

Union Calendar No. 313

104TH CONGRESS
2^D SESSION

H. R. 3662

[Report No. 104-625]

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1997, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 1996

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

A BILL

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1997, 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, 1997, 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, and assessment of mineral
12 potential of public lands pursuant to Public Law 96–487
13 (16 U.S.C. 3150(a)), \$566,514,000, to remain available
14 until expended, of which \$2,000,000 shall be available for
15 assessment of the mineral potential of public lands in
16 Alaska pursuant to section 1010 of Public Law 96–487
17 (16 U.S.C. 3150); and of which \$3,000,000 shall be de-
18 rived from the special receipt account established by the
19 Land and Water Conservation Act of 1965, as amended
20 (16 U.S.C. 4601–6a(i)); and of which \$1,000,000 shall be
21 available in fiscal year 1997 subject to a match by at least
22 an equal amount by the National Fish and Wildlife Foun-
23 dation, to such Foundation for challenge cost share
24 projects supporting fish and wildlife conservation affecting
25 Bureau lands; in addition, \$27,300,000 for Mining Law

1 Administration program operations, to remain available
2 until expended, to be reduced by amounts collected by the
3 Bureau and credited to this appropriation from annual
4 mining claim fees so as to result in a final appropriation
5 estimated at not more than \$566,514,000; and in addi-
6 tion, not to exceed \$5,000,000, to remain available until
7 expended, from annual mining claim fees; which shall be
8 credited to this account for the costs of administering the
9 mining claim fee program, and \$2,000,000 from commu-
10 nication site rental fees established by the Bureau for the
11 cost of administering communication site activities: *Pro-*
12 *vided*, That appropriations herein made shall not be avail-
13 able for the destruction of healthy, unadopted, wild horses
14 and burros in the care of the Bureau or its contractors:
15 *Provided further*, That in fiscal year 1997 and thereafter,
16 all fees, excluding mining claim fees, in excess of the fiscal
17 year 1996 collections established by the Secretary of the
18 Interior under the authority of 43 U.S.C. 1734 for proc-
19 essing, recording, or documenting authorizations to use
20 public lands or public land natural resources (including
21 cultural, historical, and mineral) and for providing specific
22 services to public land users, and which are not presently
23 being covered into any Bureau of Land Management ap-
24 propriation accounts, and not otherwise dedicated by law
25 for a specific distribution, shall be made immediately

1 available for program operations in this account and re-
2 main available until expended.

3 WILDLAND FIRE MANAGEMENT

4 For necessary expenses for fire use and management,
5 fire preparedness, suppression operations, and emergency
6 rehabilitation by the Department of the Interior,
7 \$247,924,000, to remain available until expended, of
8 which not to exceed \$5,025,000 shall be for the renovation
9 or construction of fire facilities: *Provided*, That such funds
10 are also available for repayment of advances to other ap-
11 propriation accounts from which funds were previously
12 transferred for such purposes: *Provided further*, That per-
13 sons hired pursuant to 43 U.S.C. 1469 may be furnished
14 subsistence and lodging without costs from funds available
15 from this appropriation: *Provided further*, That unobli-
16 gated balances of amounts previously appropriated to the
17 “Fire Protection” and “Emergency Department of the In-
18 terior Firefighting Fund” may be transferred to this ap-
19 propriation.

20 CENTRAL HAZARDOUS MATERIALS FUND

21 For necessary expenses of the Department of the In-
22 terior and any of its component offices and bureaus for
23 the remedial action, including associated activities, of haz-
24 ardous waste substances, pollutants, or contaminants pur-
25 suant to the Comprehensive Environmental Response,

1 Compensation and Liability Act, as amended (42 U.S.C.
2 9601 et seq.), \$12,000,000, to remain available until ex-
3 pended: *Provided*, That notwithstanding 31 U.S.C. 3302,
4 sums recovered from or paid by a party in advance of or
5 as reimbursement for remedial action or response activi-
6 ties conducted by the Department pursuant to sections
7 107 or 113(f) of such Act, shall be credited to this account
8 to be available until expended without further appropria-
9 tion: *Provided further*, That such sums recovered from or
10 paid by any party are not limited to monetary payments
11 and may include stocks, bonds or other personal or real
12 property, which may be retained, liquidated, or otherwise
13 disposed of by the Secretary and which shall be credited
14 to this account.

15 CONSTRUCTION

16 For construction of buildings, recreation facilities,
17 roads, trails, and appurtenant facilities, \$3,103,000, to re-
18 main available until expended.

19 PAYMENTS IN LIEU OF TAXES

20 For expenses necessary to implement the Act of Octo-
21 ber 20, 1976, as amended (31 U.S.C. 6901–07),
22 \$113,500,000, of which not to exceed \$400,000 shall be
23 available for administrative expenses.

1 LAND ACQUISITION

2 For expenses necessary to carry out sections 205,
3 206, and 318(d) of Public Law 94–579 including adminis-
4 trative expenses and acquisition of lands or waters, or in-
5 terests therein, \$10,000,000, to be derived from the Land
6 and Water Conservation Fund, to remain available until
7 expended.

8 OREGON AND CALIFORNIA GRANT LANDS

9 For expenses necessary for management, protection,
10 and development of resources and for construction, oper-
11 ation, and maintenance of access roads, reforestation, and
12 other improvements on the revested Oregon and California
13 Railroad grant lands, on other Federal lands in the Or-
14 egon and California land-grant counties of Oregon, and
15 on adjacent rights-of-way; and acquisition of lands or in-
16 terests therein including existing connecting roads on or
17 adjacent to such grant lands; \$98,365,000, to remain
18 available until expended: *Provided*, That 25 per centum
19 of the aggregate of all receipts during the current fiscal
20 year from the revested Oregon and California Railroad
21 grant lands is hereby made a charge against the Oregon
22 and California land-grant fund and shall be transferred
23 to the General Fund in the Treasury in accordance with
24 the second paragraph of subsection (b) of title II of the
25 Act of August 28, 1937 (50 Stat. 876).

RANGE IMPROVEMENTS

1
2 For rehabilitation, protection, and acquisition of
3 lands and interests therein, and improvement of Federal
4 rangelands pursuant to section 401 of the Federal Land
5 Policy and Management Act of 1976 (43 U.S.C. 1701),
6 notwithstanding any other Act, sums equal to 50 per cen-
7 tum of all moneys received during the prior fiscal year
8 under sections 3 and 15 of the Taylor Grazing Act (43
9 U.S.C. 315 et seq.) and the amount designated for range
10 improvements from grazing fees and mineral leasing re-
11 ceipts from Bankhead-Jones lands transferred to the De-
12 partment of the Interior pursuant to law, but not less than
13 \$9,113,000, to remain available until expended: *Provided*,
14 That not to exceed \$600,000 shall be available for admin-
15 istrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

16
17 For administrative expenses and other costs related
18 to processing application documents and other authoriza-
19 tions for use and disposal of public lands and resources,
20 for costs of providing copies of official public land docu-
21 ments, for monitoring construction, operation, and termi-
22 nation of facilities in conjunction with use authorizations,
23 and for rehabilitation of damaged property, such amounts
24 as may be collected under Public Law 94-579, as amend-
25 ed, and Public Law 93-153, to remain available until ex-

1 pended: *Provided*, That notwithstanding any provision to
2 the contrary of section 305(a) of Public Law 94–579 (43
3 U.S.C. 1735(a)), any moneys that have been or will be
4 received pursuant to that section, whether as a result of
5 forfeiture, compromise, or settlement, if not appropriate
6 for refund pursuant to section 305(c) of that Act (43
7 U.S.C. 1735(c)), shall be available and may be expended
8 under the authority of this Act by the Secretary to im-
9 prove, protect, or rehabilitate any public lands adminis-
10 tered through the Bureau of Land Management which
11 have been damaged by the action of a resource developer,
12 purchaser, permittee, or any unauthorized person, without
13 regard to whether all moneys collected from each such ac-
14 tion are used on the exact lands damaged which led to
15 the action: *Provided further*, That any such moneys that
16 are in excess of amounts needed to repair damage to the
17 exact land for which funds were collected may be used to
18 repair other damaged public lands.

19 MISCELLANEOUS TRUST FUNDS

20 In addition to amounts authorized to be expended
21 under existing laws, there is hereby appropriated such
22 amounts as may be contributed under section 307 of the
23 Act of October 21, 1976 (43 U.S.C. 1701), and such
24 amounts as may be advanced for administrative costs, sur-
25 veys, appraisals, and costs of making conveyances of omit-

1 ted lands under section 211(b) of that Act, to remain
2 available until expended.

3 ADMINISTRATIVE PROVISIONS

4 Appropriations for the Bureau of Land Management
5 shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to
6 which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information
7 or evidence concerning violations of laws administered by
8 the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate,
9 not to exceed \$10,000: *Provided*, That notwithstanding
10 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with
11 jointly-produced publications for which the cooperators
12 share the cost of printing either in cash or in services,
13 and the Bureau determines the cooperator is capable of
14 meeting accepted quality standards.

15 UNITED STATES FISH AND WILDLIFE SERVICE

16 RESOURCE MANAGEMENT

17 For expenses necessary for scientific and economic
18 studies, conservation, management, investigations, protec-

1 tion, and utilization of fishery and wildlife resources, ex-
2 cept whales, seals, and sea lions, and for the performance
3 of other authorized functions related to such resources; for
4 the general administration of the United States Fish and
5 Wildlife Service; for maintenance of the herd of long-
6 horned cattle on the Wichita Mountains Wildlife Refuge;
7 and not less than \$1,000,000 for high priority projects
8 within the scope of the approved budget which shall be
9 carried out by the Youth Conservation Corps as author-
10 ized by the Act of August 13, 1970, as amended,
11 \$520,519,000, to remain available until September 30,
12 1998, of which \$11,557,000 shall remain available until
13 expended for operation and maintenance of fishery mitiga-
14 tion facilities constructed by the Corps of Engineers under
15 the Lower Snake River Compensation Plan, authorized by
16 the Water Resources Development Act of 1976, to com-
17 pensate for loss of fishery resources from water develop-
18 ment projects on the Lower Snake River, and of which
19 \$1,000,000 shall be provided to the National Fish and
20 Wildlife Foundation for implementation of the Natural
21 Communities Conservation Plan, and shall be available
22 only to the extent matched by at least an equal amount
23 from the Foundation and shall remain available until ex-
24 pended: *Provided*, That pursuant to 31 U.S.C. 9701, the
25 Secretary shall charge reasonable fees for the full costs

1 of providing training by the National Education and
2 Training Center, to be credited to this account, notwith-
3 standing 31 U.S.C. 3302, of which not to exceed
4 \$2,000,000 shall be available for the direct costs of provid-
5 ing such training: *Provided further*, That not to exceed
6 \$1,000,000 of the funds provided herein may be used for
7 contaminant sample analysis.

8 CONSTRUCTION

9 For construction and acquisition of buildings and
10 other facilities required in the conservation, management,
11 investigation, protection, and utilization of fishery and
12 wildlife resources, and the acquisition of lands and inter-
13 ests therein; \$38,298,000, to remain available until ex-
14 pended.

15 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

16 To conduct natural resource damage assessment ac-
17 tivities by the Department of the Interior necessary to
18 carry out the provisions of the Comprehensive Environ-
19 mental Response, Compensation, and Liability Act, as
20 amended (42 U.S.C. 9601, et seq.), Federal Water Pollu-
21 tion Control Act, as amended (33 U.S.C. 1251, et seq.),
22 the Oil Pollution Act of 1990 (Public Law 101–380), and
23 Public Law 101–337; \$4,000,000, to remain available
24 until expended.

1 LAND ACQUISITION

2 For expenses necessary to carry out the Land and
3 Water Conservation Fund Act of 1965, as amended (16
4 U.S.C. 4601–4–11), including administrative expenses,
5 and for acquisition of land or waters, or interest therein,
6 in accordance with statutory authority applicable to the
7 United States Fish and Wildlife Service, \$30,000,000, to
8 be derived from the Land and Water Conservation Fund,
9 to remain available until expended.

10 COOPERATIVE ENDANGERED SPECIES CONSERVATION

11 FUND

12 For expenses necessary to carry out the provisions
13 of the Endangered Species Act of 1973 (16 U.S.C. 1531–
14 1543), as amended, \$13,085,000, for grants to States, to
15 be derived from the Cooperative Endangered Species Con-
16 servation Fund, and to remain available until expended.

17 NATIONAL WILDLIFE REFUGE FUND

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

20 REWARDS AND OPERATIONS

21 For expenses necessary to carry out the provisions
22 of the African Elephant Conservation Act (16 U.S.C.
23 4201–4203, 4211–4213, 4221–4225, 4241–4245, and
24 1538), \$1,000,000, to remain available until expended.

1 NORTH AMERICAN WETLANDS CONSERVATION FUND

2 For expenses necessary to carry out the provisions
3 of the North American Wetlands Conservation Act, Public
4 Law 101–233, \$7,750,000, to remain available until ex-
5 pended.

6 RHINOCEROS AND TIGER CONSERVATION FUND

7 For deposit to the Rhinoceros and Tiger Conserva-
8 tion Fund, \$400,000, to remain available until expended,
9 to carry out the Rhinoceros and Tiger Conservation Act
10 of 1994 (Public Law 103–391).

11 WILDLIFE CONSERVATION AND APPRECIATION FUND

12 For deposit to the Wildlife Conservation and Appre-
13 ciation Fund, \$800,000, to remain available until ex-
14 pended, for carrying out the Partnerships for Wildlife Act
15 only to the extent such funds are matched as provided in
16 section 7105 of said Act.

17 ADMINISTRATIVE PROVISIONS

18 Appropriations and funds available to the United
19 States Fish and Wildlife Service shall be available for pur-
20 chase of not to exceed 83 passenger motor vehicles of
21 which 73 are for replacement only (including 43 for police-
22 type use); not to exceed \$400,000 for payment, at the dis-
23 cretion of the Secretary, for information, rewards, or evi-
24 dence concerning violations of laws administered by the
25 Service, and miscellaneous and emergency expenses of en-

1 enforcement activities, authorized or approved by the Sec-
2 retary and to be accounted for solely on his certificate;
3 repair of damage to public roads within and adjacent to
4 reservation areas caused by operations of the Service; op-
5 tions for the purchase of land at not to exceed \$1 for each
6 option; facilities incident to such public recreational uses
7 on conservation areas as are consistent with their primary
8 purpose; and the maintenance and improvement of aquar-
9 ia, buildings, and other facilities under the jurisdiction of
10 the Service and to which the United States has title, and
11 which are utilized pursuant to law in connection with man-
12 agement and investigation of fish and wildlife resources:
13 *Provided*, That notwithstanding 44 U.S.C. 501, the Serv-
14 ice may, under cooperative cost sharing and partnership
15 arrangements authorized by law, procure printing services
16 from cooperators in connection with jointly-produced pub-
17 lications for which the cooperators share at least one-half
18 the cost of printing either in cash or services and the Serv-
19 ice determines the cooperator is capable of meeting accept-
20 ed quality standards: *Provided further*, That the Service
21 may accept donated aircraft as replacements for existing
22 aircraft: *Provided further*, That notwithstanding any other
23 provision of law, the Secretary of the Interior may not
24 spend any of the funds appropriated in this Act for the
25 purchase of lands or interests in lands to be used in the

1 establishment of any new unit of the National Wildlife
2 Refuge System unless the purchase is approved in advance
3 by the House and Senate Committees on Appropriations
4 in compliance with the reprogramming procedures con-
5 tained in House Report 103–551.

6 NATIONAL PARK SERVICE

7 OPERATION OF THE NATIONAL PARK SYSTEM

8 For expenses necessary for the management, oper-
9 ation, and maintenance of areas and facilities adminis-
10 tered by the National Park Service (including special road
11 maintenance service to trucking permittees on a reimburs-
12 able basis), and for the general administration of the Na-
13 tional Park Service, including not to exceed \$1,593,000
14 for the Volunteers-in-Parks program, and not less than
15 \$1,000,000 for high priority projects within the scope of
16 the approved budget which shall be carried out by the
17 Youth Conservation Corps as authorized by 16 U.S.C.
18 1706, \$1,135,139,000, without regard to 16 U.S.C. 451,
19 of which \$12,800,000 for research, planning and inter-
20 agency coordination in support of land acquisition for Ev-
21 erglades restoration shall remain available until expended,
22 and of which not to exceed \$72,000,000, to remain avail-
23 able until expended, is to be derived from the special fee
24 account established pursuant to title V, section 5201, of
25 Public Law 100–203.

1 NATIONAL RECREATION AND PRESERVATION

2 For expenses necessary to carry out recreation pro-
3 grams, natural programs, cultural programs, environ-
4 mental compliance and review, international park affairs,
5 statutory or contractual aid for other activities, and grant
6 administration, not otherwise provided for, \$36,476,000.

7 HISTORIC PRESERVATION FUND

8 For expenses necessary in carrying out the Historic
9 Preservation Act of 1966, as amended (16 U.S.C. 470),
10 \$36,212,000, to be derived from the Historic Preservation
11 Fund, to remain available until September 30, 1998.

12 CONSTRUCTION

13 For construction, improvements, repair or replace-
14 ment of physical facilities including the modifications au-
15 thorized by section 104 of the Everglades National Park
16 Protection and Expansion Act of 1989, \$119,745,000, to
17 remain available until expended: *Provided*, That funds pro-
18 vided under this head, derived from the Historic Preserva-
19 tion Fund, established by the Historic Preservation Act
20 of 1966, as amended (16 U.S.C. 470), may be available
21 until expended to render sites safe for visitors and for
22 building stabilization.

1 LAND AND WATER CONSERVATION FUND

2 (RESCISSION)

3 The contract authority provided for fiscal year 1997
4 by 16 U.S.C. 4601–10a is rescinded.

5 LAND ACQUISITION AND STATE ASSISTANCE

6 For expenses necessary to carry out the Land and
7 Water Conservation Fund Act of 1965, as amended (16
8 U.S.C. 4601–4–11), including administrative expenses,
9 and for acquisition of lands or waters, or interest therein,
10 in accordance with statutory authority applicable to the
11 National Park Service, \$30,000,000, to be derived from
12 the Land and Water Conservation Fund, to remain avail-
13 able until expended, of which \$1,000,000 is to administer
14 the State assistance program: *Provided*, That any funds
15 made available for the purpose of acquisition of the Elwha
16 and Glines dams shall be used solely for acquisition, and
17 shall not be expended until the full purchase amount has
18 been appropriated by the Congress.

19 ADMINISTRATIVE PROVISIONS

20 Appropriations for the National Park Service shall be
21 available for the purchase of not to exceed 404 passenger
22 motor vehicles, of which 287 shall be for replacement only,
23 including not to exceed 320 for police-type use, 13 buses,
24 and 6 ambulances: *Provided*, That none of the funds ap-
25 propriated to the National Park Service may be used to

1 process any grant or contract documents which do not in-
2 clude the text of 18 U.S.C. 1913: *Provided further*, That
3 of the funds provided to the National Park Service in this
4 or any other Act not more than \$1,700,000 is to be used
5 for the Office of the Director, not more than \$2,000,000
6 is to be used for the Office of Public Affairs, and not more
7 than \$951,000 is to be used for the Office of Congres-
8 sional Affairs: *Provided further*, That none of the funds
9 appropriated to the National Park Service may be used
10 to implement an agreement for the redevelopment of the
11 southern end of Ellis Island until such agreement has been
12 submitted to the Congress and shall not be implemented
13 prior to the expiration of 30 calendar days (not including
14 any day in which either House of Congress is not in ses-
15 sion because of adjournment of more than three calendar
16 days to a day certain) from the receipt by the Speaker
17 of the House of Representatives and the President of the
18 Senate of a full and comprehensive report on the develop-
19 ment of the southern end of Ellis Island, including the
20 facts and circumstances relied upon in support of the pro-
21 posed project.

22 None of the funds in this Act may be spent by the
23 National Park Service for activities taken in direct re-
24 sponse to the United Nations Biodiversity Convention.

1 The National Park Service may in fiscal year 1997
2 and thereafter enter into cooperative agreements that in-
3 volve the transfer of National Park Service appropriated
4 funds to State, local and tribal governments, other public
5 entities, educational institutions, and private nonprofit or-
6 ganizations for the public purpose of carrying out National
7 Park Service programs pursuant to 31 U.S.C. 6305 to
8 carry out public purposes of National Park Service pro-
9 grams.

10 UNITED STATES GEOLOGICAL SURVEY

11 SURVEYS, INVESTIGATIONS, AND RESEARCH

12 For expenses necessary for the United States Geo-
13 logical Survey to perform surveys, investigations, and re-
14 search covering topography, geology, hydrology, and the
15 mineral and water resources of the United States, its Ter-
16 ritories and possessions, and other areas as authorized by
17 43 U.S.C. 31, 1332 and 1340; classify lands as to their
18 mineral and water resources; give engineering supervision
19 to power permittees and Federal Energy Regulatory Com-
20 mission licensees; administer the minerals exploration pro-
21 gram (30 U.S.C. 641); and publish and disseminate data
22 relative to the foregoing activities; and to conduct inquiries
23 into the economic conditions affecting mining and mate-
24 rials processing industries (30 U.S.C. 3, 21a, and 1603;
25 50 U.S.C. 98g(1)) and related purposes as authorized by

1 law and to publish and disseminate data; \$730,163,000,
2 of which \$62,130,000 shall be available only for coopera-
3 tion with States or municipalities for water resources in-
4 vestigations; and of which \$137,000,000 shall be available
5 until September 30, 1998 for the biological research activ-
6 ity and the operation of the Cooperative Research Units;
7 and of which \$16,000,000 shall remain available until ex-
8 pended for conducting inquiries into the economic condi-
9 tions affecting mining and materials processing industries:
10 *Provided*, That none of these funds provided for the bio-
11 logical research activity shall be used to conduct new sur-
12 veys on private property, unless specifically authorized in
13 writing by the property owner: *Provided further*, That be-
14 ginning in fiscal year 1998 and once every five years there-
15 after, the National Academy of Sciences shall review and
16 report on the biological research activity of the Survey:
17 *Provided further*, That no part of this appropriation shall
18 be used to pay more than one-half the cost of topographic
19 mapping or water resources data collection and investiga-
20 tions carried on in cooperation with States and municipali-
21 ties.

22 ADMINISTRATIVE PROVISIONS

23 The amount appropriated for the United States Geo-
24 logical Survey shall be available for the purchase of not
25 to exceed 53 passenger motor vehicles, of which 48 are

1 for replacement only; reimbursement to the General Serv-
2 ices Administration for security guard services; contract-
3 ing for the furnishing of topographic maps and for the
4 making of geophysical or other specialized surveys when
5 it is administratively determined that such procedures are
6 in the public interest; construction and maintenance of
7 necessary buildings and appurtenant facilities; acquisition
8 of lands for gauging stations and observation wells; ex-
9 penses of the United States National Committee on Geol-
10 ogy; and payment of compensation and expenses of per-
11 sons on the rolls of the Survey duly appointed to represent
12 the United States in the negotiation and administration
13 of interstate compacts: *Provided*, That activities funded by
14 appropriations herein made may be accomplished through
15 the use of contracts, grants, or cooperative agreements as
16 defined in 31 U.S.C. 6302, et seq.

17 MINERALS MANAGEMENT SERVICE

18 ROYALTY AND OFFSHORE MINERALS MANAGEMENT

19 For expenses necessary for minerals leasing and envi-
20 ronmental studies, regulation of industry operations, and
21 collection of royalties, as authorized by law; for enforcing
22 laws and regulations applicable to oil, gas, and other min-
23 erals leases, permits, licenses and operating contracts; and
24 for matching grants or cooperative agreements; including
25 the purchase of not to exceed eight passenger motor vehi-

1 cles for replacement only; \$186,555,000, of which not less
2 than \$74,063,000 shall be available for royalty manage-
3 ment activities; and an amount not to exceed \$15,400,000
4 for the Technical Information Management System and
5 Related Activities of the Outer Continental Shelf (OCS)
6 Lands Activity, to be credited to this appropriation and
7 to remain available until expended, from additions to re-
8 ceipts resulting from increases to rates in effect on August
9 5, 1993, from rate increases to fee collections for OCS
10 administrative activities performed by the Minerals Man-
11 agement Service over and above the rates in effect on Sep-
12 tember 30, 1993, and from additional fees for OCS admin-
13 istrative activities established after September 30, 1993:
14 *Provided*, That \$1,500,000 for computer acquisitions shall
15 remain available until September 30, 1998: *Provided fur-*
16 *ther*, That funds appropriated under this Act shall be
17 available for the payment of interest in accordance with
18 30 U.S.C. 1721 (b) and (d): *Provided further*, That not
19 to exceed \$3,000 shall be available for reasonable expenses
20 related to promoting volunteer beach and marine cleanup
21 activities: *Provided further*, That notwithstanding any
22 other provision of law, \$15,000 under this head shall be
23 available for refunds of overpayments in connection with
24 certain Indian leases in which the Director of the Minerals
25 Management Service concurred with the claimed refund

1 due, to pay amounts owed to Indian allottees or Tribes,
2 or to correct prior unrecoverable erroneous payments.

3 OIL SPILL RESEARCH

4 For necessary expenses to carry out title I, section
5 1016, title IV, sections 4202 and 4303, title VII, and title
6 VIII, section 8201 of the Oil Pollution Act of 1990,
7 \$6,440,000, which shall be derived from the Oil Spill Li-
8 ability Trust Fund, to remain available until expended.

9 OFFICE OF SURFACE MINING RECLAMATION AND
10 ENFORCEMENT

11 REGULATION AND TECHNOLOGY

12 For necessary expenses to carry out the provisions
13 of the Surface Mining Control and Reclamation Act of
14 1977, Public Law 95–87, as amended, including the pur-
15 chase of not to exceed 10 passenger motor vehicles, for
16 replacement only; \$94,272,000, and notwithstanding 31
17 U.S.C. 3302, an additional amount shall be credited to
18 this account, to remain available until expended, from per-
19 formance bond forfeitures in fiscal year 1997: *Provided,*
20 That the Secretary of the Interior, pursuant to regula-
21 tions, may utilize directly or through grants to States,
22 moneys collected in fiscal year 1997 for civil penalties as-
23 sessed under section 518 of the Surface Mining Control
24 and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim
25 lands adversely affected by coal mining practices after Au-

1 gust 3, 1977, to remain available until expended: *Provided*
2 *further*, That appropriations for the Office of Surface Min-
3 ing Reclamation and Enforcement may provide for the
4 travel and per diem expenses of State and tribal personnel
5 attending Office of Surface Mining Reclamation and En-
6 forcement sponsored training.

7 ABANDONED MINE RECLAMATION FUND

8 For necessary expenses to carry out title IV of the
9 Surface Mining Control and Reclamation Act of 1977,
10 Public Law 95–87, as amended, including the purchase
11 of not more than 10 passenger motor vehicles for replace-
12 ment only, \$175,887,000, to be derived from receipts of
13 the Abandoned Mine Reclamation Fund and to remain
14 available until expended; of which \$4,000,000 shall be for
15 supplemental grants to States for the reclamation of aban-
16 doned sites with acid mine rock drainage from coal mines
17 through the Appalachian Clean Streams Initiative: *Pro-*
18 *vided*, That grants to minimum program States will be
19 \$1,500,000 per State in fiscal year 1997: *Provided further*,
20 That of the funds herein provided up to \$18,000,000 may
21 be used for the emergency program authorized by section
22 410 of Public Law 95–87, as amended, of which no more
23 than 25 per centum shall be used for emergency reclama-
24 tion projects in any one State and funds for federally-ad-
25 ministered emergency reclamation projects under this pro-

1 viso shall not exceed \$11,000,000: *Provided further*, That
2 prior year unobligated funds appropriated for the emer-
3 gency reclamation program shall not be subject to the 25
4 per centum limitation per State and may be used without
5 fiscal year limitation for emergency projects: *Provided fur-*
6 *ther*, That pursuant to Public Law 97-365, the Depart-
7 ment of the Interior is authorized to use up to 20 per
8 centum from the recovery of the delinquent debt owed to
9 the United States Government to pay for contracts to col-
10 lect these debts: *Provided further*, That funds made avail-
11 able to States under title IV of Public Law 95-87 may
12 be used, at their discretion, for any required non-Federal
13 share of the cost of projects funded by the Federal Gov-
14 ernment for the purpose of environmental restoration re-
15 lated to treatment or abatement of acid mine drainage
16 from abandoned mines: *Provided further*, That such
17 projects must be consistent with the purposes and prior-
18 ities of the Surface Mining Control and Reclamation Act.

19 BUREAU OF INDIAN AFFAIRS

20 OPERATION OF INDIAN PROGRAMS

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

1 payment of care, tuition, assistance, and other expenses
2 of Indians in boarding homes, or institutions, or schools;
3 grants and other assistance to needy Indians; maintenance
4 of law and order; management, development, improve-
5 ment, and protection of resources and appurtenant facili-
6 ties under the jurisdiction of the Bureau, including pay-
7 ment of irrigation assessments and charges; acquisition of
8 water rights; advances for Indian industrial and business
9 enterprises; operation of Indian arts and crafts shops and
10 museums; development of Indian arts and crafts, as au-
11 thorized by law; for the general administration of the Bu-
12 reau, including such expenses in field offices; maintaining
13 of Indian reservation roads as defined in 23 U.S.C. 101;
14 and construction, repair, and improvement of Indian hous-
15 ing, \$1,381,623,000, of which not to exceed \$90,829,000
16 shall be for payments to tribes and tribal organizations
17 for contract support costs associated with ongoing con-
18 tracts or grants or compacts entered into with the Bureau
19 prior to fiscal year 1997, as authorized by the Indian Self-
20 Determination Act of 1975, as amended, and up to
21 \$5,000,000 shall be for the Indian Self-Determination
22 Fund, which shall be available for the transitional cost of
23 initial or expanded tribal contracts, grants, compacts, or
24 cooperative agreements with the Bureau under such Act;
25 and of which not to exceed \$339,709,000 for school oper-

1 ations costs of Bureau-funded schools and other education
2 programs shall become available on July 1, 1997, and
3 shall remain available until September 30, 1998; and of
4 which not to exceed \$55,838,000 for higher education
5 scholarships, adult vocational training, and assistance to
6 public schools under 25 U.S.C. 452 et seq., shall remain
7 available until September 30, 1998; and of which not to
8 exceed \$55,603,000 shall remain available until expended
9 for housing improvement, road maintenance, attorney
10 fees, litigation support, self-governance grants, the Indian
11 Self-Determination Fund, and the Navajo-Hopi Settle-
12 ment Program: *Provided*, That tribes and tribal contrac-
13 tors may use their tribal priority allocations for unmet in-
14 direct costs of ongoing contracts, grants or compact agree-
15 ments: *Provided further*, That funds made available to
16 tribes and tribal organizations through contracts or grants
17 obligated during fiscal year 1997, as authorized by the In-
18 dian Self-Determination Act of 1975, or grants authorized
19 by the Indian Education Amendments of 1988 (25 U.S.C.
20 2001 and 2008A) shall remain available until expended
21 by the contractor or grantee: *Provided further*, That to
22 provide funding uniformity within a Self-Governance Com-
23 pact, any funds provided in this Act with availability for
24 more than one year may be reprogrammed to one year
25 availability but shall remain available within the Compact

1 until expended: *Provided further*, That notwithstanding
2 any other provision of law, Indian tribal governments may,
3 by appropriate changes in eligibility criteria or by other
4 means, change eligibility for general assistance or change
5 the amount of general assistance payments for individuals
6 within the service area of such tribe who are otherwise
7 deemed eligible for general assistance payments so long
8 as such changes are applied in a consistent manner to in-
9 dividuals similarly situated: *Provided further*, That any
10 savings realized by such changes shall be available for use
11 in meeting other priorities of the tribes: *Provided further*,
12 That any net increase in costs to the Federal Government
13 which result solely from tribally increased payment levels
14 for general assistance shall be met exclusively from funds
15 available to the tribe from within its tribal priority alloca-
16 tion: *Provided further*, That any forestry funds allocated
17 to a tribe which remain unobligated as of September 30,
18 1997, may be transferred during fiscal year 1998 to an
19 Indian forest land assistance account established for the
20 benefit of such tribe within the tribe's trust fund account:
21 *Provided further*, That any such unobligated balances not
22 so transferred shall expire on September 30, 1998: *Pro-*
23 *vided further*, That notwithstanding any other provision of
24 law, no funds available to the Bureau, other than the
25 amounts provided herein for assistance to public schools

1 under 25 U.S.C. 452 et seq., shall be available to support
2 the operation of any elementary or secondary school in the
3 State of Alaska in fiscal year 1997: *Provided further*, That
4 funds made available in this or any other Act for expendi-
5 ture through September 30, 1998 for schools funded by
6 the Bureau shall be available only to the schools in the
7 Bureau school system as of September 1, 1995: *Provided*
8 *further*, That no funds available to the Bureau shall be
9 used to support expanded grades for any school beyond
10 the grade structure in place at each school in the Bureau
11 school system as of October 1, 1995: *Provided further*,
12 That in fiscal year 1997 and thereafter, notwithstanding
13 the provisions of 25 U.S.C. 2012(h)(1) (A) and (B), upon
14 the recommendation of either (i) a local school board and
15 school supervisor for an education position in a Bureau
16 of Indian Affairs operated school, or (ii) an Agency school
17 board and education line officer for an Agency education
18 position, the Secretary shall establish adjustments to the
19 rates of basic compensation or annual salary rates estab-
20 lished under 25 U.S.C. 2012(h)(1) (A) and (B) for edu-
21 cation positions at the school or the Agency, at a level
22 not less than that for comparable positions in the nearest
23 public school district, and the adjustment shall be deemed
24 to be a change to basic pay and shall not be subject to
25 collective bargaining: *Provided further*, That any reduction

1 to rates of basic compensation or annual salary rates
2 below the rates established under 25 U.S.C. 2012(h)(1)
3 (A) and (B) shall apply only to educators appointed after
4 June 30, 1997, and shall not affect the right of an individ-
5 ual employed on June 30, 1997, in an education position,
6 to receive the compensation attached to such position
7 under 25 U.S.C. 2012(h)(1) (A) and (B) so long as the
8 individual remains in the same position at the same school:
9 *Provided further,* That notwithstanding 25 U.S.C.
10 2012(h)(1)(B), when the rates of basic compensation for
11 teachers and counselors at Bureau-operated schools are
12 established at the rates of basic compensation applicable
13 to comparable positions in overseas schools under the De-
14 fense Department Overseas Teachers Pay and Personnel
15 Practices Act, such rates shall become effective with the
16 start of the next academic year following the issuance of
17 the Department of Defense salary schedule and shall not
18 be effected retroactively.

19 CONSTRUCTION

20 For construction, major repair, and improvement of
21 irrigation and power systems, buildings, utilities, and
22 other facilities, including architectural and engineering
23 services by contract; acquisition of lands, and interests in
24 lands; and preparation of lands for farming, and for con-
25 struction of the Navajo Indian Irrigation Project pursuant

1 to Public Law 87–483, \$85,831,000, to remain available
2 until expended: *Provided*, That such amounts as may be
3 available for the construction of the Navajo Indian Irriga-
4 tion Project may be transferred to the Bureau of Reclama-
5 tion: *Provided further*, That not to exceed 6 per centum
6 of contract authority available to the Bureau of Indian
7 Affairs from the Federal Highway Trust Fund may be
8 used to cover the road program management costs of the
9 Bureau: *Provided further*, That any funds provided for the
10 Safety of Dams program pursuant to 25 U.S.C. 13 shall
11 be made available on a non-reimbursable basis: *Provided*
12 *further*, That for fiscal year 1997, in implementing new
13 construction or facilities improvement and repair project
14 grants in excess of \$100,000 that are provided to tribally
15 controlled grant schools under Public Law 100–297, as
16 amended, the Secretary of the Interior shall use the Ad-
17 ministrative and Audit Requirements and Cost Principles
18 for Assistance Programs contained in 43 CFR part 12 as
19 the regulatory requirements: *Provided further*, That such
20 grants shall not be subject to section 12.61 of 43 CFR;
21 the Secretary and the grantee shall negotiate and deter-
22 mine a schedule of payments for the work to be performed:
23 *Provided further*, That in considering applications, the
24 Secretary shall consider whether the Indian tribe or tribal
25 organization would be deficient in assuring that the con-

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

11 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
12 MISCELLANEOUS PAYMENTS TO INDIANS

13 For miscellaneous payments to Indian tribes and in-
14 dividuals and for necessary administrative expenses,
15 \$65,241,000, to remain available until expended; of which
16 \$56,400,000 shall be available for implementation of en-
17 acted Indian land and water claim settlements pursuant
18 to Public Laws 101–618, 102–374, 102–575, and for im-
19 plementation of other enacted water rights settlements, in-
20 cluding not to exceed \$8,000,000, which shall be for the
21 Federal share of the Catawba Indian Tribe of South Caro-
22 lina Claims Settlement, as authorized by section 5(a) of
23 Public Law 103–116; and of which \$841,000 shall be
24 available pursuant to Public Laws 98–500, 99–264, and
25 100–580.

1 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

2 For the cost of guaranteed loans, \$4,500,000, as au-
3 thorized by the Indian Financing Act of 1974, as amend-
4 ed: *Provided*, That such costs, including the cost of modi-
5 fying such loans, shall be as defined in section 502 of the
6 Congressional Budget Act of 1974: *Provided further*, That
7 these funds are available to subsidize total loan principal,
8 any part of which is to be guaranteed, not to exceed
9 \$34,615,000.

10 In addition, for administrative expenses to carry out
11 the guaranteed loan programs, \$500,000.

12 ADMINISTRATIVE PROVISIONS

13 Appropriations for the Bureau of Indian Affairs (ex-
14 cept the revolving fund for loans, the Indian loan guaran-
15 tee and insurance fund, the Technical Assistance of Indian
16 Enterprises account, the Indian Direct Loan Program ac-
17 count, and the Indian Guaranteed Loan Program account)
18 shall be available for expenses of exhibits, and purchase
19 of not to exceed 229 passenger motor vehicles, of which
20 not to exceed 187 shall be for replacement only.

21 DEPARTMENTAL OFFICES

22 INSULAR AFFAIRS

23 ASSISTANCE TO TERRITORIES

24 For expenses necessary for assistance to territories
25 under the jurisdiction of the Department of the Interior,

1 \$65,088,000, of which (1) \$61,239,000 shall be available
2 until expended for technical assistance, including mainte-
3 nance assistance, disaster assistance, insular management
4 controls, and brown tree snake control and research;
5 grants to the judiciary in American Samoa for compensa-
6 tion and expenses, as authorized by law (48 U.S.C.
7 1661(c)); grants to the Government of American Samoa,
8 in addition to current local revenues, for construction and
9 support of governmental functions; grants to the Govern-
10 ment of the Virgin Islands as authorized by law; grants
11 to the Government of Guam, as authorized by law; and
12 grants to the Government of the Northern Mariana Is-
13 lands as authorized by law (Public Law 94–241; 90 Stat.
14 272); and (2) \$3,849,000 shall be available for salaries
15 and expenses of the Office of Insular Affairs: *Provided*,
16 That all financial transactions of the territorial and local
17 governments herein provided for, including such trans-
18 actions of all agencies or instrumentalities established or
19 utilized by such governments, may be audited by the Gen-
20 eral Accounting Office, at its discretion, in accordance
21 with chapter 35 of title 31, United States Code: *Provided*
22 *further*, That Northern Mariana Islands Covenant grant
23 funding shall be provided according to those terms of the
24 Agreement of the Special Representatives on Future Unit-
25 ed States Financial Assistance for the Northern Mariana

1 Islands approved by Public Law 99–396, or any subse-
2 quent legislation related to Commonwealth of the North-
3 ern Mariana Islands grant funding: *Provided further*, That
4 of the amounts provided for technical assistance, sufficient
5 funding shall be made available for a grant to the Close
6 Up Foundation: *Provided further*, That the funds for the
7 program of operations and maintenance improvement are
8 appropriated to institutionalize routine operations and
9 maintenance improvement of capital infrastructure in
10 American Samoa, Guam, the Virgin Islands, the Common-
11 wealth of the Northern Mariana Islands, the Republic of
12 Palau, the Republic of the Marshall Islands, and the Fed-
13 erated States of Micronesia through assessments of long-
14 range operations maintenance needs, improved capability
15 of local operations and maintenance institutions and agen-
16 cies (including management and vocational education
17 training), and project-specific maintenance (with terri-
18 torial participation and cost sharing to be determined by
19 the Secretary based on the individual territory’s commit-
20 ment to timely maintenance of its capital assets): *Provided*
21 *further*, That any appropriation for disaster assistance
22 under this head in this Act or previous appropriations Acts
23 may be used as non-Federal matching funds for the pur-
24 pose of hazard mitigation grants provided pursuant to sec-

1 tion 404 of the Robert T. Stafford Disaster Relief and
2 Emergency Assistance Act (42 U.S.C. 5170c).

3 COMPACT OF FREE ASSOCIATION

4 For economic assistance and necessary expenses for
5 the Federated States of Micronesia and the Republic of
6 the Marshall Islands as provided for in sections 122, 221,
7 223, 232, and 233 of the Compacts of Free Association,
8 and for economic assistance and necessary expenses for
9 the Republic of Palau as provided for in sections 122, 221,
10 223, 232, and 233 of the Compact of Free Association,
11 \$23,638,000, to remain available until expended, as au-
12 thorized by Public Law 99–239 and Public Law 99–658.

13 DEPARTMENTAL MANAGEMENT

14 SALARIES AND EXPENSES

15 For necessary expenses for management of the De-
16 partment of the Interior, \$53,691,000, of which not to ex-
17 ceed \$7,500 may be for official reception and representa-
18 tion expenses.

19 OFFICE OF THE SOLICITOR

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of the Solicitor,
22 \$35,208,000.

23 OFFICE OF INSPECTOR GENERAL

24 SALARIES AND EXPENSES

25 For necessary expenses of the Office of Inspector
26 General, \$24,439,000, together with any funds or prop-

1 erty transferred to the Office of Inspector General through
2 forfeiture proceedings or from the Department of Justice
3 Assets Forfeiture Fund or the Department of the Treas-
4 ury Assets Forfeiture Fund, that represent an equitable
5 share from the forfeiture of property in investigations in
6 which the Office of Inspector General participated, with
7 such transferred funds to remain available until expended.

8 NATIONAL INDIAN GAMING COMMISSION

9 SALARIES AND EXPENSES

10 For necessary expenses of the National Indian Gam-
11 ing Commission, pursuant to Public Law 100-497,
12 \$1,000,000.

13 OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

14 FEDERAL TRUST PROGRAMS

15 For operation of trust programs for Indians by direct
16 expenditure, contracts, cooperative agreements, compacts,
17 and grants, \$19,126,000, to remain available until ex-
18 pended for trust funds management: *Provided*, That funds
19 made available to tribes and tribal organizations through
20 contracts or grants obligated during fiscal year 1997, as
21 authorized by the Indian Self-Determination Act of 1975
22 (25 U.S.C. 450 et seq.), shall remain available until ex-
23 pended by the contractor or grantee: *Provided further*,
24 That notwithstanding any other provision of law, the stat-
25 ute of limitations shall not commence to run on any claim,

1 including any claim in litigation pending on the date of
2 this Act, concerning losses to or mismanagement of trust
3 funds, until the affected tribe or individual Indian has
4 been furnished with an accounting of such funds from
5 which the beneficiary can determine whether there has
6 been a loss: *Provided further*, That unobligated balances
7 previously made available (1) to liquidate obligations owed
8 tribal and individual Indian payees of any checks canceled
9 pursuant to section 1003 of the Competitive Equality
10 Banking Act of 1987 (Public Law 100–86; 31 U.S.C.
11 3334(b)), (2) to restore Individual Indian Monies trust
12 funds, Indian Irrigation Systems, and Indian Power Sys-
13 tems accounts amounts invested in credit unions or de-
14 faulted savings and loan associations and which were not
15 Federally insured, including any interest on these amounts
16 that may have been earned, but was not because of the
17 default, and (3) to reimburse Indian trust fund account
18 holders for losses to their respective accounts where the
19 claim for said loss has been reduced to a judgement or
20 settlement agreement approved by the Department of Jus-
21 tice, under the heading “Indian Land and Water Claim
22 Settlements and Miscellaneous Payments to Indians”, Bu-
23 reau of Indian Affairs in fiscal years 1995 and 1996, are
24 hereby transferred to and merged with this appropriation

1 and may only be used for the operation of trust programs,
2 in accordance with this appropriation.

3 ADMINISTRATIVE PROVISIONS

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

17 GENERAL PROVISIONS, DEPARTMENT OF THE
18 INTERIOR

19 SEC. 101. Appropriations made in this title shall be
20 available for expenditure or transfer (within each bureau
21 or office), with the approval of the Secretary, for the emer-
22 gency reconstruction, replacement, or repair of aircraft,
23 buildings, utilities, or other facilities or equipment dam-
24 aged or destroyed by fire, flood, storm, or other unavoid-
25 able causes: *Provided*, That no funds shall be made avail-

1 able under this authority until funds specifically made
2 available to the Department of the Interior for emer-
3 gencies shall have been exhausted: *Provided further*, That
4 all funds used pursuant to this section are hereby des-
5 ignated by Congress to be “emergency requirements” pur-
6 suant to section 251(b)(2)(D) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985, and must be re-
8 plenished by a supplemental appropriation which must be
9 requested as promptly as possible.

10 SEC. 102. The Secretary may authorize the expendi-
11 ture or transfer of any no year appropriation in this title,
12 in addition to the amounts included in the budget pro-
13 grams of the several agencies, for the suppression or emer-
14 gency prevention of forest or range fires on or threatening
15 lands under the jurisdiction of the Department of the Inte-
16 rior; for the emergency rehabilitation of burned-over lands
17 under its jurisdiction; for emergency actions related to po-
18 tential or actual earthquakes, floods, volcanoes, storms, or
19 other unavoidable causes; for contingency planning subse-
20 quent to actual oilspills; response and natural resource
21 damage assessment activities related to actual oilspills; for
22 the prevention, suppression, and control of actual or po-
23 tential grasshopper and Mormon cricket outbreaks on
24 lands under the jurisdiction of the Secretary, pursuant to
25 the authority in section 1773(b) of Public Law 99–198

1 (99 Stat. 1658); for emergency reclamation projects under
2 section 410 of Public Law 95–87; and shall transfer, from
3 any no year funds available to the Office of Surface Min-
4 ing Reclamation and Enforcement, such funds as may be
5 necessary to permit assumption of regulatory authority in
6 the event a primacy State is not carrying out the regu-
7 latory provisions of the Surface Mining Act: *Provided*,
8 That appropriations made in this title for fire suppression
9 purposes shall be available for the payment of obligations
10 incurred during the preceding fiscal year, and for reim-
11 bursement to other Federal agencies for destruction of ve-
12 hicles, aircraft, or other equipment in connection with
13 their use for fire suppression purposes, such reimburse-
14 ment to be credited to appropriations currently available
15 at the time of receipt thereof: *Provided further*, That for
16 emergency rehabilitation and wildfire suppression activi-
17 ties, no funds shall be made available under this authority
18 until funds appropriated to “Wildland Fire Management”
19 shall have been exhausted: *Provided further*, That all funds
20 used pursuant to this section are hereby designated by
21 Congress to be “emergency requirements” pursuant to
22 section 251(b)(2)(D) of the Balanced Budget and Emer-
23 gency Deficit Control Act of 1985, and must be replen-
24 ished by a supplemental appropriation which must be re-
25 quested as promptly as possible: *Provided further*, That

1 such replenishment funds shall be used to reimburse, on
2 a pro rata basis, accounts from which emergency funds
3 were transferred.

4 SEC. 103. Appropriations made in this title shall be
5 available for operation of warehouses, garages, shops, and
6 similar facilities, wherever consolidation of activities will
7 contribute to efficiency or economy, and said appropria-
8 tions shall be reimbursed for services rendered to any
9 other activity in the same manner as authorized by sec-
10 tions 1535 and 1536 of title 31, United States Code: *Pro-*
11 *vided*, That reimbursements for costs and supplies, mate-
12 rials, equipment, and for services rendered may be cred-
13 ited to the appropriation current at the time such reim-
14 bursements are received.

15 SEC. 104. Appropriations made to the Department
16 of the Interior in this title shall be available for services
17 as authorized by 5 U.S.C. 3109, when authorized by the
18 Secretary, in total amount not to exceed \$500,000; hire,
19 maintenance, and operation of aircraft; hire of passenger
20 motor vehicles; purchase of reprints; payment for tele-
21 phone service in private residences in the field, when au-
22 thorized under regulations approved by the Secretary; and
23 the payment of dues, when authorized by the Secretary,
24 for library membership in societies or associations which

1 issue publications to members only or at a price to mem-
2 bers lower than to subscribers who are not members.

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

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

11 SEC. 107. Appropriations made in this title from the
12 Land and Water Conservation Fund for acquisition of
13 lands and waters, or interests therein, shall be available
14 for transfer, with the approval of the Secretary, between
15 the following accounts: Bureau of Land Management,
16 Land acquisition, United States Fish and Wildlife Service,
17 Land acquisition, and National Park Service, Land acqui-
18 sition and State assistance. Use of such funds are subject
19 to the reprogramming guidelines of the House and Senate
20 Committees on Appropriations.

21 SEC. 108. Prior to the transfer of Presidio properties
22 to the Presidio Trust, when authorized, the Secretary may
23 not obligate in any calendar month more than $\frac{1}{12}$ of the
24 fiscal year 1997 appropriation for operation of the Pre-
25 sidio: *Provided*, That prior to the transfer of any Presidio

1 property to the Presidio Trust, the Secretary shall trans-
2 fer such funds as the Trust deems necessary to initiate
3 leasing and other authorized activities of the Trust: *Pro-*
4 *vided further*, That this section shall expire on September
5 30, 1997.

6 SEC. 109. None of the funds appropriated or other-
7 wise made available by this Act may be obligated or ex-
8 pended by the Secretary of the Interior for developing,
9 promulgating, and thereafter implementing a rule con-
10 cerning rights-of-way under section 2477 of the Revised
11 Statutes.

12 SEC. 110. No funds provided in this title may be ex-
13 pended by the Department of the Interior for the conduct
14 of offshore leasing and related activities placed under re-
15 striction in the President's moratorium statement of June
16 26, 1990, in the areas of Northern, Central, and Southern
17 California; the North Atlantic; Washington and Oregon;
18 and the Eastern Gulf of Mexico south of 26 degrees north
19 latitude and east of 86 degrees west longitude.

20 SEC. 111. No funds provided in this title may be ex-
21 pended by the Department of the Interior for the conduct
22 of leasing, or the approval or permitting of any drilling
23 or other exploration activity, on lands within the North
24 Aleutian Basin planning area.

1 SEC. 112. No funds provided in this title may be ex-
2 pended by the Department of the Interior for the conduct
3 of preleasing and leasing activities in the Eastern Gulf of
4 Mexico for Outer Continental Shelf Lease Sale 151 in the
5 Outer Continental Shelf Natural Gas and Oil Resource
6 Management Comprehensive Program, 1992–1997.

7 SEC. 113. No funds provided in this title may be ex-
8 pended by the Department of the Interior for the conduct
9 of preleasing and leasing activities in the Atlantic for
10 Outer Continental Shelf Lease Sale 164 in the Outer Con-
11 tinental Shelf Natural Gas and Oil Resource Management
12 Comprehensive Program, 1992–1997.

13 SEC. 114. There is hereby established in the Treasury
14 a franchise fund pilot, as authorized by section 403 of
15 Public Law 103–356, to be available as provided in such
16 section for costs of capitalizing and operating administra-
17 tive services as the Secretary determines may be per-
18 formed more advantageously as central services: *Provided*,
19 That any inventories, equipment, and other assets pertain-
20 ing to the services to be provided by such fund, either on
21 hand or on order, less the related liabilities or unpaid obli-
22 gations, and any appropriations made prior to the current
23 year for the purpose of providing capital shall be used to
24 capitalize such fund: *Provided further*, That such fund
25 shall be paid in advance from funds available to the De-

1 partment and other Federal agencies for which such cen-
2 tralized services are performed, at rates which will return
3 in full all expenses of operation, including acerued leave,
4 depreciation of fund plant and equipment, amortization of
5 automatic data processing (ADP) software and systems
6 (either acquired or donated) and an amount necessary to
7 maintain a reasonable operating reserve, as determined by
8 the Secretary: *Provided further*, That such fund shall pro-
9 vide services on a competitive basis: *Provided further*, That
10 an amount not to exceed four percent of the total annual
11 income to such fund may be retained in the fund for fiscal
12 year 1997 and each fiscal year thereafter, to remain avail-
13 able until expended, to be used for the acquisition of cap-
14 ital equipment, and for the improvement and implementa-
15 tion of Department financial management, ADP, and
16 other support systems: *Provided further*, That no later
17 than thirty days after the end of each fiscal year amounts
18 in excess of this reserve limitation shall be transferred to
19 the Treasury: *Provided further*, That such franchise fund
20 pilot shall terminate pursuant to section 403(f) of Public
21 Law 103-356.

22 SEC. 115. None of the funds in this Act or any other
23 Act may be used by the Secretary for the redesign of
24 Pennsylvania Avenue in front of the White House without

1 the advance approval of the House and Senate Committees
2 on Appropriations.

3 SEC. 116. None of the funds made available in this
4 Act may be used by the Department of the Interior to
5 continue or enforce the designation of any critical habitat
6 for the marbled murrelet on private property in the State
7 of California, excluding approximately 3,000 acres of red-
8 wood forest commonly known as the “Headwaters Grove”,
9 located in Humboldt County, California.

10 SEC. 117. None of the funds made available in this
11 Act may be used by the Bureau of Indian Affairs to trans-
12 fer any land into trust under section 5 of the Indian Reor-
13 ganization Act, 48 Stat, 985, 25 USC s. 465, or any other
14 federal statute that does not explicitly denominate and
15 identify a specific tribe or specific property, unless it has
16 been made known to the Secretary of Interior, or his or
17 her designee, that a binding agreement is in place between
18 the tribe that will have jurisdiction over the land to be
19 taken into trust and the appropriate state and local offi-
20 cial(s) and that such agreement provides, for as long as
21 the land is held in trust, for the collection and payment,
22 by any retail establishment located on the land to be taken
23 into trust, of State and local sales and excise taxes, includ-
24 ing any special tax on motor fuel, tobacco, or alcohol, on

1 any retail item sold to any non-member of the tribe for
2 which the land is held in trust.

3 TITLE II—RELATED AGENCIES

4 DEPARTMENT OF AGRICULTURE

5 FOREST SERVICE

6 FOREST AND RANGELAND RESEARCH

7 For necessary expenses of forest and rangeland re-
8 search as authorized by law, \$179,000,000, to remain
9 available until September 30, 1998: *Provided*, That unobli-
10 gated and unexpended balances remaining in this account
11 at the end of fiscal year 1996 shall be merged with and
12 made a part of the fiscal year 1997 Forest and Rangeland
13 Research appropriation.

14 STATE AND PRIVATE FORESTRY

15 For necessary expenses of cooperating with, and pro-
16 viding technical and financial assistance to States, Terri-
17 tories, possessions, and others and for forest pest manage-
18 ment activities, cooperative forestry and education and
19 land conservation activities, \$148,884,000 to remain avail-
20 able until expended, as authorized by law.

21 NATIONAL FOREST SYSTEM

22 For necessary expenses of the Forest Service, not
23 otherwise provided for, for management, protection, im-
24 provement, and utilization of the National Forest System,
25 for ecosystem planning, inventory, and monitoring, and for

1 administrative expenses associated with the management
2 of funds provided under the heads “Forest and Rangeland
3 Research,” “State and Private Forestry,” “National For-
4 est System,” “Wildland Fire Management,” “Reconstruc-
5 tion and Construction,” and “Land Acquisition,”
6 \$1,259,057,000 to remain available for obligation until
7 September 30, 1998, and including 50 per centum of all
8 monies received during the prior fiscal year as fees col-
9 lected under the Land and Water Conservation Fund Act
10 of 1965, as amended, in accordance with section 4 of the
11 Act (16 U.S.C. 4601–6a(i)): *Provided*, That unobligated
12 and unexpended balances in the National Forest System
13 account at the end of fiscal year 1996, shall be merged
14 with and made a part of the fiscal year 1997 National
15 Forest System appropriation, and shall remain available
16 for obligation until September 30, 1998: *Provided further*,
17 That up to \$5,000,000 of the funds provided herein for
18 road maintenance shall be available for the planned oblit-
19 eration of roads which are no longer needed.

20 WILDLAND FIRE MANAGEMENT

21 For necessary expenses for forest fire presuppression
22 activities on National Forest System lands, for emergency
23 fire suppression on or adjacent to such lands or other
24 lands under fire protection agreement, and for emergency
25 rehabilitation of burned over National Forest System

1 lands, \$411,485,000, to remain available until expended:
2 *Provided*, That unexpended balances of amounts pre-
3 viously appropriated under any other headings for Forest
4 Service fire activities are transferred to and merged with
5 this appropriation and subject to the same terms and con-
6 ditions: *Provided further*, That such funds are available
7 for repayment of advances from other appropriations ac-
8 counts previously transferred for such purposes.

9 RECONSTRUCTION AND CONSTRUCTION

10 For necessary expenses of the Forest Service, not
11 otherwise provided for, \$164,100,000, to remain available
12 until expended for construction, reconstruction and acqui-
13 sition of buildings and other facilities, and for construc-
14 tion, reconstruction and repair of forest roads and trails
15 by the Forest Service as authorized by 16 U.S.C. 532–
16 538 and 23 U.S.C. 101 and 205: *Provided*, That not to
17 exceed \$50,000,000, to remain available until expended,
18 may be obligated for the construction of forest roads by
19 timber purchasers: *Provided further*, That funds appro-
20 priated under this head for the construction of the Wayne
21 National Forest Supervisor’s Office may be granted to the
22 Ohio State Highway Patrol, Ohio State Department of
23 Transportation, as the Federal share of the cost of con-
24 struction of a new facility to be jointly occupied by the
25 Forest Service and the Ohio State Highway Patrol: *Pro-*
26 *vided further*, That an agreed upon lease of space in the

1 new facility shall be provided to the Forest Service without
2 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. 4601–4–11), including adminis-
7 trative expenses, and for acquisition of land or waters, or
8 interest therein, in accordance with statutory authority
9 applicable to the Forest Service, \$30,000,000, to be de-
10 rived from the Land and Water Conservation Fund, to
11 remain available until expended: *Provided*, That funding
12 for specific land acquisitions are subject to the approval
13 of the House and Senate Committees on Appropriations.

14 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
15 ACTS

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

22 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

23 For acquisition of lands, to be derived from funds de-
24 posited by State, county, or municipal governments, public
25 school districts, or other public school authorities pursuant

1 to the Act of December 4, 1967, as amended (16 U.S.C.
2 484a), to remain available until expended.

3 RANGE BETTERMENT FUND

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

14 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
15 RANGELAND RESEARCH

16 For expenses authorized by 16 U.S.C. 1643(b),
17 \$92,000, to remain available until expended, to be derived
18 from the fund established pursuant to the above Act.

19 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

20 Appropriations to the Forest Service for the current
21 fiscal year shall be available for: (a) purchase of not to
22 exceed 159 passenger motor vehicles of which 14 will be
23 used primarily for law enforcement purposes and of which
24 149 shall be for replacement; acquisition of 10 passenger
25 motor vehicles from excess sources, and hire of such vehi-

1 cles; operation and maintenance of aircraft, the purchase
2 of not to exceed two for replacement only, and acquisition
3 of 20 aircraft from excess sources; notwithstanding other
4 provisions of law, existing aircraft being replaced may be
5 sold, with proceeds derived or trade-in value used to offset
6 the purchase price for the replacement aircraft; (b) serv-
7 ices pursuant to 7 U.S.C. 2225, and not to exceed
8 \$100,000 for employment under 5 U.S.C. 3109; (c) pur-
9 chase, erection, and alteration of buildings and other pub-
10 lic improvements (7 U.S.C. 2250); (d) acquisition of land,
11 waters, and interests therein, pursuant to 7 U.S.C. 428a;
12 (e) for expenses pursuant to the Volunteers in the Na-
13 tional Forest Act of 1972 (16 U.S.C 558a, 558d, 558a
14 note); and (f) for debt collection contracts in accordance
15 with 31 U.S.C. 3718(e).

16 None of the funds made available under this Act shall
17 be obligated or expended to change the boundaries of any
18 region, to abolish any region, to move or close any regional
19 office, or to implement any reorganization, “reinvention”
20 or other type of organizational restructuring of the Forest
21 Service without the consent of the House and Senate Com-
22 mittees on Appropriations.

23 Any appropriations or funds available to the Forest
24 Service may be advanced to the Wildland Fire Manage-
25 ment appropriation and may be used for forest firefighting

1 and the emergency rehabilitation of burned-over lands
2 under its jurisdiction.

3 Funds appropriated to the Forest Service shall be
4 available for assistance to or through the Agency for Inter-
5 national Development and the Foreign Agricultural Serv-
6 ice in connection with forest and rangeland research, tech-
7 nical information, and assistance in foreign countries, and
8 shall be available to support forestry and related natural
9 resource activities outside the United States and its terri-
10 tories and possessions, including technical assistance, edu-
11 cation and training, and cooperation with United States
12 and international organizations.

13 None of the funds made available to the Forest Serv-
14 ice under this Act shall be subject to transfer under the
15 provisions of section 702(b) of the Department of Agri-
16 culture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C
17 147b unless the proposed transfer is approved in advance
18 by the House and Senate Committees on Appropriations
19 in compliance with the reprogramming procedures con-
20 tained in House Report 103-551.

21 None of the funds available to the Forest Service may
22 be reprogrammed without the advance approval of the
23 House and Senate Committees on Appropriations in ac-
24 cordance with the procedures contained in House Report
25 103-551.

1 No funds appropriated to the Forest Service shall be
2 transferred to the Working Capital Fund of the Depart-
3 ment of Agriculture without the approval of the Chief of
4 the Forest Service.

5 Notwithstanding any other provision of the law, any
6 appropriations or funds available to the Forest Service
7 may be used to disseminate program information to pri-
8 vate and public individuals and organizations through the
9 use of nonmonetary items of nominal value and to provide
10 nonmonetary awards of nominal value and to incur nec-
11 essary expenses for the nonmonetary recognition of private
12 individuals and organizations that make contributions to
13 Forest Service programs.

14 Notwithstanding any other provision of law, money
15 collected, in advance or otherwise, by the Forest Service
16 under authority of section 101 of Public Law 93–153 (30
17 U.S.C. 185(1)) as reimbursement of administrative and
18 other costs incurred in processing pipeline right-of-way or
19 permit applications and for costs incurred in monitoring
20 the construction, operation, maintenance, and termination
21 of any pipeline and related facilities, may be used to reim-
22 burse the applicable appropriation to which such costs
23 were originally charged.

24 Funds available to the Forest Service shall be avail-
25 able to conduct a program of not less than \$1,000,000

1 for high priority projects within the scope of the approved
2 budget which shall be carried out by the Youth Conserva-
3 tion Corps as authorized by the Act of August 13, 1970,
4 as amended by Public Law 93-408.

5 None of the funds available in this Act shall be used
6 for timber sale preparation using clearcutting in hardwood
7 stands in excess of 25 percent of the fiscal year 1989 har-
8 vested volume in the Wayne National Forest, Ohio: *Pro-*
9 *vided*, That this limitation shall not apply to hardwood
10 stands damaged by natural disaster: *Provided further*,
11 That landscape architects shall be used to maintain a vis-
12 ually pleasing forest.

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

20 Of the funds available to the Forest Service, \$1,500
21 is available to the Chief of the Forest Service for official
22 reception and representation expenses.

23 Notwithstanding any other provision of law, the For-
24 est Service is authorized to employ or otherwise contract
25 with persons at regular rates of pay, as determined by the

1 Service, to perform work occasioned by emergencies such
2 as fires, storms, floods, earthquakes or any other unavoi-
3 dable cause without regard to Sundays, Federal holidays,
4 and the regular workweek.

5 To the greatest extent possible, and in accordance
6 with the Final Amendment to the Shawnee National For-
7 est Plan, none of the funds available in this Act shall be
8 used for preparation of timber sales using clearcutting or
9 other forms of even aged management in hardwood stands
10 in the Shawnee National Forest, Illinois.

11 Pursuant to sections 405(b) and 410(b) of Public
12 Law 101-593, funds up to \$1,000,000 for matching funds
13 shall be available for the National Forest Foundation.

14 Funds appropriated to the Forest Service shall be
15 available for interactions with and providing technical as-
16 sistance to rural communities for sustainable rural devel-
17 opment purposes.

18 Notwithstanding any other provision of law, 80 per-
19 cent of the funds appropriated to the Forest Service in
20 the National Forest System and Construction accounts
21 and planned to be allocated to activities under the “Jobs
22 in the Woods” program for projects on National Forest
23 land in the State of Washington may be granted directly
24 to the Washington State Department of Fish and Wildlife
25 for accomplishment of planned projects. Twenty percent

1 of said funds shall be retained by the Forest Service for
2 planning and administering projects. Project selection and
3 prioritization shall be accomplished by the Forest Service
4 with such consultation with the State of Washington as
5 the Forest Service deems appropriate.

6 Funds appropriated to the Forest Service shall be
7 available for payments to counties within the Columbia
8 River Gorge National Scenic Area, pursuant to sections
9 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–
10 663.

11 DEPARTMENT OF ENERGY

12 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

13 For necessary expenses in carrying out fossil energy
14 research and development activities, under the authority
15 of the Department of Energy Organization Act (Public
16 Law 95–91), including the acquisition of interest, includ-
17 ing defeasible and equitable interests in any real property
18 or any facility or for plant or facility acquisition or expan-
19 sion, and for conducting inquiries, technological investiga-
20 tions and research concerning the extraction, processing,
21 use, and disposal of mineral substances without objection-
22 able social and environmental costs (30 U.S.C. 3, 1602,
23 and 1603), performed under the minerals and materials
24 science programs at the Albany Research Center in Or-
25 egon, \$358,754,000, to remain available until expended:

1 *Provided*, That no part of the sum herein made available
2 shall be used for the field testing of nuclear explosives in
3 the recovery of oil and gas.

4 ALTERNATIVE FUELS PRODUCTION

5 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

6 Monies received as investment income on the prin-
7 cipal amount in the Great Plains Project Trust at the
8 Norwest Bank of North Dakota, in such sums as are
9 earned as of October 1, 1996, shall be deposited in this
10 account and immediately transferred to the General Fund
11 of the Treasury. Monies received as revenue sharing from
12 the operation of the Great Plains Gasification Plant shall
13 be immediately transferred to the General Fund of the
14 Treasury. Funds are hereby rescinded in the amount of
15 \$2,500,000 from unobligated balances under this head.

16 NAVAL PETROLEUM AND OIL SHALE RESERVES

17 For necessary expenses in carrying out naval petro-
18 leum and oil shale reserve activities, \$143,786,000, to re-
19 main available until expended: *Provided*, That the require-
20 ments of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal
21 year 1997.

22 ENERGY CONSERVATION

23 For necessary expenses in carrying out energy con-
24 servation activities, \$499,680,000, to remain available
25 until expended, including, notwithstanding any other pro-

1 vision of law, the excess amount for fiscal year 1997 deter-
2 mined under the provisions of section 3003(d) of Public
3 Law 99–509 (15 U.S.C. 4502): *Provided*, That
4 \$125,000,000 shall be for use in energy conservation pro-
5 grams as defined in section 3008(3) of Public Law 99–
6 509 (15 U.S.C. 4507) and shall not be available until ex-
7 cess amounts are determined under the provisions of sec-
8 tion 3003(d) of Public Law 99–509 (15 U.S.C. 4502):
9 *Provided further*, That notwithstanding section 3003(d)(2)
10 of Public Law 99–509 such sums shall be allocated to the
11 eligible programs as follows: \$100,000,000 for weatheriza-
12 tion assistance grants and \$25,000,000 for State energy
13 conservation grants.

14 **ECONOMIC REGULATION**

15 For necessary expenses in carrying out the activities
16 of the Office of Hearing and Appeals, \$2,725,000, to re-
17 main available until expended.

18 **STRATEGIC PETROLEUM RESERVE**

19 **(INCLUDING TRANSFER OF FUNDS)**

20 For necessary expenses for Strategic Petroleum Re-
21 serve facility development and operations and program
22 management activities pursuant to the Energy Policy and
23 Conservation Act of 1975, as amended (42 U.S.C. 6201
24 et seq.), \$220,000,000, to remain available until expended,
25 of which \$220,000,000 shall be repaid from the “SPR Op-

1 erating Fund” from amounts made available from the sale
2 of oil from the Reserve: *Provided*, That notwithstanding
3 section 161 of the Energy Policy and Conservation Act,
4 the Secretary shall draw down and sell in fiscal year 1997
5 \$220,000,000 worth of oil from the Strategic Petroleum
6 Reserve: *Provided further*, That the proceeds from the sale
7 shall be deposited into a special account in the Treasury,
8 to be established and known as the “SPR Operating
9 Fund”, and shall, upon receipt, be transferred to the Stra-
10 tegic Petroleum Reserve account for operations of the
11 Strategic Petroleum Reserve: *Provided further*, That not-
12 withstanding any other provision of law, the proceeds from
13 the sale shall be included in the budget baseline required
14 by the Balanced Budget and Emergency Deficit Control
15 Act of 1985 and shall be counted as an offset to discre-
16 tionary budget authority and outlays for the purposes of
17 section 251(a)(7) of that Act.

18 SPR PETROLEUM ACCOUNT

19 Notwithstanding 42 U.S.C. 6240(d) the United
20 States share of crude oil in Naval Petroleum Reserve
21 Numbered 1 (Elk Hills) may be sold or otherwise disposed
22 of to other than the Strategic Petroleum Reserve: *Pro-*
23 *vided*, That outlays in fiscal year 1997 resulting from the
24 use of funds in this account shall not exceed \$5,000,000.

1 ENERGY INFORMATION ADMINISTRATION

2 For necessary expenses in carrying out the activities
3 of the Energy Information Administration, \$66,120,000
4 to remain available until expended.

5 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

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

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

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

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

1 In addition to other authorities set forth in this Act,
2 the Secretary may accept fees and contributions from pub-
3 lic and private sources, to be deposited in a contributed
4 funds account, and prosecute projects using such fees and
5 contributions in cooperation with other Federal, State or
6 private agencies or concerns.

7 DEPARTMENT OF HEALTH AND HUMAN
8 SERVICES

9 INDIAN HEALTH SERVICE

10 INDIAN HEALTH SERVICES

11 For expenses necessary to carry out the Act of Au-
12 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
13 tion Act, the Indian Health Care Improvement Act, and
14 titles II and III of the Public Health Service Act with re-
15 spect to the Indian Health Service, \$1,779,561,000, to-
16 gether with payments received during the fiscal year pur-
17 suant to 42 U.S.C. 238(b) for services furnished by the
18 Indian Health Service: *Provided*, That funds made avail-
19 able to tribes and tribal organizations through contracts,
20 grant agreements, or any other agreements or compacts
21 authorized by the Indian Self-Determination and Edu-
22 cation Assistance Act of 1975 (25 U.S.C. 450), shall be
23 deemed to be obligated at the time of the grant or contract
24 award and thereafter shall remain available to the tribe
25 or tribal organization without fiscal year limitation: *Pro-*

1 *vided further*, That \$12,000,000 shall remain available
2 until expended, for the Indian Catastrophic Health Emer-
3 gency Fund: *Provided further*, That \$353,125,000 for con-
4 tract medical care shall remain available for obligation
5 until September 30, 1998: *Provided further*, That of the
6 funds provided, not less than \$11,306,000 shall be used
7 to carry out the loan repayment program under section
8 108 of the Indian Health Care Improvement Act: *Provided*
9 *further*, That funds provided in this Act may be used for
10 one-year contracts and grants which are to be performed
11 in two fiscal years, so long as the total obligation is re-
12 corded in the year for which the funds are appropriated:
13 *Provided further*, That the amounts collected by the Sec-
14 retary of Health and Human Services under the authority
15 of title IV of the Indian Health Care Improvement Act
16 shall remain available until expended for the purpose of
17 achieving compliance with the applicable conditions and
18 requirements of titles XVIII and XIX of the Social Secu-
19 rity Act (exclusive of planning, design, or construction of
20 new facilities): *Provided further*, That of the funds pro-
21 vided, \$7,500,000 shall remain available until expended,
22 for the Indian Self-Determination Fund, which shall be
23 available for the transitional costs of initial or expanded
24 tribal contracts, grants or cooperative agreements with the
25 Indian Health Service under the provisions of the Indian

1 Self-Determination Act: *Provided further*, That funding
2 contained herein, and in any earlier appropriations Acts
3 for scholarship programs under the Indian Health Care
4 Improvement Act (25 U.S.C. 1613) shall remain available
5 for obligation until September 30, 1998: *Provided further*,
6 That amounts received by tribes and tribal organizations
7 under title IV of the Indian Health Care Improvement Act
8 shall be reported and accounted for and available to the
9 receiving tribes and tribal organizations until expended.

10 INDIAN HEALTH FACILITIES

11 For construction, repair, maintenance, improvement,
12 and equipment of health and related auxiliary facilities,
13 including quarters for personnel; preparation of plans,
14 specifications, and drawings; acquisition of sites, purchase
15 and erection of modular buildings, and purchases of trail-
16 ers; and for provision of domestic and community sanita-
17 tion facilities for Indians, as authorized by section 7 of
18 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
19 Self-Determination Act, and the Indian Health Care Im-
20 provement Act, and for expenses necessary to carry out
21 such Acts and titles II and III of the Public Health Serv-
22 ice Act with respect to environmental health and facilities
23 support activities of the Indian Health Service,
24 \$227,701,000, to remain available until expended: *Pro-*
25 *vided*, That notwithstanding any other provision of law,

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

6 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

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

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

1 be deobligated and reobligated to a self-determination con-
2 tract under title I, or a self-governance agreement under
3 title III of such Act and thereafter shall remain available
4 to the tribe or tribal organization without fiscal year limi-
5 tation: *Provided further*, That none of the funds made
6 available to the Indian Health Service in this Act shall
7 be used to implement the final rule published in the Fed-
8 eral Register on September 16, 1987, by the Department
9 of Health and Human Services, relating to the eligibility
10 for the health care services of the Indian Health Service
11 until the Indian Health Service has submitted a budget
12 request reflecting the increased costs associated with the
13 proposed final rule, and such request has been included
14 in an appropriations Act and enacted into law: *Provided*
15 *further*, That funds made available in this Act are to be
16 apportioned to the Indian Health Service as appropriated
17 in this Act, and accounted for in the appropriation struc-
18 ture set forth in this Act: *Provided further*, That funds
19 received from any source, including tribal contractors and
20 compactors for previously transferred functions which
21 tribal contractors and compactors no longer wish to retain,
22 for services, goods, or training and technical assistance,
23 shall be retained by the Indian Health Service and shall
24 remain available until expended by the Indian Health
25 Service: *Provided further*, That reimbursements for train-

1 ing, technical assistance, or services provided by the In-
 2 dian Health Service will contain total costs, including di-
 3 rect, administrative, and overhead associated with the pro-
 4 vision of goods, services, or technical assistance: *Provided*
 5 *further*, That the appropriation structure for the Indian
 6 Health Service may not be altered without advance ap-
 7 proval of the House and Senate Committees on Appropria-
 8 tions.

9 DEPARTMENT OF EDUCATION

10 OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

11 INDIAN EDUCATION

12 For necessary expenses to carry out, to the extent
 13 not otherwise provided, title IX, part A of the Elementary
 14 and Secondary Education Act of 1965, as amended, and
 15 section 215 of the Department of Education Organization
 16 Act, \$52,500,000.

17 OTHER RELATED AGENCIES

18 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

19 SALARIES AND EXPENSES

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

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

17 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE

18 CULTURE AND ARTS DEVELOPMENT

19 PAYMENT TO THE INSTITUTE

20 For payment to the Institute of American Indian and
21 Alaska Native Culture and Arts Development, as author-
22 ized by title XV of Public Law 99-498, as amended (20
23 U.S.C. 56, part A), \$5,500,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

1 For necessary expenses of the Smithsonian Institu-
2 tion, as authorized by law, including research in the fields
3 of art, science, and history; development, preservation, and
4 documentation of the National Collections; presentation of
5 public exhibits and performances; collection, preparation,
6 dissemination, and exchange of information and publica-
7 tions; conduct of education, training, and museum assist-
8 ance programs; maintenance, alteration, operation, lease
9 (for terms not to exceed thirty years), and protection of
10 buildings, facilities, and approaches; not to exceed
11 \$100,000 for services as authorized by 5 U.S.C. 3109; up
12 to 5 replacement passenger vehicles; purchase, rental, re-
13 pair, and cleaning of uniforms for employees;
14 \$317,188,000, of which not to exceed \$31,664,000 for the
15 instrumentation program, collections acquisition, Museum
16 Support Center equipment and move, exhibition reinstalla-
17 tion, the National Museum of the American Indian, the
18 repatriation of skeletal remains program, research equip-
19 ment, information management, and Latino programming
20 shall remain available until expended, and including such
21 funds as may be necessary to support American overseas
22 research centers and a total of \$125,000 for the Council
23 of American Overseas Research Centers: *Provided*, That

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, \$53,899,000, of which not to exceed \$3,026,000 for

1 the special exhibition program shall remain available until
2 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, \$5,942,000, to remain available
8 until expended: *Provided*, That contracts awarded for envi-
9 ronmental systems, protection systems, and exterior repair
10 or renovation of buildings of the National Gallery of Art
11 may be negotiated with selected contractors and awarded
12 on the basis of contractor qualifications as well as price.

13 JOHN F. KENNEDY CENTER FOR THE PERFORMING

14 ARTS

15 OPERATIONS AND MAINTENANCE

16 For necessary expenses for the operation, mainte-
17 nance and security of the John F. Kennedy Center for
18 the Performing Arts, \$10,875,000.

19 CONSTRUCTION

20 For necessary expenses of capital repair and rehabili-
21 tation of the existing features of the building and site of
22 the John F. Kennedy Center for the Performing Arts,
23 \$9,000,000, to remain available until expended.

1 amounts of gifts, bequests, and devises of money, and
2 other property accepted by the Chairman or by grantees
3 of the Endowment under the provisions of section
4 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during
5 the current and preceding fiscal years for which equal
6 amounts have not previously been appropriated.

7 NATIONAL ENDOWMENT FOR THE HUMANITIES

8 GRANTS AND ADMINISTRATION

9 For necessary expenses to carry out the National
10 Foundation on the Arts and the Humanities Act of 1965,
11 as amended, \$92,994,000 shall be available to the Na-
12 tional Endowment for the Humanities for support of ac-
13 tivities in the humanities, pursuant to section 7(c) of the
14 Act, and for administering the functions of the Act, to
15 remain available until expended.

16 MATCHING GRANTS

17 To carry out the provisions of section 10(a)(2) of the
18 National Foundation on the Arts and the Humanities Act
19 of 1965, as amended, \$11,500,000, to remain available
20 until expended, of which \$7,500,000 shall be available to
21 the National Endowment for the Humanities for the pur-
22 poses of section 7(h): *Provided*, That this appropriation
23 shall be available for obligation only in such amounts as
24 may be equal to the total amounts of gifts, bequests, and
25 devises of money, and other property accepted by the
26 Chairman or by grantees of the Endowment under the

1 provisions of subsections 11(a)(2)(B) and 11(a)(3)(B)
2 during the current and preceding fiscal years for which
3 equal amounts have not previously been appropriated.

4 INSTITUTE OF MUSEUM SERVICES

5 GRANTS AND ADMINISTRATION

6 For carrying out title II of the Arts, Humanities, and
7 Cultural Affairs Act of 1976, as amended, \$21,000,000,
8 to remain available until expended.

9 ADMINISTRATIVE PROVISIONS

10 None of the funds appropriated to the National
11 Foundation on the Arts and the Humanities may be used
12 to process any grant or contract documents which do not
13 include the text of 18 U.S.C. 1913: *Provided*, That none
14 of the funds appropriated to the National Foundation on
15 the Arts and the Humanities may be used for official re-
16 ception and representation expenses.

17 COMMISSION OF FINE ARTS

18 SALARIES AND EXPENSES

19 For expenses made necessary by the Act establishing
20 a Commission of Fine Arts (40 U.S.C. 104), \$867,000.

21 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

22 For necessary expenses as authorized by Public Law
23 99–190 (20 U.S.C. 956(a)), as amended, \$6,000,000.

1 amended, \$29,707,000, of which \$1,575,000 for the Muse-
2 um's repair and rehabilitation program and \$1,264,000
3 for the Museum's exhibitions program shall remain avail-
4 able until expended.

5 TITLE III—GENERAL PROVISIONS

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

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

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

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

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

9 SEC. 306. No assessments may be levied against any
10 program, budget activity, subactivity, or project funded by
11 this Act unless advance notice of such assessments and
12 the basis therefor are presented to the Committees on Ap-
13 propriations and are approved by such Committees.

14 SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN
15 ACT.—None of the funds made available in this Act may
16 be expended by an entity unless the entity agrees that in
17 expending the funds the entity will comply with sections
18 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–
19 10c; popularly known as the “Buy American Act”).

20 (b) SENSE OF CONGRESS; REQUIREMENT REGARD-
21 ING NOTICE.—

22 (1) PURCHASE OF AMERICAN-MADE EQUIPMENT
23 AND PRODUCTS.—In the case of any equipment or
24 product that may be authorized to be purchased
25 with financial assistance provided using funds made

1 available in this Act, it is the sense of the Congress
2 that entities receiving the assistance should, in ex-
3 pending the assistance, purchase only American-
4 made equipment and products.

5 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—

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

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

13 If it has been finally determined by a court or Federal
14 agency that any person intentionally affixed a label bear-
15 ing a “Made in America” inscription, or any inscription
16 with the same meaning, to any product sold in or shipped
17 to the United States that is not made in the United
18 States, the person shall be ineligible to receive any con-
19 tract or subcontract made with funds made available in
20 this Act, pursuant to the debarment, suspension, and ineli-
21 gibility procedures described in sections 9.400 through
22 9.409 of title 48, Code of Federal Regulations.

23 SEC. 308. None of the funds in this Act may be used
24 to plan, prepare, or offer for sale timber from trees classi-
25 fied as giant sequoia (*Sequoiadendron giganteum*) which

1 are located on National Forest System or Bureau of Land
2 Management lands in a manner different than such sales
3 were conducted in fiscal year 1995.

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

9 SEC. 310. Where the actual costs of construction
10 projects under self-determination contracts, compacts, or
11 grants, pursuant to Public Laws 93–638, 103–413, or
12 100–297, are less than the estimated costs thereof, use
13 of the resulting excess funds shall be determined by the
14 appropriate Secretary after consultation with the 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 the funds appropriated or other-
22 wise made available by this Act may be used for the
23 AmeriCorps program, unless the relevant agencies of the
24 Department of the Interior and/or Agriculture follow ap-
25 propriate reprogramming guidelines: *Provided*, That if no

1 funds are provided for the AmeriCorps program by the
2 VA–HUD and Independent Agencies fiscal year 1997 ap-
3 propriations bill, then none of the funds appropriated or
4 otherwise made available by this Act may be used for the
5 AmeriCorps programs.

6 SEC. 313. None of the funds made available in this
7 Act may be used (1) to demolish the bridge between Jersey
8 City, New Jersey, and Ellis Island; or (2) to prevent pe-
9 destrian use of such bridge, when it is made known to
10 the Federal official having authority to obligate or expend
11 such funds that such pedestrian use is consistent with gen-
12 erally accepted safety standards.

13 SEC. 314. (a) None of the funds appropriated or oth-
14 erwise made available pursuant to this Act shall be obli-
15 gated or expended to accept or process applications for
16 a patent for any mining or mill site claim located under
17 the general mining laws.

18 (b) The provisions of subsection (a) shall not apply
19 if the Secretary of the Interior determines that, for the
20 claim concerned: (1) a patent application was filed with
21 the Secretary on or before September 30, 1994, and (2)
22 all requirements established under sections 2325 and 2326
23 of the Revised Statutes (30 U.S.C. 29 and 30) for vein
24 or lode claims and sections 2329, 2330, 2331, and 2333
25 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for

1 placer claims, and section 2337 of the Revised Statutes
2 (30 U.S.C. 42) for mill site claims, as the case may be,
3 were fully complied with by the applicant by that date.

4 (c) PROCESSING SCHEDULE.—For those applications
5 for patents pursuant to subsection (b) which were filed
6 with the Secretary of the Interior, prior to September 30,
7 1994, the Secretary of the Interior shall—

8 (1) Within three months of the enactment of
9 this Act, file with the House and Senate Committees
10 on Appropriations and the Committee on Resources
11 of the House of Representatives and the Committee
12 on Energy and Natural Resources of the United
13 States Senate a plan which details how the Depart-
14 ment of the Interior will make a final determination
15 as to whether or not an applicant is entitled to a
16 patent under the general mining laws on at least 90
17 percent of such applications within five years of the
18 enactment of this Act and file reports annually
19 thereafter with the same committees detailing ac-
20 tions taken by the Department of the Interior to
21 carry out such plan; and

22 (2) Take such actions as may be necessary to
23 carry out such plan.

24 (d) MINERAL EXAMINATIONS.—In order to process
25 patent applications in a timely and responsible manner,

1 upon the request of a patent applicant, the Secretary of
2 the Interior shall allow the applicant to fund a qualified
3 third-party contractor to be selected by the Bureau of
4 Land Management to conduct a mineral examination of
5 the mining claims or mill sites contained in a patent appli-
6 cation as set forth in subsection (b). The Bureau of Land
7 Management shall have the sole responsibility to choose
8 and pay the third-party contractor in accordance with the
9 standard procedures employed by the Bureau of Land
10 Management in the retention of third-party contractors.

11 SEC. 315. None of the funds appropriated or other-
12 wise made available by this Act may be used for the pur-
13 poses of acquiring lands in the counties of Lawrence, Mon-
14 roe, or Washington, Ohio, for the Wayne National Forest.

15 SEC. 316. Of the funds provided to the National En-
16 dowment for the Arts:

17 (a) The Chairperson shall only award a grant
18 to an individual if such grant is awarded to such in-
19 dividual for a literature fellowship, National Herit-
20 age Fellowship, or American Jazz Masters Fellow-
21 ship.

22 (b) The Chairperson shall establish procedures
23 to ensure that no funding provided through a grant,
24 except a grant made to a State, regional or local
25 group, may be used to make a grant to any other

1 organization or individual to conduct activity inde-
2 pendent of the direct grant recipient. Nothing in this
3 subsection shall prohibit payments made in exchange
4 for goods and services.

5 (c) No grant shall be used for seasonal support
6 to a group, unless the application is specific to the
7 contents of the season, including identified programs
8 and/or projects.

9 SEC. 317. The United States Forest Service approval
10 of Alternative site 2 (ALT 2), issued on December 6,
11 1993, is hereby authorized and approved and shall be
12 deemed to be consistent with, and permissible under, the
13 terms of Public Law 100–696 (the Arizona-Idaho Con-
14 servation Act of 1988).

15 SEC. 318. None of the funds made available to the
16 Department of the Interior or the Department of Agri-
17 culture by this or any other Act may be used to issue or
18 implement final regulations, rules, or policies pursuant to
19 title VIII of the Alaska National Interest Lands Conserva-
20 tion Act to assert jurisdiction, management, or control
21 over navigable waters transferred to the State of Alaska
22 pursuant to the Submerged Lands Act of 1953 or the
23 Alaska Statehood Act of 1959.

24 SEC. 319. No funds appropriated under this or any
25 other Act shall be used to review or modify sourcing areas

1 previously approved under section 490(c)(3) of the Forest
2 Resources Conservation and Shortage Relief Act of 1990
3 (Public Law 101–382) or to enforce or implement Federal
4 regulations 36 CFR part 223 promulgated on September
5 8, 1995. The regulations and interim rules in effect prior
6 to September 8, 1995 (36 CFR 223.48, 36 CFR 223.87,
7 36 CFR 223 subpart D, 36 CFR 223 subpart F, and 36
8 CFR 261.6) shall remain in effect. The Secretary of Agri-
9 culture or the Secretary of the Interior shall not adopt
10 any policies concerning Public Law 101–382 or existing
11 regulations that would restrain domestic transportation or
12 processing of timber from private lands or impose addi-
13 tional accountability requirements on any timber. The Sec-
14 retary of Commerce shall extend until September 30,
15 1997, the order issued under section 491(b)(2)(A) of Pub-
16 lic Law 101–382 and shall issue an order under section
17 491(b)(2)(B) of such law that will be effective October 1,
18 1997.

19 SEC. 320. Section 101(c) of Public Law 104–134 is
20 amended as follows: Under the heading “Title III—Gen-
21 eral Provisions” amend section 315(f) by striking “Sep-
22 tember 30, 1998” and inserting in lieu thereof “Septem-
23 ber 30, 1999” and by striking “September 30, 2001” and
24 inserting in lieu thereof “September 30, 2002”.

1 This Act may be cited as the “Department of the In-
2 terior and Related Agencies Appropriations Act, 1997”.

Union Calendar No. 313

104TH CONGRESS
2^D SESSION

H. R. 3662

[Report No. 104-625]

A BILL

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1997, and for other purposes.

JUNE 18, 1996

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