendment, on any policy referred to in paragraph (1)(A),  
14 or on any portion of any resource management plan related  
15 to such policy or the species to which such policy applies.

16 (5) Any amendment prepared pursuant to paragraph  
17 (2) shall be adopted on or before July 31, 1996: Provided,  
18 That any amendment deemed a significant amendment  
19 pursuant to paragraph (3) shall be adopted on or before  
20 December 31, 1996.

21 (6) No policy referred to in paragraph (1)(A), or any  
22 provision of a resource management plan or other planning  
23 document incorporating such policy, shall be effective on or  
24 after December 31, 1996, or after an amendment is promul-

1 gated subject to the provisions of this section, whichever oc-  
2 curs first.

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

6 ~~SEC. 315. (a) The Secretary of the Interior (acting~~  
7 ~~through the Bureau of Land Management, the National~~  
8 ~~Park Service and the United States Fish and Wildlife~~  
9 ~~Service) and the Secretary of Agriculture (acting through~~  
10 ~~the Forest Service) shall each implement a fee program~~  
11 ~~to demonstrate the feasibility of user-generated cost recov-~~  
12 ~~ery for the operation and maintenance of recreation sites~~  
13 ~~and habitat enhancement projects on Federal lands.~~

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

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

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

5           (3) may contract with any public or private en-  
6 tity to provide visitor services, including reservations  
7 and information, and may accept services of volun-  
8 teers to collect fees charged pursuant to paragraph  
9 (1); and

10           (4) may encourage private investment and part-  
11 nerships to enhance the delivery of quality customer  
12 services and resource enhancement, and provide ap-  
13 propriate recognition to such partners or investors.

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

18           (i) Eighty percent of the amounts collected at  
19 the demonstration site shall be deposited in a special  
20 account in the Treasury established for the adminis-  
21 trative unit in which the project is located and shall  
22 remain available for expenditure in accordance with  
23 paragraph (3) for further activities of the site or  
24 project.



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

6           ~~(2) For purposes of this subsection, "total collec-~~  
7           ~~tions"~~ for each site shall be defined as gross collections  
8           before any reduction for amounts attributable to collection  
9           costs.

10          ~~(3) Expenditures from the special funds shall be ac-~~  
11          ~~counted for separately.~~

12          ~~(4) In order to increase the quality of the visitor expe-~~  
13          ~~rience at public recreational areas and enhance the protec-~~  
14          ~~tion of resources, amounts available for expenditure under~~  
15          ~~paragraph (1) may only be used for the site or project~~  
16          ~~concerned, for backlogged repair and maintenance projects~~  
17          ~~(including projects relating to health and safety) and for~~  
18          ~~interpretation, signage, habitat or facility enhancement,~~  
19          ~~resource preservation, annual operation, maintenance, and~~  
20          ~~law enforcement relating to public use. The agencywide~~  
21          ~~accounts may be used for the same purposes set forth in~~  
22          ~~the preceding sentence, but for sites or projects selected~~  
23          ~~at the discretion of the respective agency head.~~

24          ~~(d)(1) Amounts collected under this section shall not~~  
25          ~~be taken into account for the purposes of the Act of May~~

1 23, 1908 and the Act of March 1, 1911 (16 U.S.C. 500),  
2 the Act of March 4, 1913 (16 U.S.C. 501), the Act of  
3 July 22, 1937 (7 U.S.C. 1012), the Act of August 8, 1937  
4 and the Act of May 24, 1939 (43 U.S.C. 1181f et seq.),  
5 the Act of June 14, 1926 (43 U.S.C. 869-4), chapter 69  
6 of title 31, United States Code, section 401 of the Act  
7 of June 15, 1935 (16 U.S.C. 715s), the Land and Water  
8 Conservation Fund Act of 1965 (16 U.S.C. 460l), and any  
9 other provision of law relating to revenue allocation.

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

12 (e) The Secretary of the Interior and the Secretary  
13 of Agriculture shall carry out this section without promul-  
14 gating regulations.

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

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 Serv-*  
22 *ice) and the Secretary of Agriculture (acting through the*  
23 *Forest Service) shall each implement a fee program to dem-*  
24 *onstrate the feasibility of user-generated cost recovery for*

1 *the operation and maintenance of recreation areas or 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 as*  
7 *many as 50, areas, sites or projects for fee demonstration.*  
8 *For each such demonstration, the Secretary, notwithstand-*  
9 *ing any other provision of law—*

10 *(1) shall charge and collect fees for admission to*  
11 *the area or for the use of outdoor recreation sites, fa-*  
12 *cilities, visitor centers, equipment, and services by in-*  
13 *dividuals 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, including provisions for rea-*  
19 *sonable commissions, with any public or private en-*  
20 *tity to provide visitor services, including reservations*  
21 *and information, and may accept services of volun-*  
22 *teers to collect fees charged pursuant to paragraph*  
23 *(1);*

24 *(4) may encourage private investment and part-*  
25 *nerships to enhance the delivery of quality customer*

1 *services and resource enhancement, and provide ap-*  
2 *propriate recognition to such partners or investors;*  
3 *and*

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

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

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

17 *(B) Of the amount in excess of 104 percent of the*  
18 *amount collected in fiscal year 1995, and thereafter*  
19 *annually adjusted upward by 4 percent, 20 percent to*  
20 *a special account in the Treasury for use by the agen-*  
21 *cy which administers the site, to remain available for*  
22 *expenditure in accordance with paragraph (3)(B).*

23 *(C) For agencies other than the Fish and Wild-*  
24 *life Service, up to 15 percent of current year collec-*  
25 *tions at each site, but not greater than fee collection*

1        *costs for that fiscal year, to remain available for ex-*  
2        *penditure in accordance with paragraph (3)(C).*

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

7            *(E) For the Fish and Wildlife Service, the bal-*  
8        *ance shall be distributed in accordance with the Fish*  
9        *and Wildlife Service Administrative Provisions of this*  
10       *Act.*

11        *(2) For purposes of the subsection, "total collections"*  
12       *for each site shall be defined as gross collections before any*  
13       *reduction for amounts attributable to collection costs.*

14        *(3)(A) Expenditures from site specific special funds*  
15       *shall be for further activities of each site, and shall be ac-*  
16       *counted for separately. Expenditures for each site shall be*  
17       *in proportion to total collections from the demonstration*  
18       *sites administered by an agency.*

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

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

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 con-*  
5 *cerned, for backlogged repair and maintenance projects (in-*  
6 *cluding projects relating to health and safety) and for inter-*  
7 *pretation, signage, habitat or facility enhancement, resource*  
8 *preservation, annual operation (including fee collection),*  
9 *maintenance, and law enforcement relating to public use.*  
10 *The agencywide accounts may be used for the same purposes*  
11 *set forth in the preceding sentence, but for sites or projects*  
12 *selected 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 July*  
17 *22, 1937 (7 U.S.C. 1012), the Act of August 8, 1937 and*  
18 *the Act of May 24, 1939 (43 U.S.C. 1181f et seq.), the Act*  
19 *of June 14, 1926 (43 U.S.C. 869–4), chapter 69 of title 31,*  
20 *United States Code, section 401 of the Act of June 15, 1935*  
21 *(16 U.S.C. 715s), the Land and Water Conservation Fund*  
22 *Act of 1965 (16 U.S.C. 460l), and any other provision of*  
23 *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 of*  
2 *Agriculture shall carry out this section without promulgat-*  
3 *ing regulations.*

4           (f) *The authority to collect fees under this section shall*  
5 *commence on October 1, 1995, and end on September 30,*  
6 *1998. Funds in accounts established shall remain available*  
7 *through September 30, 2001.*

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        SEC. 318. None of the funds provided in this Act may  
2 be made available for the Mississippi River Corridor Herit-  
3 age Commission.

4        SEC. 319. (a) LIMITATION ON USE OF FUNDS.—  
5 None of the funds made available in this Act may be used  
6 by the Department of Energy in implementing the Codes  
7 and Standards Program to plan, propose, issue, or pre-  
8 scribe any new or amended standard.

9        (b) CORRESPONDING REDUCTION IN FUNDS.—The  
10 aggregate amount otherwise provided in this Act for “DE-  
11 PARTMENT OF ENERGY—Energy Conservation” is  
12 hereby reduced by \$12,799,000.

13        SEC. 320. None of the funds made available in this  
14 Act may be used by the Department of Energy in imple-  
15 menting the Codes and Standards Program to plan, pro-  
16 pose, issue, or prescribe any new or amended standard—

17            (1) when it is made known to the Federal offi-  
18 cial having authority to obligate or expend such  
19 funds that the Attorney General, in accordance with  
20 section 325(o)(2)(B) of the Energy Policy and Con-  
21 servation Act (42 U.S.C. 6295(o)(2)(B)), determined  
22 that the standard is likely to cause significant anti-  
23 competitive effects;

24            (2) that the Secretary of Energy, in accordance  
25 with such section 325(o)(2)(B), has determined that



1 the benefits of the standard do not exceed its bur-  
2 dens; or

3 ~~(3) that is for fluorescent lamps ballasts.~~

4 *SEC. 320. None of the funds made available in this*  
5 *Act may be used by the Department of Energy in imple-*  
6 *menting the Codes and Standards Program to plan, pro-*  
7 *pose, issue, or prescribe any new or amended standard for*  
8 *fluorescent lamps ballasts.*

9 SEC. 321. None of the funds made available in this  
10 Act may be used (1) to demolish the bridge between Jersey  
11 City, New Jersey, and Ellis Island; or (2) to prevent pe-  
12 destrian use of such bridge, when it is made known to  
13 the Federal official having authority to obligate or expend  
14 such funds that such pedestrian use is consistent with gen-  
15 erally accepted safety standards.

16 ~~SEC. 322. No funds appropriated or otherwise made~~  
17 ~~available pursuant to this Act in fiscal year 1996 shall~~  
18 ~~be obligated or expended to accept or process applications~~  
19 ~~for a patent for any mining or mill site claim located under~~  
20 ~~the general mining laws or to issue a patent for any such~~  
21 ~~claim.~~

22 SEC. 323. None of the funds appropriated or other-  
23 wise made available by this Act may be used for the pur-  
24 poses of acquiring lands in the counties of Lawrence, Mon-  
25 roe, or Washington, Ohio, for the Wayne National Forest.

1        *SEC. 324. No part of any appropriation contained in*  
2 *this Act or any other Act shall be expended or obligated*  
3 *to fund the activities of the Office of Forestry and Economic*  
4 *Development after December 31, 1995.*

5        *SEC. 325. No part of any appropriation contained in*  
6 *this Act or any other Act shall be expended or obligated*  
7 *to: (a) redefine the definition of an area in which a marbled*  
8 *murrelet is “known to be nesting”; or (b) to modify the pro-*  
9 *tol for surveying for marbled murrelets in effect on July*  
10 *21, 1995.*

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

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

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

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

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

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

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

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

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

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

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

3 *(a)—*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23               *(a) The Chairperson shall only award a grant to*  
24               *an individual if such grant is awarded to such indi-*  
25               *vidual for a literature fellowship.*



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

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

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

        Passed the House of Representatives July 18, 1995.

Attest:

ROBIN H. CARLE,

*Clerk.*

HR 1977 RS—2

HR 1977 RS—3

HR 1977 RS—4

HR 1977 RS—5

HR 1977 RS—6

HR 1977 RS—7

HR 1977 RS—8

HR 1977 RS—9

HR 1977 RS—10