

104TH CONGRESS
1ST SESSION

H. R. 1977

IN THE HOUSE OF REPRESENTATIVES

AUGUST 10, 1995

Ordered to be printed with the amendments of the Senate numbered

AN ACT

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

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 That the following sums are appropriated, out of any

4 money in the Treasury not otherwise appropriated, for the

5 Department of the Interior and related agencies for the

6 fiscal year ending September 30, 1996, and for other pur-

7 poses, namely:

8 TITLE I—DEPARTMENT OF THE INTERIOR

9 BUREAU OF LAND MANAGEMENT

10 MANAGEMENT OF LANDS AND RESOURCES

11 For expenses necessary for protection, use, improve-

12 ment, development, disposal, cadastral surveying, classi-

1 fication, acquisition of easements and other interests in
2 lands, and performance of other functions, including main-
3 tenance of facilities, as authorized by law, in the manage-
4 ment of lands and their resources under the jurisdiction
5 of the Bureau of Land Management, including the general
6 administration of the Bureau ~~(1)\$570,017,000~~
7 ~~\$565,936,000~~, to remain available until expended ~~(2)~~, of
8 which not more than \$599,999 shall be available to the
9 Needles Resources Area for the management of the East
10 Mojave National Scenic Area, as defined by the Bureau
11 of Land Management prior to October 1, 1994, in the
12 California Desert District of the Bureau of Land Manage-
13 ment, and of which \$4,000,000 shall be derived from the
14 special receipt account established by section 4 of the
15 Land and Water Conservation Fund Act of 1965, as
16 amended (16 U.S.C. 460l-6a(i)): *Provided*, That appro-
17 priations herein made shall not be available for the de-
18 struction of healthy, unadopted, wild horses and burros
19 in the care of the Bureau or its contractors; and in addi-
20 tion, \$27,650,000 for Mining Law Administration pro-
21 gram operations, to remain available until expended, to
22 be reduced by amounts collected by the Bureau of Land
23 Management and credited to this appropriation from an-
24 nual mining claim fees so as to result in a final appropria-
25 tion estimated at not more than ~~(3)\$570,017,000~~

1 \$563,936,000: *Provided further*, That in addition to funds
2 otherwise available, and to remain available until ex-
3 pended, not to exceed \$5,000,000 from annual mining
4 claim fees shall be credited to this account for the costs
5 of administering the mining claim fee program, and
6 \$2,000,000 from communication site rental fees estab-
7 lished by the Bureau.

8 WILDLAND FIRE MANAGEMENT

9 For necessary expenses for fire use and management,
10 fire preparedness, emergency presuppression, suppression
11 operations, emergency rehabilitation, and renovation or
12 construction of fire facilities in the Department of the In-
13 terior, ~~(4)\$235,924,000~~ \$240,159,000, to remain available
14 until expended, of which not to exceed \$5,025,000, shall
15 be available for the renovation or construction of fire fa-
16 cilities: *Provided*, That notwithstanding any other provi-
17 sion of law, persons hired pursuant to 43 U.S.C. 1469
18 may be furnished subsistence and lodging without cost
19 from funds available from this appropriation: *Provided*
20 *further*, That such funds are also available for repayment
21 of advances to other appropriation accounts from which
22 funds were previously transferred for such purposes: *Pro-*
23 *vided further*, That unobligated balances of amounts pre-
24 viously appropriated to the Fire Protection and Emer-
25 gency Department of the Interior Firefighting Fund may
26 be transferred or merged with this appropriation.

1 CENTRAL HAZARDOUS MATERIALS FUND

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

24 CONSTRUCTION AND ACCESS

25 For acquisition of lands and interests therein, and
26 construction of buildings, recreation facilities, roads,

1 trails, and appurtenant facilities, ~~(5)~~\$2,515,000
 2 \$2,615,000, to remain available until expended.

3 PAYMENTS IN LIEU OF TAXES

4 For expenses necessary to implement the Act of Octo-
 5 ber 20, 1976, as amended (31 U.S.C. 6901-07),
 6 ~~(6)~~\$111,409,000 \$100,000,000, of which not to exceed
 7 \$400,000 shall be available for administrative expenses.

8 LAND ACQUISITION

9 For expenses necessary to carry out the provisions
 10 of sections 205, 206, and 318(d) of Public Law 94-579
 11 including administrative expenses and acquisition of lands
 12 or waters, or interests therein, ~~(7)~~\$8,500,000
 13 \$10,550,000 to be derived from the Land and Water Con-
 14 servation Fund, to remain available until expended.

15 OREGON AND CALIFORNIA GRANT LANDS

16 For expenses necessary for management, protection,
 17 and development of resources and for construction, oper-
 18 ation, and maintenance of access roads, reforestation, and
 19 other improvements on the revested Oregon and California
 20 Railroad grant lands, on other Federal lands in the Or-
 21 egon and California land-grant counties of Oregon, and
 22 on adjacent rights-of-way; and acquisition of lands or in-
 23 terests therein including existing connecting roads on or
 24 adjacent to such grant lands; ~~(8)~~\$91,387,000
 25 \$95,364,000, to remain available until expended: *Provided,*
 26 That 25 per centum of the aggregate of all receipts during

1 the current fiscal year from the revested Oregon and Cali-
2 fornia Railroad grant lands is hereby made a charge
3 against the Oregon and California land-grant fund and
4 shall be transferred to the General Fund in the Treasury
5 in accordance with the provisions of the second paragraph
6 of subsection (b) of title II of the Act of August 28, 1937
7 (50 Stat. 876).

8 RANGE IMPROVEMENTS

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

23 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

24 For administrative expenses and other costs related
25 to processing application documents and other authoriza-
26 tions for use and disposal of public lands and resources,

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

1 *further*, That such moneys are in excess of amounts need-
2 ed to repair damage to the exact land for which collected.

3 MISCELLANEOUS TRUST FUNDS

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

12 ADMINISTRATIVE PROVISIONS

13 Appropriations for the Bureau of Land Management
14 shall be available for purchase, erection, and dismantling
15 of temporary structures, and alteration and maintenance
16 of necessary buildings and appurtenant facilities to
17 which the United States has title; up to \$100,000 for pay-
18 ments, at the discretion of the Secretary, for information
19 or evidence concerning violations of laws administered by
20 the Bureau of Land Management; miscellaneous and
21 emergency expenses of enforcement activities authorized
22 or approved by the Secretary and to be accounted for sole-
23 ly on his certificate, not to exceed \$10,000: *Provided*, That
24 notwithstanding 44 U.S.C. 501, the Bureau may, under
25 cooperative cost-sharing and partnership arrangements
26 authorized by law, procure printing services from coopera-

1 tors in connection with jointly-produced publications for
2 which the cooperators share the cost of printing either in
3 cash or in services, and the Bureau determines the co-
4 operator is capable of meeting accepted quality standards.

5 UNITED STATES FISH AND WILDLIFE SERVICE

6 RESOURCE MANAGEMENT

7 For expenses necessary for scientific and economic
8 studies, conservation, management, investigations, protec-
9 tion, and utilization of fishery and wildlife resources, ex-
10 cept whales, seals, and sea lions, and for the performance
11 of other authorized functions related to such resources; for
12 the general administration of the United States Fish and
13 Wildlife Service; and for maintenance of the herd of long-
14 horned cattle on the Wichita Mountains Wildlife Refuge;
15 and not less than \$1,000,000 for high priority projects
16 within the scope of the approved budget which shall be
17 carried out by the Youth Conservation Corps as author-
18 ized by the Act of August 13, 1970, as amended by Public
19 Law 93-408, ~~(9)\$498,035,000 (less \$885,000) to remain~~
20 ~~available for obligation until September 30, 1997,~~
21 *\$501,478,000, to remain available for obligation until Sep-*
22 *tember 30, 1997, of which not less than \$3,800,000 shall*
23 *be made available for prelisting activities, \$18,297,000 shall*
24 *be made available for consultation activities, and*
25 *\$36,500,000 shall be made available for recovery activities,*

1 *and of which \$11,557,000 shall be (10)available until ex-*
2 *pended for operation and maintenance of fishery mitiga-*
3 *tion facilities constructed by the Corps of Engineers under*
4 *the Lower Snake River Compensation Plan, authorized by*
5 *the Water Resources Development Act of 1976 (90 Stat.*
6 *2921), to compensate for loss of fishery resources from*
7 *water development projects on the Lower Snake River:*
8 *Provided, That unobligated and unexpended balances in*
9 *the Resource Management account at the end of fiscal*
10 *year 1995, shall be merged with and made a part of the*
11 *fiscal year 1996 Resource Management appropriation, and*
12 *shall remain available for obligation until September 30,*
13 *1997(11): Provided further, That no monies appropriated*
14 *under this Act or any other law shall be used to implement*
15 *subsections (a), (b), (c), (e), (g), or (i) of section 4 of the*
16 *Endangered Species Act of 1973, (16 U.S.C. 1533) until*
17 *such time as legislation reauthorizing the Act is enacted or*
18 *until the end of fiscal year 1996, whichever is earlier, except*
19 *that monies appropriated under this Act may be used to*
20 *delist or reclassify species pursuant to subsections*
21 *4(a)(2)(B), 4(c)(2)(B)(i), and 4(c)(2)(B)(ii) of the Act.*

22 CONSTRUCTION

23 For construction and acquisition of buildings and
24 other facilities required in the conservation, management,
25 investigation, protection, and utilization of fishery and
26 wildlife resources, and the acquisition of lands and inter-

1 ests therein; ~~(12)\$26,355,000~~ \$38,775,000, to remain
2 available until expended.

3 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

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

21 LAND ACQUISITION

22 For expenses necessary to carry out the provisions
23 of the Land and Water Conservation Fund Act of 1965,
24 as amended (16 U.S.C. 4601-4-11), including administra-
25 tive expenses, and for acquisition of land or waters, or in-
26 terest therein, in accordance with statutory authority ap-

1 plicable to the United States Fish and Wildlife Service,
2 ~~(14)~~\$14,100,000 *\$32,031,000*, to be derived from the
3 Land and Water Conservation Fund, to remain available
4 until expended.

5 COOPERATIVE ENDANGERED SPECIES CONSERVATION
6 FUND

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

13 NATIONAL WILDLIFE REFUGE FUND

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

16 REWARDS AND OPERATIONS

17 For expenses necessary to carry out the provisions
18 of the African Elephant Conservation Act (16 U.S.C.
19 4201–4203, 4211–4213, 4221–4225, 4241–4245, and
20 1538), \$600,000, to remain available until expended.

21 NORTH AMERICAN WETLANDS CONSERVATION FUND

22 For expenses necessary to carry out the provisions
23 of the North American Wetlands Conservation Act, Public
24 Law 101–233, ~~(15)~~\$4,500,000 *\$6,750,000*, to remain
25 available until expended.

1 LAHONTAN VALLEY AND PYRAMID LAKE FISH AND
2 WILDLIFE FUND

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

8 RHINOCEROS AND TIGER CONSERVATION FUND

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

13 WILDLIFE CONSERVATION AND APPRECIATION FUND

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

19 ADMINISTRATIVE PROVISIONS

20 Appropriations and funds available to the United
21 States Fish and Wildlife Service shall be available for pur-
22 chase of not to exceed ~~(18)54 passenger~~ 113 motor
23 vehicles~~(19)~~,—none of which are for police-type use; not
24 to exceed \$400,000 for payment, at the discretion of the
25 Secretary, for information, rewards, or evidence concern-
26 ing violations of laws administered by the United States

1 Fish and Wildlife Service, and miscellaneous and emer-
2 gency expenses of enforcement activities, authorized or ap-
3 proved by the Secretary and to be accounted for solely on
4 his certificate; repair of damage to public roads within and
5 adjacent to reservation areas caused by operations of the
6 United States Fish and Wildlife Service; options for the
7 purchase of land at not to exceed \$1 for each option; facili-
8 ties incident to such public recreational uses on conserva-
9 tion areas as are consistent with their primary purpose;
10 and the maintenance and improvement of aquaria, build-
11 ings, and other facilities under the jurisdiction of the Unit-
12 ed States Fish and Wildlife Service and to which the Unit-
13 ed States has title, and which are utilized pursuant to law
14 in connection with management and investigation of fish
15 and wildlife resources: *Provided*, That notwithstanding 44
16 U.S.C. 501, the Service may, under cooperative cost shar-
17 ing and partnership arrangements authorized by law, pro-
18 cure printing services from cooperators in connection with
19 jointly-produced publications for which the cooperators
20 share at least one-half the cost of printing either in cash
21 or services and the Service determines the cooperator is
22 capable of meeting accepted quality standards(20): *Pro-*
23 *vided further, That the United States Fish and Wildlife*
24 *Service may accept donated aircraft as replacements for ex-*
25 *isting aircraft. Provided further, That notwithstanding any*

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

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

5 **(24)** *NATURAL RESOURCES SCIENCE AGENCY*

6 *RESEARCH, INVENTORIES, AND SURVEYS*

7 *For authorized expenses necessary for scientific re-*
8 *search relating to species biology, population dynamics,*
9 *and ecosystems; inventory and monitoring activities; tech-*
10 *nology development and transfer; the operation of Coopera-*
11 *tive Research Units; for the purchase of not to exceed 61*
12 *passenger motor vehicles, of which 55 are for replacement*
13 *only; and for the general administration of the National*
14 *Resources Science Agency, \$145,965,000, of which*
15 *\$145,915,000 shall remain available until September 30,*
16 *1997, and of which \$50,000 shall remain available until*
17 *expended for construction: Provided, That none of the funds*
18 *under this head shall be used to conduct new surveys, in-*
19 *cluding new aerial surveys, on private property unless spe-*
20 *cifically authorized in writing by the property owner: Pro-*
21 *vided further, That none of the funds provided herein for*
22 *resource research may be used to administer a volunteer*
23 *program when it is made known to the Federal official hav-*
24 *ing authority to obligate or expend such funds that the vol-*
25 *unteers are not properly trained or that information gath-*

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

17

NATIONAL PARK SERVICE

18

OPERATION OF THE NATIONAL PARK SYSTEM

19

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

1 \$1,000,000 for high priority projects within the scope of
 2 the approved budget which shall be carried out by the
 3 Youth Conservation Corps as authorized by the Act of Au-
 4 gust 13, 1970, as amended by Public Law 93-408,
 5 ~~(25)\$1,088,249,000~~ *\$1,092,265,000*, without regard to
 6 the Act of August 24, 1912, as amended (16 U.S.C. 451),
 7 of which not to exceed \$72,000,000, to remain available
 8 until expended is to be derived from the special fee account
 9 established pursuant to title V, section 5201, of Public
 10 Law 100-203~~(26)~~,—and of which not more than \$1 shall
 11 be available for activities of the National Park Service at
 12 the Mojave National Preserve.

13 NATIONAL RECREATION AND PRESERVATION

14 For expenses necessary to carry out recreation pro-
 15 grams, natural programs, cultural programs, environ-
 16 mental compliance and review, international park affairs,
 17 statutory or contractual aid for other activities, and grant
 18 administration, not otherwise provided for,
 19 ~~(27)\$35,725,000~~ *\$38,094,000*: *Provided, That*
 20 ~~(28)\$248,000~~ *\$236,000* of the funds provided herein are
 21 for the William O. Douglas Outdoor Education Center,
 22 subject to authorization.

23 HISTORIC PRESERVATION FUND

24 For expenses necessary in carrying out the provisions
 25 of the Historic Preservation Act of 1966 (80 Stat. 915),
 26 as amended (16 U.S.C. 470), ~~(29)\$37,934,000~~

1 \$38,312,000, to be derived from the Historic Preservation
 2 Fund, established by section 108 of that Act, as amended,
 3 to remain available for obligation until September 30,
 4 1997.

5 CONSTRUCTION

6 For construction, improvements, repair or replace-
 7 ment of physical facilities, ~~(30)\$114,868,000~~
 8 \$116,480,000, to remain available until expended: *Pro-*
 9 *vided*, That not to exceed ~~(31)\$6,000,000~~ \$4,500,000
 10 shall be paid to the Army Corps of Engineers for modifica-
 11 tions authorized by section 104 of the Everglades National
 12 Park Protection and Expansion Act of 1989~~(32)~~: *Pro-*
 13 *vided further, That funds provided under this head, derived*
 14 *from the Historic Preservation Fund, established by the*
 15 *Historic Preservation Act of 1966 (80 Stat. 915), as amend-*
 16 *ed (16 U.S.C. 470), may be available until expended to*
 17 *render sites safe for visitors and for building stabilization.*

18 LAND AND WATER CONSERVATION FUND

19 (RESCISSION)

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

22 LAND ACQUISITION AND STATE ASSISTANCE

23 For expenses necessary to carry out the provisions
 24 of the Land and Water Conservation Fund Act of 1965,
 25 as amended (16 U.S.C. 460l-4-11), including administra-
 26 tive expenses, and for acquisition of lands or waters, or

1 interest therein, in accordance with statutory authority
2 applicable to the National Park Service, ~~(33)~~\$14,300,000
3 \$45,187,000, to be derived from the Land and Water Con-
4 servation Fund, to remain available until expended~~(34)~~,—
5 of which \$4,800,000 is provided for Federal assistance to
6 the State of Florida pursuant to Public Law 103-219, and
7 of which \$1,500,000 is to administer the State assistance
8 program~~(35)~~: *Provided, That funds appropriated herein*
9 *for the purpose of acquisition of the Elwha and Glines dams*
10 *shall be used solely for acquisition, and shall not be ex-*
11 *pended until the full purchase amount has been appro-*
12 *priated by the Congress.*

13 ADMINISTRATIVE PROVISIONS

14 Appropriations for the National Park Service shall be
15 available for the purchase of not to exceed 518 passenger
16 motor vehicles, of which 323 shall be for replacement only,
17 including not to exceed 411 for police-type use, 12 buses,
18 and 5 ambulances: *Provided, That none of the funds ap-*
19 *propriated to the National Park Service may be used to*
20 *process any grant or contract documents which do not in-*
21 *clude the text of 18 U.S.C. 1913: *Provided further, That**
22 *none of the funds appropriated to the National Park Serv-*
23 *ice may be used to implement an agreement for the rede-*
24 *velopment of the southern end of Ellis Island ~~(36)~~until*
25 *such agreement has been submitted to the Congress and shall*
26 *not be implemented prior to the expiration of 30 calendar*

1 *days (not including any day in which either House of Con-*
2 *gress is not in session because of adjournment of more than*
3 *three calendar days to a day certain) from the receipt by*
4 *the Speaker of the House of Representatives and the Presi-*
5 *dent of the Senate of a full and comprehensive report on*
6 *the development of the southern end of Ellis Island, includ-*
7 *ing the facts and circumstances relied upon in support of*
8 *the proposed project.*

9 **(37)** *None of the funds in this Act may be spent by*
10 *the National Park Service for a United Nations*
11 *Biodiversity Initiative in the United States.*

12 **(38)** *Notwithstanding other provision of law, the Na-*
13 *tional Park Service's American Battlefield Protection Pro-*
14 *gram may enter into cooperative agreements, grants, con-*
15 *tracts, or other generally accepted means of financial assist-*
16 *ance with Federal, State, local, and tribal governments;*
17 *other public entities; educational institutions; and private,*
18 *non-profit organizations for the purpose of identifying,*
19 *evaluating, and protecting historic battlefields and associ-*
20 *ated sites.*

21 **(39)** *The National Park Service shall, within existing*
22 *funds, conduct a Feasibility Study for a northern access*
23 *route into Denali National Park and preserve in Alaska,*
24 *to be completed within one year of the enactment of this*
25 *Act and submitted to the Senate Committee on Energy and*

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

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

17 **(40)** *Consistent with existing law and policy, the Na-*
18 *tional Park Service shall, within the funds provided by this*
19 *Act, at the request of the University of Alaska Fairbanks,*
20 *enter into negotiations regarding a memorandum of under-*
21 *standing for the continued use of the Stampede Creek Mine*
22 *property consistent with the length and terms of prior*
23 *memoranda of understanding between the National Park*
24 *Service and the University of Alaska Fairbanks: Provided,*
25 *That within the funds provided, the National Park Service*

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

13 UNITED STATES GEOLOGICAL SURVEY

14 SURVEYS, INVESTIGATIONS, AND RESEARCH

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

1 ~~(41)~~\$686,944,000 \$577,503,000, of which \$62,130,000
2 shall be available for cooperation with States or munic-
3 palities for water resources investigations~~(42)~~,—and of
4 which \$112,888,000 for resource research and the oper-
5 ations of Cooperative Research Units shall remain avail-
6 able until September 30, 1997: *Provided*, That no part of
7 this appropriation shall be used to pay more than one-
8 half the cost of any topographic mapping or water re-
9 sources investigations carried on in cooperation with any
10 State or municipality~~(43)~~:—*Provided further*, That funds
11 available herein for resource research may be used for the
12 purchase of not to exceed 61 passenger motor vehicles, of
13 which 55 are for replacement only: *Provided further*, That
14 none of the funds available under this head for resource
15 research shall be used to conduct new surveys on private
16 property except when it is made known to the Federal offi-
17 cial having authority to obligate or expend such funds that
18 the survey or research has been requested and authorized
19 in writing by the property owner or the owner's authorized
20 representative: *Provided further*, That none of the funds
21 provided herein for resource research may be used to ad-
22 minister a volunteer program when it is made known to
23 the Federal official having authority to obligate or expend
24 such funds that the volunteers are not properly trained
25 or that information gathered by the volunteers is not care-

1 fully verified: *Provided further*, That no later than April
2 1, 1996, the Director of the United States Geological Sur-
3 vey shall issue agency guidelines for resource research that
4 ensure that scientific and technical peer review is utilized
5 as fully as possible in selection of projects for funding and
6 ensure the validity and reliability of research and data col-
7 lection on Federal lands: *Provided further*, That no funds
8 available for resource research may be used for any activ-
9 ity that was not authorized prior to the establishment of
10 the National Biological Survey: *Provided further*, That
11 once every five years the National Academy of Sciences
12 shall review and report on the resource research activities
13 of the Survey: *Provided further*, That if specific authoriz-
14 ing legislation is enacted during or before the start of fis-
15 cal year 1996, the resource research component of the
16 Survey should comply with the provisions of that legisla-
17 tion: *Provided further*, That unobligated and unexpended
18 balances in the National Biological Survey, Research, in-
19 ventories and surveys account at the end of fiscal year
20 1995, shall be merged with and made a part of the United
21 States Geological Survey, Surveys, investigations, and re-
22 search account and shall remain available for obligation
23 until September 30, 1996.

24 ADMINISTRATIVE PROVISIONS

25 The amount appropriated for the United States Geo-
26 logical Survey shall be available for purchase of not to ex-

1 ceed 22 passenger motor vehicles, for replacement only;
2 reimbursement to the General Services Administration for
3 security guard services; contracting for the furnishing of
4 topographic maps and for the making of geophysical or
5 other specialized surveys when it is administratively deter-
6 mined that such procedures are in the public interest; con-
7 struction and maintenance of necessary buildings and ap-
8 purtenant facilities; acquisition of lands for gauging sta-
9 tions and observation wells; expenses of the United States
10 National Committee on Geology; and payment of com-
11 pensation and expenses of persons on the rolls of the Unit-
12 ed States Geological Survey appointed, as authorized by
13 law, to represent the United States in the negotiation and
14 administration of interstate compacts: *Provided*, That ac-
15 tivities funded by appropriations herein made may be ac-
16 complished through the use of contracts, grants, or coop-
17 erative agreements as defined in 31 U.S.C. 6302, et seq.

18 MINERALS MANAGEMENT SERVICE

19 ROYALTY AND OFFSHORE MINERALS MANAGEMENT

20 For expenses necessary for minerals leasing and envi-
21 ronmental studies, regulation of industry operations, and
22 collection of royalties, as authorized by law; for enforcing
23 laws and regulations applicable to oil, gas, and other min-
24 erals leases, permits, licenses and operating contracts; and
25 for matching grants or cooperative agreements; including

1 the purchase of not to exceed eight passenger motor vehi-
2 cles for replacement only; ~~(44)~~\$186,556,000
3 \$182,169,000, of which not less than \$70,105,000 shall be
4 available for royalty management activities; and an
5 amount not to exceed ~~(45)~~ \$12,400,000 \$15,400,000 for
6 the Technical Information Management System ~~(46)~~of
7 *and Related Activities of the Outer Continental Shelf*
8 (OCS) Lands Activity, to be credited to this appropriation
9 and to remain available until expended, from additions to
10 receipts resulting from increases to rates in effect on Au-
11 gust 5, 1993, from rate increases to fee collections for
12 OCS administrative activities performed by the Minerals
13 Management Service over and above the rates in effect on
14 September 30, 1993, and from additional fees for OCS
15 administrative activities established after September 30,
16 1993: *Provided*, That beginning in fiscal year 1996 and
17 thereafter, fees for royalty rate relief applications shall be
18 established (and revised as needed) in Notices to Lessees,
19 and shall be credited to this account in the program areas
20 performing the function, and remain available until ex-
21 pended for the costs of administering the royalty rate re-
22 lief authorized by 43 U.S.C. 1337(a)(3): *Provided further*,
23 That \$1,500,000 for computer acquisitions shall remain
24 available until September 30, 1997: *Provided further*, That
25 funds appropriated under this Act shall be available for

1 the payment of interest in accordance with 30 U.S.C.
2 1721 (b) and (d): *Provided further*, That not to exceed
3 \$3,000 shall be available for reasonable expenses related
4 to promoting volunteer beach and marine cleanup activi-
5 ties: *Provided further*, That notwithstanding any other
6 provision of law, \$15,000 under this head shall be avail-
7 able for refunds of overpayments in connection with cer-
8 tain Indian leases in which the Director of the Minerals
9 Management Service concurred with the claimed refund
10 due, to pay amounts owed to Indian allottees or Tribes,
11 or to correct prior unrecoverable erroneous payments: *Pro-*
12 *vided further*, That beginning in fiscal year 1996 and
13 thereafter, the Secretary shall take appropriate action to
14 collect unpaid and underpaid royalties and late payment
15 interest owed by Federal and Indian mineral lessees and
16 other royalty payors on amounts received in settlement or
17 other resolution of disputes under, and for partial or com-
18 plete termination of, sales agreements for minerals from
19 Federal and Indian leases.

20 OIL SPILL RESEARCH

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

1 BUREAU OF MINES

2 MINES AND MINERALS

3 ~~(47) For expenses necessary for the orderly closure~~
4 ~~of the Bureau of Mines, \$87,000,000~~ *For expenses nec-*
5 *essary for conducting inquiries, technological investiga-*
6 *tions, and research concerning the extraction, processing,*
7 *use, and disposal of mineral substances without objection-*
8 *able social and environmental costs; to foster and encourage*
9 *private enterprise in the development of mineral resources*
10 *and the prevention of waste in the mining, minerals, metal,*
11 *and mineral reclamation industries; to inquire into the eco-*
12 *nomie conditions affecting those industries; to promote*
13 *health and safety in mines and the mineral industry*
14 *through research; and for other related purposes as author-*
15 *ized by law, \$128,007,000, of which \$111,192,000 shall re-*
16 *main available until expended: Provided, That none of the*
17 *reduction below the fiscal year 1996 budget request shall*
18 *be applied to the health and safety budget activity.*

19 ADMINISTRATIVE PROVISIONS

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

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

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

17 For necessary expenses to carry out the provisions
18 of the Surface Mining Control and Reclamation Act of
19 1977, Public Law 95-87, as amended, including the pur-
20 chase of not to exceed 15 passenger motor vehicles for re-
21 placement only; ~~(48)\$92,751,000~~ \$95,470,000, and not-
22 withstanding 31 U.S.C. 3302, an additional amount shall
23 be credited to this account, to remain available until ex-
24 pended, from performance bond forfeitures in fiscal year
25 1996: *Provided,* That notwithstanding any other provision

1 of law, the Secretary of the Interior, pursuant to regula-
 2 tions, may utilize directly or through grants to States,
 3 moneys collected in fiscal year 1996 pursuant to the as-
 4 sessment of civil penalties under section 518 of the Sur-
 5 face Mining Control and Reclamation Act of 1977 (30
 6 U.S.C. 1268), to reclaim lands adversely affected by coal
 7 mining practices after August 3, 1977, to remain available
 8 until expended: *Provided further*, That notwithstanding
 9 any other provision of law, appropriations for the Office
 10 of Surface Mining Reclamation and Enforcement may pro-
 11 vide for the travel and per diem expenses of State and
 12 tribal personnel attending Office of Surface Mining Rec-
 13 lamation and Enforcement sponsored training.

14 ABANDONED MINE RECLAMATION FUND

15 For necessary expenses to carry out the provisions
 16 of title IV of the Surface Mining Control and Reclamation
 17 Act of 1977, Public Law 95-87, as amended, including
 18 the purchase of not more than 22 passenger motor vehicles
 19 for replacement only, ~~(49)\$176,327,000~~ \$170,441,000, to
 20 be derived from receipts of the Abandoned Mine Reclama-
 21 tion Fund and to remain available until expended ~~(50),-~~
 22 ~~of which \$5,000,000 shall be used for supplemental grants~~
 23 ~~to States for the reclamation of abandoned sites with acid~~
 24 ~~mine rock drainage from coal mines through the Appa-~~
 25 ~~lachian Clean Streams Initiative: *Provided*, That grants~~
 26 to minimum program States will be \$1,500,000 per State

1 in fiscal year 1996: *Provided further*, That of the funds
2 herein provided up to \$18,000,000 may be used for the
3 emergency program authorized by section 410 of Public
4 Law 95-87, as amended, of which no more than 25 per
5 centum shall be used for emergency reclamation projects
6 in any one State and funds for Federally-administered
7 emergency reclamation projects under this proviso shall
8 not exceed \$11,000,000(51): ~~*Provided further*, That do-~~
9 ~~nations credited to the Abandoned Mine Reclamation~~
10 ~~Fund, pursuant to section 401(b)(3) of Public Law 95-~~
11 ~~87, are hereby appropriated and shall be available until~~
12 ~~expended to support projects under the Appalachian Clean~~
13 ~~Streams Initiative, directly, through agreements with~~
14 ~~other Federal agencies, as otherwise authorized, or~~
15 ~~through grants to States or local governments, or tax-ex-~~
16 ~~empt private entities: *Provided further*, That prior year un-~~
17 ~~obligated funds appropriated for the emergency reclama-~~
18 ~~tion program shall not be subject to the 25 per centum~~
19 ~~limitation per State and may be used without fiscal year~~
20 ~~limitation for emergency projects: *Provided further*, That~~
21 ~~pursuant to Public Law 97-365, the Department of the~~
22 ~~Interior is authorized to utilize up to 20 per centum from~~
23 ~~the recovery of the delinquent debt owed to the United~~
24 ~~States Government to pay for contracts to collect these~~
25 ~~debts(52): *Provided further*, That funds made available to~~

1 *States under title IV of Public Law 95-87 may be used,*
2 *at their discretion, for any required non-Federal share of*
3 *the cost of projects funded by the Federal Government for*
4 *the purpose of environmental restoration related to treat-*
5 *ment or abatement of acid mine drainage from abandoned*
6 *mines: Provided further, That such projects must be consist-*
7 *ent with the purposes and priorities of the Surface Mining*
8 *Control and Reclamation Act.*

9 BUREAU OF INDIAN AFFAIRS

10 OPERATION OF INDIAN PROGRAMS

11 For operation of Indian programs by direct expendi-
12 ture, contracts, cooperative agreements, compacts, and
13 grants including expenses necessary to provide education
14 and welfare services for Indians, either directly or in co-
15 operation with States and other organizations, including
16 payment of care, tuition, assistance, and other expenses
17 of Indians in boarding homes, or institutions, or schools;
18 grants and other assistance to needy Indians; maintenance
19 of law and order; management, development, improve-
20 ment, and protection of resources and appurtenant facili-
21 ties under the jurisdiction of the Bureau of Indian Affairs,
22 including payment of irrigation assessments and charges;
23 acquisition of water rights; advances for Indian industrial
24 and business enterprises; operation of Indian arts and
25 crafts shops and museums; development of Indian arts

1 and crafts, as authorized by law; for the general adminis-
2 tration of the Bureau of Indian Affairs, including such
3 expenses in field offices; maintaining of Indian reservation
4 roads as defined in section 101 of title 23, United States
5 Code; and construction, repair, and improvement of Indian
6 housing, ~~(53)\$1,508,777,000 (plus \$851,000)~~
7 *\$1,261,234,000*, of which ~~(54)\$962,000~~ *shall be used for*
8 *the continued operation of the Indian Arts and Crafts*
9 *Board and an amount not to exceed (55)\$106,126,000*
10 *\$104,626,000* shall be for payments to tribes and tribal or-
11 ganizations for contract support costs associated with on-
12 going contracts or grants or compacts entered into with
13 the Bureau of Indian Affairs prior to fiscal year 1996,
14 as authorized by the Indian Self-Determination Act of
15 1975, as amended, and ~~(56)\$5,000,000~~ *up to \$5,000,000*
16 shall be for the Indian Self-Determination Fund, which
17 shall be available for the transitional cost of initial or ex-
18 panded tribal contracts, grants, compacts, or cooperative
19 agreements with the Bureau of Indian Affairs under the
20 provisions of the Indian Self-Determination Act; and of
21 which not to exceed ~~(57)\$330,711,000~~ *\$330,991,000* for
22 school operations costs of Bureau-funded schools and
23 other education programs shall become available for obli-
24 gation on July 1, 1996, and shall remain available for obli-
25 gation until September 30, 1997; and of which not to ex-

1 ceed ~~(58)\$67,138,000~~ \$69,477,000 for higher education
2 scholarships, adult vocational training, and assistance to
3 public schools under the ~~(59)Johnson O'Malley Act Act~~
4 of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C.
5 452 et seq.), shall remain available for obligation until Sep-
6 tember 30, 1997; and of which not to exceed
7 ~~(60)\$74,814,000~~ \$62,328,000 shall remain available until
8 expended for ~~(61)trust funds management,~~ housing im-
9 provement, road maintenance, attorney fees, litigation
10 support, self-governance grants, the Indian Self-Deter-
11 mination Fund, and the Navajo-Hopi Settlement Pro-
12 gram: *Provided*, That tribes and tribal contractors may
13 use their tribal priority allocations for unmet indirect costs
14 of ongoing contracts, grants or compact agreements: *Pro-*
15 *vided further*, That funds made available to tribes and
16 tribal organizations through contracts or grants obligated
17 during fiscal year 1996, as authorized by the Indian Self-
18 Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450
19 et seq.), or grants authorized by the Indian Education
20 Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall
21 remain available until expended by the contractor or
22 grantee~~(62):—Provided further, That notwithstanding any~~
23 ~~other provision of law, the statute of limitations shall not~~
24 ~~commence to run on any claim, including any claim in liti-~~
25 ~~gation pending on the date of this Act, concerning losses~~

1 to or mismanagement of trust funds, until the affected
2 tribe or individual Indian has been furnished with the ac-
3 counting of such funds from which the beneficiary can de-
4 termine whether there has been a loss: *Provided further,*
5 That to provide funding uniformity within a Self-Govern-
6 ance Compact, any funds provided in this Act with avail-
7 ability for more than one year may be reprogrammed to
8 one year availability but shall remain available within the
9 Compact until expended: *Provided further,* That notwith-
10 standing any other provision of law, Indian tribal govern-
11 ments may, by appropriate changes in eligibility criteria
12 or by other means, change eligibility for general assistance
13 or change the amount of general assistance payments for
14 individuals within the service area of such tribe who are
15 otherwise deemed eligible for general assistance payments
16 so long as such changes are applied in a consistent manner
17 to individuals similarly situated: *Provided further,* That
18 any savings realized by such changes shall be available for
19 use in meeting other priorities of the tribes: *Provided fur-*
20 *ther,* That any net increase in costs to the Federal Govern-
21 ment which result solely from tribally increased payment
22 levels for general assistance shall be met exclusively from
23 funds available to the tribe from within its tribal priority
24 allocation: *Provided further,* That any forestry funds allo-
25 cated to a tribe which remain unobligated as of September

1 30, 1996, may be transferred during fiscal year 1997 to
2 an Indian forest land assistance account established for
3 the benefit of such tribe within the tribe's trust fund ac-
4 count: *Provided further*, That any such unobligated bal-
5 ances not so transferred shall expire on September 30,
6 1997: *Provided further*, That notwithstanding any other
7 provision of law, no funds available to the Bureau of In-
8 dian Affairs, other than the amounts provided herein for
9 assistance to public schools under the Act of April 16,
10 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.),
11 shall be available to support the operation of any elemen-
12 tary or secondary school in the State of Alaska in fiscal
13 year 1996: *Provided further*, That funds made available
14 in this or any other Act for expenditure through Septem-
15 ber 30, 1997 for schools funded by the Bureau of Indian
16 Affairs shall be available only to the schools which are in
17 the Bureau of Indian Affairs school system as of Septem-
18 ber 1, 1995: *Provided further*, That no funds available to
19 the Bureau of Indian Affairs shall be used to support ex-
20 panded grades for any school beyond the grade structure
21 in place at each school in the Bureau of Indian Affairs
22 school system as of October 1, 1995: *Provided further*,
23 That notwithstanding the provisions of 25 U.S.C.
24 2011(h)(1)(B) and (c), upon the recommendation of a
25 local school board for a Bureau of Indian Affairs operated

1 school, the Secretary shall establish rates of basic com-
 2 pensation or annual salary rates for the positions of teach-
 3 ers and counselors (including dormitory and homeliving
 4 counselors) at the school at a level not less than that for
 5 comparable positions in public school districts in the same
 6 geographic area~~(63)~~: *Provided further, That of the funds*
 7 *available only through September 30, 1995, not to exceed*
 8 *\$8,000,000 in unobligated and unexpended balances in the*
 9 *Operation of Indian Programs account shall be merged with*
 10 *and made a part of the fiscal year 1996 Operation of In-*
 11 *dian Programs appropriation, and shall remain available*
 12 *for obligation for employee severance, relocation, and relat-*
 13 *ed expenses, until March 31, 1996.*

14 CONSTRUCTION

15 For construction, major repair, and improvement of
 16 irrigation and power systems, buildings, utilities, and
 17 other facilities, including architectural and engineering
 18 services by contract; acquisition of lands and interests in
 19 lands; and preparation of lands for farming,
 20 ~~(64)\$98,033,000~~ *\$107,333,000*, to remain available until
 21 expended: *Provided, That such amounts as may be avail-*
 22 *able for the construction of the Navajo Indian Irrigation*
 23 *Project and for other water resource development activi-*
 24 *ties related to the Southern Arizona Water Rights Settle-*
 25 *ment Act may be transferred to the Bureau of Reclama-*
 26 *tion: Provided further, That not to exceed 6 per centum*

1 of contract authority available to the Bureau of Indian
2 Affairs from the Federal Highway Trust Fund may be
3 used to cover the road program management costs of the
4 Bureau of Indian Affairs: *Provided further*, That any
5 funds provided for the Safety of Dams program pursuant
6 to 25 U.S.C. 13 shall be made available on a non-reim-
7 bursable basis: *Provided further*, That for the fiscal year
8 ending September 30, 1996, in implementing new con-
9 struction or facilities improvement and repair project
10 grants in excess of \$100,000 that are provided to tribally
11 controlled grant schools under Public Law 100-297, as
12 amended, the Secretary of the Interior shall use the Ad-
13 ministrative and Audit Requirements and Cost Principles
14 for Assistance Programs contained in 43 CFR part 12 as
15 the regulatory requirements: *Provided further*, That such
16 grants shall not be subject to section 12.61 of 43 CFR;
17 the Secretary and the grantee shall negotiate and deter-
18 mine a schedule of payments for the work to be performed:
19 *Provided further*, That in considering applications, the
20 Secretary shall consider whether the Indian tribe or tribal
21 organization would be deficient in assuring that the con-
22 struction projects conform to applicable building stand-
23 ards and codes and Federal, tribal, or State health and
24 safety standards as required by 25 U.S.C. 2005(a), with
25 respect to organizational and financial management capa-

1 bilities: *Provided further*, That if the Secretary declines an
2 application, the Secretary shall follow the requirements
3 contained in 25 U.S.C. 2505(f): *Provided further*, That
4 any disputes between the Secretary and any grantee con-
5 cerning a grant shall be subject to the disputes provision
6 in 25 U.S.C. 2508(e).

7 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
8 MISCELLANEOUS PAYMENTS TO INDIANS

9 For miscellaneous payments to Indian tribes and in-
10 dividuals and for necessary administrative expenses,
11 ~~(65)\$75,145,000~~, *\$82,745,000*, to remain available until
12 expended; of which ~~(66)\$73,100,000~~ *\$78,600,000* shall be
13 available for implementation of enacted Indian land and
14 water claim settlements pursuant to Public Laws 87-483,
15 97-293, 101-618, 102-374, 102-441, 102-575, and
16 103-116, and for implementation of other enacted water
17 rights settlements, including not to exceed \$8,000,000,
18 which shall be for the Federal share of the Catawba Indian
19 Tribe of South Carolina Claims Settlement, as authorized
20 by section 5(a) of Public Law 103-116; and of which
21 \$1,045,000 shall be available pursuant to Public Laws
22 98-500, 99-264, and 100-580; and of which
23 ~~(67)\$1,000,000~~ *\$3,100,000* shall be available (1) to liq-
24 uidate obligations owed tribal and individual Indian payees
25 of any checks canceled pursuant to section 1003 of the
26 Competitive Equality Banking Act of 1987 (Public Law

1 100–86 (101 Stat. 659)), 31 U.S.C. 3334(b), (2) to re-
2 store to Individual Indian Monies trust funds, Indian Irri-
3 gation Systems, and Indian Power Systems accounts
4 amounts invested in credit unions or defaulted savings and
5 loan associations and which were not Federally insured,
6 and (3) to reimburse Indian trust fund account holders
7 for losses to their respective accounts where the claim for
8 said loss(es) has been reduced to a judgment or settlement
9 agreement approved by the Department of Justice.

10 **(68)** *TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES*

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

14 **(69)** *INDIAN GUARANTEED LOAN PROGRAM ACCOUNT*

15 *For the cost of guaranteed loans \$7,000,000, as author-*
16 *ized by the Indian Financing Act of 1974, as amended: Pro-*
17 *vided, That such costs, including the cost of modifying such*
18 *loans, shall be as defined in section 502 of the Congressional*
19 *Budget Act of 1974, as amended: Provided further, That*
20 *these funds are available to subsidize total loan principal,*
21 *any part of which is to be guaranteed, not to exceed*
22 *\$50,680,000.*

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

1 ADMINISTRATIVE PROVISIONS

2 Appropriations for the Bureau of Indian Affairs shall
3 be available for expenses of exhibits, and purchase of not
4 to exceed 275 passenger carrying motor vehicles, of which
5 not to exceed 215 shall be for replacement only.

6 TERRITORIAL AND INTERNATIONAL AFFAIRS

7 ASSISTANCE TO TERRITORIES

8 For expenses necessary for assistance to territories
9 under the jurisdiction of the Department of the Interior,
10 ~~(70)~~\$52,405,000, to remain available until expended for
11 ~~brown tree snake control and research \$68,188,000, of~~
12 *which (1) \$64,661,000 shall be available until expended for*
13 *technical assistance, including maintenance assistance, dis-*
14 *aster assistance, insular management controls, and brown*
15 *tree snake control and research; grants to the judiciary in*
16 *American Samoa for compensation and expenses, as au-*
17 *thorized by law (48 U.S.C. 1661(c)); grants to the Govern-*
18 *ment of American Samoa, in addition to current local rev-*
19 *enues, for construction and support of governmental func-*
20 *tions; grants to the Government of the Virgin Islands as*
21 *authorized by law; grants to the Government of Guam,*
22 *as authorized by law; and grants to the Government of*
23 *the Northern Mariana Islands as authorized by law (Pub-*
24 *lic Law 94-241; 90 Stat. 272)*~~(71)~~; *and (2) \$3,527,000*
25 *shall be available for salaries and expenses of the Office of*

1 *Insular Affairs: Provided, That all financial transactions*
2 *of the territorial and local governments herein provided*
3 *for, including such transactions of all agencies or instru-*
4 *mentalities established or utilized by such governments,*
5 *may be audited by the General Accounting Office, at its*
6 *discretion, in accordance with chapter 35 of title 31, Unit-*
7 *ed States Code: Provided further, That Northern Mariana*
8 *Islands Covenant grant funding shall be provided accord-*
9 *ing to those terms of the Agreement of the Special Rep-*
10 *resentatives on Future United States Financial Assistance*
11 *for the Northern Mariana Islands approved by Public Law*
12 *99-396, or any subsequent legislation related to Common-*
13 *wealth of the Northern Mariana Islands Covenant grant*
14 *funding(72): Provided further, That of the amounts pro-*
15 *vided for technical assistance, sufficient funding shall be*
16 *made available for a grant to the Close Up Foundation:*
17 *Provided further, That the funds for the program of oper-*
18 *ations and maintenance improvement are appropriated to*
19 *institutionalize routine operations and maintenance of cap-*
20 *ital infrastructure in American Samoa, Guam, the Virgin*
21 *Islands, the Commonwealth of the Northern Mariana Is-*
22 *lands, the Republic of Palau, the Republic of the Marshall*
23 *Islands, and the Federated States of Micronesia through as-*
24 *sessments of long-range operations and maintenance needs,*
25 *improved capability of local operations and maintenance*

1 *institutions and agencies (including management and voca-*
2 *tional education training), and project-specific mainte-*
3 *nance (with territorial participation and cost sharing to*
4 *be determined by the Secretary based on the individual ter-*
5 *ritory's commitment to timely maintenance of its capital*
6 *assets): Provided further, That any appropriation for disas-*
7 *ter assistance under this head in this Act or previous appro-*
8 *priations Acts may be used as non-Federal matching funds*
9 *for the purpose of hazard mitigation grants provided pursu-*
10 *ant to section 404 of the Robert T. Stafford Disaster Relief*
11 *and Emergency Assistance Act (42 U.S.C. 5170c).*

12 COMPACT OF FREE ASSOCIATION

13 For economic assistance and necessary expenses for
14 the Federated States of Micronesia and the Republic of
15 the Marshall Islands as provided for in sections 122, 221,
16 223, 232, and 233 of the Compacts of Free Association,
17 and for economic assistance and necessary expenses for
18 the Republic of Palau as provided for in sections 122, 221,
19 223, 232, and 233 of the Compact of Free Association,
20 \$24,938,000, to remain available until expended, as au-
21 thorized by Public Law 99-239 and Public Law 99-
22 ~~658(73)~~, and \$4,580,000 for impact aid for Guam under
23 ~~section 104(e)(6) of Public Law 99-239~~: *Provided, That*
24 *notwithstanding section 112 of Public Law 101-219 (103*
25 *Stat. 1873), the Secretary of the Interior may agree to*
26 *technical changes in the specifications for the project de-*

1 scribed in the subsidiary agreement negotiated under sec-
 2 tion 212(a) of the Compact of Free Association, Public
 3 Law 99-658, or its annex, if the changes do not result
 4 in increased costs to the United States.

5 DEPARTMENTAL OFFICES

6 ~~(74)~~ OFFICE OF THE SECRETARY

7 *DEPARTMENTAL MANAGEMENT*

8 SALARIES AND EXPENSES

9 For necessary expenses ~~(75)~~ of the Office of the Sec-
 10 ~~retary~~ *for management of the Department of the Interior,*
 11 ~~(76)~~ \$53,919,000 \$57,796,000, of which not to exceed
 12 \$7,500 may be for official reception and representation
 13 expenses ~~(77)~~: *Provided, That none of the funds provided*
 14 *herein for official reception and representation expenses*
 15 *shall be available until the Charter for the Advisory Com-*
 16 *mission referred to in title 30 of Public Law 102-575 has*
 17 *been filed and the Members of such Commission appointed.*

18 OFFICE OF THE SOLICITOR

19 SALARIES AND EXPENSES

20 For necessary expenses of the Office of the Solicitor,
 21 \$34,608,000.

22 OFFICE OF INSPECTOR GENERAL

23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of Inspector
 25 General, \$23,939,000.

1 **(78)** CONSTRUCTION MANAGEMENT

2 SALARIES AND EXPENSES

3 *For necessary expenses of the Office of Construction*
4 *Management, \$500,000.*

5 NATIONAL INDIAN GAMING COMMISSION

6 SALARIES AND EXPENSES

7 For necessary expenses of the National Indian Gam-
8 ing Commission, pursuant to Public Law 100-497,
9 \$1,000,000**(79)**: *Provided, That on October 1, 1995, the*
10 *Chairman shall submit to the Secretary a report detailing*
11 *those Indian tribes or tribal organizations with gaming op-*
12 *erations that are in full compliance, partial compliance,*
13 *or non-compliance with the provisions of the Indian Gam-*
14 *ing Regulatory Act (25 U.S.C. 2701, et seq.): Provided fur-*
15 *ther, That the information contained in the report shall be*
16 *updated on a continuing basis.*

17 **(80)** OFFICE OF SPECIAL TRUSTEE FOR AMERICAN

18 INDIANS

19 FEDERAL TRUST PROGRAMS

20 *For operation of trust programs for Indians by direct*
21 *expenditure, contracts, cooperative agreements, compacts,*
22 *and grants, \$16,338,000, of which \$15,891,000 shall remain*
23 *available until expended for trust funds management: Pro-*
24 *vided, That funds made available to tribes and tribal orga-*
25 *nizations through contracts or grants obligated during fis-*

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

16 ADMINISTRATIVE PROVISIONS

17 There is hereby authorized for acquisition from avail-
18 able resources within the Working Capital Fund, 15 air-
19 craft, 10 of which shall be for replacement and which may
20 be obtained by donation, purchase or through available ex-
21 cess surplus property: *Provided*, That notwithstanding any
22 other provision of law, existing aircraft being replaced may
23 be sold, with proceeds derived or trade-in value used to
24 offset the purchase price for the replacement aircraft: *Pro-*
25 *vided further*, That no programs funded with appropriated

1 funds in ~~(81)~~the “Office of the Secretary” “*Departmental*
2 *Management*”, “Office of the Solicitor”, and “Office of In-
3 spector General” may be augmented through the Working
4 Capital Fund or the Consolidated Working Fund.

5 GENERAL PROVISIONS, DEPARTMENT OF THE
6 INTERIOR

7 SEC. 101. Appropriations made in this title shall be
8 available for expenditure or transfer (within each bureau
9 or office), with the approval of the Secretary, for the emer-
10 gency reconstruction, replacement, or repair of aircraft,
11 buildings, utilities, or other facilities or equipment dam-
12 aged or destroyed by fire, flood, storm, or other unavoid-
13 able causes: *Provided*, That no funds shall be made avail-
14 able under this authority until funds specifically made
15 available to the Department of the Interior for emer-
16 gencies shall have been exhausted: *Provided further*, That
17 all funds used pursuant to this section are hereby des-
18 ignated by Congress to be “emergency requirements” pur-
19 suant to section 251(b)(2)(D) of the Balanced Budget and
20 Emergency Deficit Control Act of 1985 and ~~(82)~~*must*,
21 *must* be replenished by a supplemental appropriation
22 which must be requested as promptly as possible.

23 SEC. 102. The Secretary may authorize the expendi-
24 ture or transfer of any no year appropriation in this title,
25 in addition to the amounts included in the budget pro-

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

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

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

1 ment, and for services rendered may be credited to the
2 appropriation current at the time such reimbursements
3 are received.

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

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

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

24 ~~(83)SEC. 107. Appropriations made in this title from~~
25 ~~the Land and Water Conservation Fund for acquisition~~

1 of lands and waters, or interests therein, shall be available
2 for transfer, with the approval of the Secretary, between
3 the following accounts: Bureau of Land Management,
4 Land acquisition, United States Fish and Wildlife Service,
5 Land acquisition, and National Park Service, Land acqui-
6 sition and State assistance. Use of such funds are subject
7 to the reprogramming guidelines of the House and Senate
8 Committees on Appropriations.

9 ~~(84)~~SEC. 108. Amounts appropriated in this Act for
10 the Presidio which are not obligated as of the date on
11 which the Presidio Trust is established by an Act of Con-
12 gress shall be transferred to and available only for the
13 Presidio Trust.

14 ~~(85)~~SEC. 109. Section 6003 of Public Law 101-380
15 is hereby repealed.

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

22 SEC. 111. No funds provided in this title may be ex-
23 pended by the Department of the Interior for the conduct
24 of offshore leasing and related activities placed under re-
25 striction in the President's moratorium statement of June

1 26, 1990, in the areas of Northern, Central, and Southern
2 California; the North Atlantic; Washington and Oregon;
3 and the Eastern Gulf of Mexico south of 26 degrees north
4 latitude and east of 86 degrees west longitude.

5 SEC. 112. No funds provided in this title may be ex-
6 pended by the Department of the Interior for the conduct
7 of leasing, or the approval or permitting of any drilling
8 or other exploration activity, on lands within the North
9 Aleutian Basin planning area.

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

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

22 ~~(86)~~SEC. 115. (a) *Of the funds appropriated by this*
23 *Act or any subsequent Act providing for appropriations in*
24 *fiscal years 1996 and 1997, not more than 50 percent of*
25 *any self-governance funds that would otherwise be allocated*

1 *to each Indian tribe in the State of Washington shall actu-*
2 *ally be paid to or on account of such Indian tribe from*
3 *and after the time at which such tribe shall—*

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

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

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

18 *(b) Such penalty shall not attach to the initiation of*
19 *any legal actions with respect to such rights or the enforce-*
20 *ment of any final judgments, appeals from which have been*
21 *exhausted, with respect thereto.*

22 **(87)** *SEC. 116. Within 30 days after the enactment of*
23 *this Act, the Department of the Interior shall issue a specific*
24 *schedule for the completion of the Lake Cushman Land Ex-*

1 *change Act (Public Law 102-436) and shall complete the*
2 *exchange not later than September 30, 1996.*

3 **(88)***SEC. 117. Notwithstanding Public Law 90-544,*
4 *as amended, the National Park Service is authorized to ex-*
5 *pend appropriated funds for maintenance and repair of the*
6 *Company Creek Road in the Lake Chelan National Recre-*
7 *ation Area: Provided, That appropriated funds shall not*
8 *be expended for the purpose of improving the property of*
9 *private individuals unless specifically authorized by law.*

10 **(89)***SEC. 118. INSULAR DEVELOPMENT.—*

11 *Section 1. Territorial and Freely Associated State*

12 *Infrastructure Assistance*

13 *Section 4(b) of Public Law 94-241 (90 Stat. 263) as*
14 *added by section 10 of Public Law 99-396 (99 Stat. 837,*
15 *841) is amended by deleting “until Congress otherwise pro-*
16 *vides by law.” and inserting in lieu thereof: “except that,*
17 *for fiscal years 1996 and thereafter, payments to the Com-*
18 *monwealth of the Northern Mariana Islands pursuant to*
19 *the multi-year funding agreements contemplated under the*
20 *Covenant shall be limited to the amounts set forth in the*
21 *Agreement of the Special Representatives on Future Federal*
22 *Financial Assistance of the Northern Mariana Islands, exe-*
23 *cuted on December 17, 1992 between the special representa-*
24 *tive of the President of the United States and special rep-*
25 *resentatives of the Governor of the Northern Mariana Is-*

1 *lands and shall be subject to all the requirements of such*
2 *Agreement with any additional amounts otherwise made*
3 *available under this section in any fiscal year and not re-*
4 *quired to meet the schedule of payments set forth in the*
5 *Agreement to be provided as set forth in subsection (c) until*
6 *Congress otherwise provides by law.*

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

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

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

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

1 *placement, or hardening of essential facilities: Pro-*
2 *vided further, That the cumulative amount set aside*
3 *for such emergency fund may not exceed \$10,000,000*
4 *at any time.*

5 *“(d) Within the amounts allocated for infrastructure*
6 *pursuant to this section, and subject to the specific alloca-*
7 *tions made in subsection (c), additional contributions may*
8 *be made, as set forth in Appropriation Acts, to assist in*
9 *the resettlement of Rongelap Atoll: Provided, That the total*
10 *of all contributions from any Federal source after January*
11 *1, 1996 may not exceed \$32,000,000 and shall be contingent*
12 *upon an agreement, satisfactory to the President, that such*
13 *contributions are a full and final settlement of all obliga-*
14 *tions of the United States to assist in the resettlement of*
15 *Rongelap Atoll and that such funds will be expended solely*
16 *on resettlement activities and will be properly audited and*
17 *accounted for. In order to provide such contributions in a*
18 *timely manner, each Federal agency providing assistance*
19 *or services, or conducting activities, in the Republic of the*
20 *Marshall Islands, is authorized to make funds available,*
21 *through the Secretary of the Interior, to assist in the reset-*
22 *tlement of Rongelap. Nothing in this subsection shall be con-*
23 *strued to limit the provision of ex gratia assistance pursu-*
24 *ant to section 105(c)(2) of the Compact of Free Association*
25 *Act of 1985 (Public Law 99–239, 99 Stat. 1770, 1792) in-*

1 *cluding for individuals choosing not to resettle at Rongelap,*
2 *except that no such assistance for such individuals may be*
3 *provided until the Secretary notifies the Congress that the*
4 *full amount of all funds necessary for resettlement at*
5 *Rongelap has been provided.”.*

6 *Sec. 2. Federal Minimum Wage*

7 *Effective thirty days after the date of enactment of this*
8 *Act, the minimum wage provisions, including, but not lim-*
9 *ited to, the coverage and exemptions provisions, of section*
10 *6 of the Fair Labor Standards Act of June 25, 1938 (52*
11 *Stat. 1062), as amended, shall apply to the Commonwealth*
12 *of the Northern Mariana Islands, except—*

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

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

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

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

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

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

9 (5) *the accuracy and reliability of the computer-*
10 *ized alien identification and tracking system and its*
11 *compatibility with the system of the Immigration and*
12 *Naturalization Service, and*

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

18 *Sec. 4. Immigration Cooperation*

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

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

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

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

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

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

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

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

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

10 *Sec. 8. Technical correction*

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

16 TITLE II—RELATED AGENCIES

17 DEPARTMENT OF AGRICULTURE

18 FOREST SERVICE

19 FOREST RESEARCH

20 For necessary expenses of forest research as author-
 21 ized by law, ~~(90)\$182,000,000~~ \$177,000,000, to remain
 22 available until September 30, 1997.

23 STATE AND PRIVATE FORESTRY

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

1 tories, possessions, and others and for forest pest manage-
 2 ment activities, cooperative forestry and education and
 3 land conservation activities ~~(91), \$129,551,000, to re-~~
 4 ~~main available until expended, as authorized by law~~
 5 *\$136,794,000, to remain available until expended, as au-*
 6 *thorized by law, of which not less than \$16,100,000 shall*
 7 *be made available for cooperative lands fire management*
 8 *and not less than \$7,500,000 shall be made available for*
 9 *the stewardship incentive program.*

10 NATIONAL FOREST SYSTEM

11 For necessary expenses of the Forest Service, not
 12 otherwise provided for, for management, protection, im-
 13 provement, and utilization of the National Forest System,
 14 for ecosystem planning, inventory, and monitoring, and for
 15 administrative expenses associated with the management
 16 of funds provided under the heads "Forest Research",
 17 "State and Private Forestry", "National Forest System",
 18 "Construction", "Fire Protection and Emergency Sup-
 19 pression", and "Land Acquisition", ~~(92)\$1,266,688,000~~
 20 *\$1,247,543,000*, to remain available for obligation until
 21 September 30, 1997, and including 65 per centum of all
 22 monies received during the prior fiscal year as fees col-
 23 lected under the Land and Water Conservation Fund Act
 24 of 1965, as amended, in accordance with section 4 of the
 25 Act (16 U.S.C. 460l-6a(i)): *Provided*, That unobligated

1 and unexpended balances in the National Forest System
2 account at the end of fiscal year 1995, shall be merged
3 with and made a part of the fiscal year 1996 National
4 Forest System appropriation, and shall remain available
5 for obligation until September 30, 1997: *Provided further,*
6 That up to \$5,000,000 of the funds provided herein for
7 road maintenance shall be available for the planned oblit-
8 eration of roads which are no longer needed.

9 ~~(93)~~FIRE PROTECTION AND EMERGENCY SUPPRESSION

10 *WILDLAND FIRE MANAGEMENT*

11 For necessary expenses for forest fire presuppression
12 activities on National Forest System lands, for emergency
13 fire suppression on or adjacent to National Forest System
14 lands or other lands under fire protection agreement, and
15 for emergency rehabilitation of burned over National For-
16 est System lands, ~~(94)~~\$385,485,000 \$381,485,000, to re-
17 main available until expended: *Provided,* That unexpended
18 balances of amounts previously appropriated under any
19 other headings for Forest Service fire activities may be
20 transferred to and merged with this appropriation: *Pro-*
21 *vided further,* That such funds are available for repayment
22 of advances from other appropriations accounts previously
23 transferred for such purposes.

CONSTRUCTION

1
2 For necessary expenses of the Forest Service, not
3 otherwise provided for, ~~(95)\$120,000,000~~ \$186,888,000,
4 to remain available until expended, for construction and
5 acquisition of buildings and other facilities, and for con-
6 struction and repair of forest roads and trails by the For-
7 est Service as authorized by 16 U.S.C. 532–538 and 23
8 U.S.C. 101 and 205: *Provided*, That funds becoming avail-
9 able in fiscal year 1996 under the Act of March 4, 1913
10 (16 U.S.C. 501) shall be transferred to the General Fund
11 of the Treasury of the United States: *Provided further*,
12 That not to exceed \$50,000,000, to remain available until
13 expended, may be obligated for the construction of forest
14 roads by timber purchasers~~(96)~~: *Provided further*, That
15 \$2,500,000 of the funds appropriated herein shall be avail-
16 able for a grant to the “Non-Profit Citizens for the Colum-
17 bia Gorge Discovery Center” for the construction of the Co-
18 lumbia Gorge Discovery Center: *Provided further*, That the
19 Forest Service is authorized to grant the unobligated bal-
20 ance of funds appropriated in fiscal year 1995 for the con-
21 struction of the Columbia Gorge Discovery Center to the
22 “Non-Profit Citizens for the Columbia Gorge Discovery
23 Center” to be used for the same purpose: *Provided further*,
24 That the Forest Service is authorized to convey the land
25 needed for the construction of the Columbia Gorge Discovery

1 *Center without cost to the “Non-Profit Citizens for the Co-*
2 *lumbia Gorge Discovery Center”***(97)**: *Provided further,*
3 *That notwithstanding any other provision of law, funds*
4 *originally appropriated under this head in Public Law*
5 *101–512 for the Forest Service share of a new research facil-*
6 *ity at the University of Missouri, Columbia, shall be avail-*
7 *able for a grant to the University of Missouri, as the Fed-*
8 *eral share in the construction of the new facility: Provided*
9 *further, That agreed upon lease of space in the new facility*
10 *shall be provided to the Forest Service without charge for*
11 *the life of the building.*

12 LAND ACQUISITION

13 For expenses necessary to carry out the provisions
14 of the Land and Water Conservation Fund Act of 1965,
15 as amended (16 U.S.C. 460l–4–11), including administra-
16 tive expenses, and for acquisition of land or waters, or in-
17 terest therein, in accordance with statutory authority ap-
18 plicable to the Forest Service, **(98)**~~\$14,600,000~~
19 ~~\$41,167,000~~, to be derived from the Land and Water Con-
20 servation Fund, to remain available until expended**(99)**,
21 *of which \$275,000 may be made available from the cash*
22 *equalization account for the acquisition of Mt. Jumbo in*
23 *the Lolo National Forest, Montana***(100)**: *Provided, That*
24 *of the amounts made available for acquisition management,*

1 *\$1,000,000 may be made available for the purchase of sub-*
2 *surface rights in the Kane Experiment Forest.*

3 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
4 ACTS

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

11 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

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

17 RANGE BETTERMENT FUND

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

1 the-ground range rehabilitation, protection, and improve-
2 ments.

3 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
4 RANGELAND RESEARCH

5 For expenses authorized by 16 U.S.C. 1643(b),
6 \$92,000, to remain available until expended, to be derived
7 from the fund established pursuant to the above Act.

8 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

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

1 land, waters, and interests therein, pursuant to the Act
2 of August 3, 1956 (7 U.S.C. 428a); (e) for expenses pur-
3 suant to the Volunteers in the National Forest Act of
4 1972 (16 U.S.C. 558a, 558d, 558a note); and (f) for debt
5 collection contracts in accordance with 31 U.S.C. 3718(c).

6 None of the funds made available under this Act shall
7 be obligated or expended to change the boundaries of any
8 region, to abolish any region, to move or close any regional
9 office for research, State and private forestry, or National
10 Forest System administration of the Forest Service, De-
11 partment of Agriculture, **(101)***or to implement any reor-*
12 *ganization, "reinvention" or other type of organizational*
13 *restructuring of the Forest Service, without the consent of*
14 *the House and Senate Committees on Appropriations and*
15 *the Committee on Agriculture, Nutrition, and Forestry*
16 **(102)***and the Committee on Energy and Natural Resources*
17 *in the United States Senate and the Committee on Agri-*
18 *culture (103)and the Committee on Resources in the Unit-*
19 *ed States House of Representatives.*

20 Any appropriations or funds available to the Forest
21 Service may be advanced to the Fire and Emergency Sup-
22 pression appropriation and may be used for forest fire-
23 fighting and the emergency rehabilitation of burned-over
24 lands under its jurisdiction: *Provided, That no funds shall*
25 *be made available under this authority until funds appro-*

1 priated to the “Emergency Forest Service Firefighting
2 Fund” shall have been exhausted.

3 **(104)** *The appropriation structure for the Forest Serv-*
4 *ice may not be altered without advance approval of the*
5 *House and Senate Committee on Appropriations.*

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

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

24 No funds appropriated to the Forest Service shall be
25 transferred to the Working Capital Fund of the Depart-

1 ment of Agriculture without the approval of the Chief of
2 the Forest Service.

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

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

22 Funds available to the Forest Service shall be avail-
23 able to conduct a program of not less than \$1,000,000
24 for high priority projects within the scope of the approved
25 budget which shall be carried out by the Youth Conserva-

1 tion Corps as authorized by the Act of August 13, 1970,
2 as amended by Public Law 93-408.

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

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

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

21 Notwithstanding any other provision of law, the For-
22 est Service is authorized to employ or otherwise contract
23 with persons at regular rates of pay, as determined by the
24 Service, to perform work occasioned by emergencies such
25 as fires, storms, floods, earthquakes or any other unavoid-

1 able cause without regard to Sundays, Federal holidays,
2 and the regular workweek.

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

9 Funds appropriated to the Forest Service shall be
10 available for interactions with and providing technical as-
11 sistance to rural communities for sustainable rural devel-
12 opment purposes.

13 ~~(105)Notwithstanding any other provision of law,~~
14 ~~eighty percent of the funds appropriated to the Forest~~
15 ~~Service in the National Forest System and Construction~~
16 ~~accounts and planned to be allocated to activities under~~
17 ~~the “Jobs in the Woods” program for projects on National~~
18 ~~Forest land in the State of Washington may be granted~~
19 ~~directly to the Washington State Department of Fish and~~
20 ~~Wildlife for accomplishment of planned projects. Twenty~~
21 ~~percent of said funds shall be retained by the Forest Serv-~~
22 ~~ice for planning and administering projects. Project selec-~~
23 ~~tion and prioritization shall be accomplished by the Forest~~
24 ~~Service with such consultation with the State of Washing-~~
25 ~~ton as the Forest Service deems appropriate.~~

1 **(106)**None of the funds available in this Act shall
2 be used for any activity that directly or indirectly causes
3 harm to songbirds within the boundaries of the Shawnee
4 National Forest.

5 **(107)***None of the funds provided by this Act shall be
6 used to revise or implement a new Tongass Land Manage-
7 ment Plan (TLMP).*

8 **(108)***None of the funds provided in this or any other
9 appropriations Act may be used on the Tongass National
10 Forest except in compliance with Alternative P, identified
11 in the Tongass Land Management Plan Revision Supple-
12 ment to the Draft Environmental Impact Statement dated
13 August 1991.*

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

1 DEPARTMENT OF ENERGY
 2 FOSSIL ENERGY RESEARCH AND DEVELOPMENT
 3 For necessary expenses in carrying out fossil energy
 4 research and development activities, under the authority
 5 of the Department of Energy Organization Act (Public
 6 Law 95-91), including the acquisition of interest, includ-
 7 ing defeasible and equitable interests in any real property
 8 or any facility or for plant or facility acquisition or expan-
 9 sion, ~~(110)\$379,524,000~~ \$376,181,000, to remain avail-
 10 able until expended: *Provided*, That no part of the sum
 11 herein made available shall be used for the field testing
 12 of nuclear explosives in the recovery of oil and gas(111):
 13 *Provided further*, That any new project start funded under
 14 this heading shall be substantially cost-shared with a pri-
 15 vate entity to the extent determined appropriate by the Sec-
 16 retary of Energy.

17 ALTERNATIVE FUELS PRODUCTION
 18 (INCLUDING TRANSFER OF FUNDS)

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

1 be immediately transferred to the General Fund of the
2 Treasury.

3 NAVAL PETROLEUM AND OIL SHALE RESERVES

4 For necessary expenses in carrying out naval petro-
5 leum and oil shale reserve activities, ~~(112)\$151,028,000~~
6 *\$136,028,000*, to remain available until expended: Pro-
7 vided, That the requirements of 10 U.S.C. 7430(b)(2)(B)
8 shall not apply to fiscal year 1996~~(113)~~: *Provided further,*
9 *That section 501 of Public Law 101-45 is hereby repealed.*

10 ENERGY CONSERVATION

11 For necessary expenses in carrying out energy con-
12 servation activities, ~~(114)\$556,371,000~~ *\$576,976,000*, to
13 remain available until expended, including, notwithstand-
14 ing any other provision of law, the excess amount for fiscal
15 year 1996 determined under the provisions of section
16 3003(d) of Public Law 99-509 (15 U.S.C. 4502), and of
17 which \$16,000,000 shall be derived from available unobli-
18 gated balances in the Biomass Energy Development ac-
19 count: *Provided, That* ~~(115)\$148,946,000~~ *\$168,946,000*
20 shall be for use in energy conservation programs as de-
21 fined in section 3008(3) of Public Law 99-509 (15 U.S.C.
22 4507) and shall not be available until excess amounts are
23 determined under the provisions of section 3003(d) of
24 Public Law 99-509 (15 U.S.C. 4502): *Provided further,*
25 That notwithstanding section 3003(d)(2) of Public Law

1 99–509 such sums shall be allocated to the eligible pro-
 2 grams as follows: ~~(116)\$110,946,000~~ *\$137,446,000* for
 3 the weatherization assistance program and
 4 ~~(117)\$26,500,000~~ *\$31,500,000* for the State energy con-
 5 servation program.

6 ECONOMIC REGULATION

7 For necessary expenses in carrying out the activities
 8 of the Economic Regulatory Administration and the Office
 9 of Hearings and Appeals, ~~(118)\$6,297,000~~ *\$8,038,000*, to
 10 remain available until expended.

11 STRATEGIC PETROLEUM RESERVE

12 (INCLUDING TRANSFER OF FUNDS)

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

1 posited into a special account in the Treasury, to be estab-
2 lished and known as the “SPR Decommissioning Fund”,
3 and shall be available for the purpose of removal of oil
4 from and decommissioning of the Weeks Island site and
5 for other purposes related to the operations of the Strate-
6 gic Petroleum Reserve.

7 SPR PETROLEUM ACCOUNT

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

14 ENERGY INFORMATION ADMINISTRATION

15 For necessary expenses in carrying out the activities
16 of the Energy Information Administration,
17 ~~(119)\$79,766,000~~ \$64,766,000, to remain available until
18 expended: *Provided*, That notwithstanding Section 4(d) of
19 the Service Contract Act of 1965 (41 U.S.C. 353(d)) or
20 any other provision of law, funds appropriated under this
21 heading hereafter may be used to enter into a contract
22 for end use consumption surveys for a term not to exceed
23 eight years: *Provided further*, That notwithstanding any
24 other provision of law, hereafter the Manufacturing En-

1 energy Consumption Survey shall be conducted on a triennial
2 basis.

3 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

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

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

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

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

1 DEPARTMENT OF HEALTH AND HUMAN
2 SERVICES

3 INDIAN HEALTH SERVICE

4 INDIAN HEALTH SERVICES

5 For expenses necessary to carry out the Act of Au-
6 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
7 tion Act, the Indian Health Care Improvement Act, and
8 titles II and III of the Public Health Service Act with re-
9 spect to the Indian Health Service, ~~(120)\$1,725,792,000~~
10 *\$1,815,373,000* together with payments received during the
11 fiscal year pursuant to 42 U.S.C. 300aaa-2 for services
12 furnished by the Indian Health Service: *Provided*, That
13 funds made available to tribes and tribal organizations
14 through contracts, grant agreements, or any other agree-
15 ments or compacts authorized by the Indian Self-Deter-
16 mination and Education Assistance Act of 1975 (88 Stat.
17 2203; 25 U.S.C. 450), shall be deemed to be obligated at
18 the time of the grant or contract award and thereafter
19 shall remain available to the tribe or tribal organization
20 without fiscal year limitation: *Provided further*, That
21 \$12,000,000 shall remain available until expended, for the
22 Indian Catastrophic Health Emergency Fund: *Provided*
23 *further*, That ~~(121)\$351,258,000~~ *\$350,564,000* for con-
24 tract medical care shall remain available for obligation
25 until September 30, 1997: *Provided further*, That of the

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

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

7 INDIAN HEALTH FACILITIES

8 For construction, repair, maintenance, improvement,
9 and equipment of health and related auxiliary facilities,
10 including quarters for personnel; preparation of plans,
11 specifications, and drawings; acquisition of sites, purchase
12 and erection of modular buildings, and purchases of trail-
13 ers; and for provision of domestic and community sanita-
14 tion facilities for Indians, as authorized by section 7 of
15 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
16 Self-Determination Act and the Indian Health Care Im-
17 provement Act, and for expenses necessary to carry out
18 the Act of August 5, 1954 (68 Stat. 674), the Indian Self-
19 Determination Act, the Indian Health Care Improvement
20 Act, and titles II and III of the Public Health Service Act
21 with respect to environmental health and facilities support
22 activities of the Indian Health Service,
23 ~~(122)\$236,975,000~~ \$151,227,000, to remain available
24 until expended: *Provided*, That notwithstanding any other
25 provision of law, funds appropriated for the planning, de-

1 sign, construction or renovation of health facilities for the
2 benefit of an Indian tribe or tribes may be used to pur-
3 chase land for sites to construct, improve, or enlarge
4 health or related facilities.

5 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

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

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

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

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

4 For necessary expenses to carry out, to the extent
5 not otherwise provided, title IX, part A, subpart 1 of the
6 Elementary and Secondary Education Act of 1965, as
7 amended, and section 215 of the Department of Education
8 Organization Act, ~~(123)\$52,500,000~~ \$54,660,000.

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

12 For necessary expenses of the Office of Navajo and
13 Hopi Indian Relocation as authorized by Public Law 93-
14 531, ~~(124)\$21,345,000~~ \$20,345,000, to remain available
15 until expended: *Provided*, That funds provided in this or
16 any other appropriations Act are to be used to relocate
17 eligible individuals and groups including evictees from Dis-
18 trict 6, Hopi-partitioned lands residents, those in signifi-
19 cantly substandard housing, and all others certified as eli-
20 gible and not included in the preceding categories: *Pro-*
21 *vided further*, That none of the funds contained in this
22 or any other Act may be used by the Office of Navajo
23 and Hopi Indian Relocation to evict any single Navajo or
24 Navajo family who, as of November 30, 1985, was phys-
25 ically domiciled on the lands partitioned to the Hopi Tribe

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

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

11 PAYMENT TO THE INSTITUTE

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

16 SMITHSONIAN INSTITUTION

17 SALARIES AND EXPENSES

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

1 (for terms not to exceed thirty years), and protection of
 2 buildings, facilities, and approaches; not to exceed
 3 \$100,000 for services as authorized by 5 U.S.C. 3109; up
 4 to 5 replacement passenger vehicles; purchase, rental, re-
 5 pair, and cleaning of uniforms for employees;
 6 ~~(125)\$309,471,000~~ \$307,988,000, of which not to exceed
 7 ~~(126)\$32,000,000~~ \$30,472,000 for the instrumentation
 8 program, collections acquisition, Museum Support Center
 9 equipment and move, exhibition reinstallation, the Na-
 10 tional Museum of the American Indian, the repatriation
 11 of skeletal remains program, research equipment, informa-
 12 tion management, and Latino programming shall remain
 13 available until expended and, including such funds as may
 14 be necessary to support American overseas research cen-
 15 ters and a total of \$125,000 for the Council of American
 16 Overseas Research Centers: *Provided*, That funds appro-
 17 priated herein are available for advance payments to inde-
 18 pendent contractors performing research services or par-
 19 ticipating in official Smithsonian presentations.

20 CONSTRUCTION AND IMPROVEMENTS, NATIONAL
 21 ZOOLOGICAL PARK

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

1 ~~(127)~~\$3,000,000 \$3,250,000, to remain available until ex-
2 pended.

3 REPAIR AND RESTORATION OF BUILDINGS

4 For necessary expenses of repair and restoration of
5 buildings owned or occupied by the Smithsonian Institu-
6 tion, by contract or otherwise, as authorized by section
7 2 of the Act of August 22, 1949 (63 Stat. 623), including
8 not to exceed \$10,000 for services as authorized by 5
9 U.S.C. 3109, ~~(128)~~\$24,954,000 \$33,954,000, to remain
10 available until expended: *Provided*, That contracts award-
11 ed for environmental systems, protection systems, and ex-
12 terior repair or restoration of buildings of the Smithsonian
13 Institution may be negotiated with selected contractors
14 and awarded on the basis of contractor qualifications as
15 well as price.

16 CONSTRUCTION

17 For necessary expenses for construction,
18 ~~(129)~~\$12,950,000 \$27,700,000, to remain available until
19 expended~~(130)~~.—*Provided*, That notwithstanding any
20 other provision of law, a single procurement for the con-
21 struction of the National Museum of the American Indian
22 Cultural Resources Center may be issued which includes
23 the full scope of the project: *Provided further*, That the
24 solicitation and the contract shall contain the clause
25 “availability of funds” found at 48 CFR 52.232-18.

1 NATIONAL GALLERY OF ART

2 SALARIES AND EXPENSES

3 For the upkeep and operations of the National Gal-
4 lery of Art, the protection and care of the works of art
5 therein, and administrative expenses incident thereto, as
6 authorized by the Act of March 24, 1937 (50 Stat. 51),
7 as amended by the public resolution of April 13, 1939
8 (Public Resolution 9, Seventy-sixth Congress), including
9 services as authorized by 5 U.S.C. 3109; payment in ad-
10 vance when authorized by the treasurer of the Gallery for
11 membership in library, museum, and art associations or
12 societies whose publications or services are available to
13 members only, or to members at a price lower than to the
14 general public; purchase, repair, and cleaning of uniforms
15 for guards, and uniforms, or allowances therefor, for other
16 employees as authorized by law (5 U.S.C. 5901–5902);
17 purchase or rental of devices and services for protecting
18 buildings and contents thereof, and maintenance, alter-
19 ation, improvement, and repair of buildings, approaches,
20 and grounds; and purchase of services for restoration and
21 repair of works of art for the National Gallery of Art by
22 contracts made, without advertising, with individuals,
23 firms, or organizations at such rates or prices and under
24 such terms and conditions as the Gallery may deem prop-
25 er, ~~(131)\$51,315,000~~ *\$51,844,000*, of which not to exceed

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

3 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

4 For necessary expenses of repair, restoration and
5 renovation of buildings, grounds and facilities owned or
6 occupied by the National Gallery of Art, by contract or
7 otherwise, as authorized ~~(132)\$5,500,000~~ \$7,385,000, to
8 remain available until expended: *Provided*, That contracts
9 awarded for environmental systems, protection systems,
10 and exterior repair or renovation of buildings of the Na-
11 tional Gallery of Art may be negotiated with selected con-
12 tractors and awarded on the basis of contractor qualifica-
13 tions as well as price.

14 JOHN F. KENNEDY CENTER FOR THE PERFORMING

15 ARTS

16 OPERATIONS AND MAINTENANCE

17 For necessary expenses for the operation, mainte-
18 nance and security of the John F. Kennedy Center for
19 the Performing Arts, ~~(133)\$9,800,000~~
20 \$10,323,000(134): *Provided*, That 40 U.S.C. 193n is here-
21 by amended by striking the word "and" after the word "In-
22 stitution" and inserting in lieu thereof a comma, and by
23 inserting "and the Trustees of the John F. Kennedy Center
24 for the Performing Arts," after the word "Art,".

1 CONSTRUCTION

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

6 WOODROW WILSON INTERNATIONAL CENTER FOR
 7 SCHOLARS

8 SALARIES AND EXPENSES

9 For expenses necessary in carrying out the provisions
 10 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
 11 1356) including hire of passenger vehicles and services as
 12 authorized by 5 U.S.C. 3109, ~~(135)\$5,140,100~~
 13 *\$6,537,000.*

14 NATIONAL FOUNDATION ON THE ARTS AND THE
 15 HUMANITIES

16 NATIONAL ENDOWMENT FOR THE ARTS
 17 GRANTS AND ADMINISTRATION

18 For necessary expenses to carry out the National
 19 Foundation on the Arts and Humanities Act of 1965, as
 20 amended, ~~(136)\$82,259,000~~ *\$88,765,000* ~~(137)~~, subject
 21 to passage by the House of Representatives of a bill au-
 22 thORIZING such appropriation, shall be available to the Na-
 23 tional Endowment for the Arts for the support of projects
 24 and productions in the arts through assistance to groups
 25 and individuals pursuant to section 5(c) of the Act, and

1 for administering the functions of the Act, to remain avail-
2 able until September 30, 1997.

3 MATCHING GRANTS

4 To carry out the provisions of section 10(a)(2) of the
5 National Foundation on the Arts and the Humanities Act
6 of 1965, as amended, ~~(138)\$17,235,000~~
7 ~~\$21,235,000(139)~~,—subject to passage by the House of
8 Representatives of a bill authorizing such appropriation,
9 to remain available until September 30, 1997, to the Na-
10 tional Endowment for the Arts, of which \$7,500,000 shall
11 be available for purposes of section 5(p)(1): *Provided,*
12 That this appropriation shall be available for obligation
13 only in such amounts as may be equal to the total amounts
14 of gifts, bequests, and devises of money, and other prop-
15 erty accepted by the Chairman or by grantees of the En-
16 dowment under the provisions of section 10(a)(2), sub-
17 sections 11(a)(2)(A) and 11(a)(3)(A) during the current
18 and preceding fiscal years for which equal amounts have
19 not previously been appropriated.

20 NATIONAL ENDOWMENT FOR THE HUMANITIES

21 GRANTS AND ADMINISTRATION

22 For necessary expenses to carry out the National
23 Foundation on the Arts and the Humanities Act of 1965,
24 as amended, ~~(140)\$82,469,000~~ \$94,000,000 shall be
25 available to the National Endowment for the Humanities
26 for support of activities in the humanities, pursuant to

1 section 7(c) of the Act, and for administering the func-
 2 tions of the Act, to remain available until September 30,
 3 1997.

4 MATCHING GRANTS

5 To carry out the provisions of section 10(a)(2) of the
 6 National Foundation on the Arts and the Humanities Act
 7 of 1965, as amended, ~~(141)\$17,025,000~~ \$16,000,000, to
 8 remain available until September 30, 1997, of which
 9 ~~(142)\$9,180,000~~ \$10,000,000 shall be available to the
 10 National Endowment for the Humanities for the purposes
 11 of section 7(h): *Provided*, That this appropriation shall be
 12 available for obligation only in such amounts as may be
 13 equal to the total amounts of gifts, bequests, and devises
 14 of money, and other property accepted by the Chairman
 15 or by grantees of the Endowment under the provisions of
 16 subsections 11(a)(2)(B) and 11(a)(3)(B) during the cur-
 17 rent and preceding fiscal years for which equal amounts
 18 have not previously been appropriated.

19 INSTITUTE OF MUSEUM SERVICES

20 GRANTS AND ADMINISTRATION

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

24 ADMINISTRATIVE PROVISIONS

25 None of the funds appropriated to the National
 26 Foundation on the Arts and the Humanities may be used

1 to process any grant or contract documents which do not
 2 include the text of 18 U.S.C. 1913: *Provided*, That none
 3 of the funds appropriated to the National Foundation on
 4 the Arts and the Humanities may be used for official re-
 5 ception and representation expenses.

6 COMMISSION OF FINE ARTS

7 SALARIES AND EXPENSES

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

10 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

11 For necessary expenses as authorized by Public Law
 12 99-190 (99 Stat. 1261; 20 U.S.C. 956(a)), as amended,
 13 \$6,000,000.

14 ADVISORY COUNCIL ON HISTORIC PRESERVATION

15 SALARIES AND EXPENSES

16 For expenses necessary for the Advisory Council on
 17 Historic Preservation, ~~(143)\$3,063,000~~ \$2,500,000.

18 NATIONAL CAPITAL PLANNING COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses, as authorized by the Na-
 21 tional Capital Planning Act of 1952 (40 U.S.C. 71-71i),
 22 including services as authorized by 5 U.S.C. 3109,
 23 \$5,090,000: *Provided*, That all appointed members will be
 24 compensated at a rate not to exceed the rate for Executive
 25 Schedule Level IV.

1 FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION
 2 SALARIES AND EXPENSES

3 For necessary expenses of the Franklin Delano Roo-
 4 sevelt Memorial Commission, established by the Act of Au-
 5 gust 11, 1955 (69 Stat. 694), as amended by Public Law
 6 92-332 (86 Stat. 401), ~~(144)\$48,000~~ \$147,000, to re-
 7 main available until September 30, 1997.

8 PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION
 9 ~~(145)~~SALARIES AND EXPENSES

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

13 ~~(146)~~PUBLIC DEVELOPMENT

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

17 UNITED STATES HOLOCAUST MEMORIAL COUNCIL
 18 HOLOCAUST MEMORIAL COUNCIL

19 For expenses of the Holocaust Memorial Council, as
 20 authorized by Public Law 96-388, as amended,
 21 ~~(147)\$28,707,000~~ \$26,609,000; of which \$1,575,000 for
 22 the Museum's repair and rehabilitation program
 23 ~~(148)~~and \$1,264,000 for the Museum's exhibition pro-
 24 gram shall remain available until expended.

1 TITLE III—GENERAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

3 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—

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

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

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

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

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

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

8 SEC. 310. Where the actual costs of construction
9 projects under self-determination contracts, compacts, or
10 grants, pursuant to Public Laws 93-638, ~~(149)100-413~~
11 *103-413*, or 100-297, are less than the estimated costs
12 thereof, use of the resulting excess funds shall be deter-
13 mined by the appropriate Secretary after consultation with
14 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 ~~(150)SEC. 312. None of funds in this Act may be~~
22 ~~used for the Americorps program.~~

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

1 *the Interior and/or Agriculture follow appropriate*
2 *reprogramming guidelines: Provided, That if no funds are*
3 *provided for the AmeriCorps program by the VA–HUD and*
4 *Independent Agencies fiscal year 1996 appropriations bill,*
5 *then none of the funds appropriated or otherwise made*
6 *available by this Act may be used for the AmeriCorps pro-*
7 *grams.*

8 **(151)SEC. 313.** (a) On or before April 1, 1996, the
9 ~~Pennsylvania Avenue Development Corporation shall—~~

10 (1) ~~transfer and assign in accordance with this~~
11 ~~section all of its rights, title, and interest in and to~~
12 ~~all of the leases, covenants, agreements, and ease-~~
13 ~~ments it has executed or will execute by March 31,~~
14 ~~1996, in carrying out its powers and duties under~~
15 ~~the Pennsylvania Avenue Development Corporation~~
16 ~~Act (40 U.S.C. 871–885) and the Federal Triangle~~
17 ~~Development Act (40 U.S.C. 1101–1109) to the~~
18 ~~General Services Administration, National Capital~~
19 ~~Planning Commission, or the National Park Service;~~
20 ~~and~~

21 (2) ~~except as provided by subsection (d), trans-~~
22 ~~fer all rights, title, and interest in and to all prop-~~
23 ~~erty, both real and personal, held in the name of the~~
24 ~~Pennsylvania Avenue Development Corporation to~~
25 ~~the General Services Administration.~~

1 (b) The responsibilities of the Pennsylvania Avenue
2 Development Corporation transferred to the General Serv-
3 ices Administration under subsection (a) include, but are
4 not limited to, the following:

5 (1) Collection of revenue owed the Federal Gov-
6 ernment as a result of real estate sales or lease
7 agreements entered into by the Pennsylvania Avenue
8 Development Corporation and private parties, in-
9 cluding, at a minimum, with respect to the following
10 projects:

11 (A) The Willard Hotel property on Square
12 ~~225.~~

13 (B) The Gallery Row project on Square
14 ~~457.~~

15 (C) The Lansburgh's project on Square
16 ~~431.~~

17 (D) The Market Square North project on
18 ~~Square 407.~~

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

24 (3) Application of collected revenue to repay
25 United States Treasury debt incurred by the Penn-

1 sylvania Avenue Development Corporation in the
2 course of acquiring real estate.

3 (4) Performing financial audits for projects in
4 which the Pennsylvania Avenue Development Cor-
5 poration has actual or potential revenue expectation,
6 as identified in paragraphs (1) and (2), in accord-
7 ance with procedures describe in applicable sale or
8 lease agreements.

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

12 (6) Payment of benefits in accordance with the
13 Uniform Relocation Assistance and Real Property
14 Acquisitions Policies Act of 1970 to which persons
15 in the project area squares are entitled as a result
16 of the Pennsylvania Avenue Development Corpora-
17 tion's acquisition of real estate.

18 (7) Carrying out the responsibilities of the
19 Pennsylvania Avenue Development Corporation
20 under the Federal Triangle Development Act (40
21 U.S.C. 1101–1109), including responsibilities for
22 managing assets and liabilities of the Corporation
23 under such Act.

24 (c) In carrying out the responsibilities of the Penn-
25 sylvania Avenue Development Corporation transferred

1 under this section, the Administrator of the General Serv-
2 ices Administration shall have the following powers:

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

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

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

3 (4) To enter into and perform such leases, con-
4 tracts, or other transactions with any agency or in-
5 strumentality of the United States, the several
6 States, or the District of Columbia or with any per-
7 son, firm, association, or corporation as may be nec-
8 essary to carry out the responsibilities of the Penn-
9 sylvania Avenue Development Corporation under the
10 Federal Triangle Development Act (40 U.S.C.
11 1101–1109).

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

15 (6) To use all of the funds transferred from the
16 Pennsylvania Avenue Development Corporation or
17 income earned on Pennsylvania Avenue Development
18 Corporation property to complete any pending devel-
19 opment projects.

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

1 (B) The property referred to in subparagraph (A) is
2 the property located within the Pennsylvania Avenue Na-
3 tional Historic Site depicted on a map entitled “Penn-
4 sylvania Avenue National Historic Park”, dated June 1,
5 1995, and numbered 840-82441, which shall be on file
6 and available for public inspection in the offices of the Na-
7 tional Park Service, Department of the Interior. The
8 Pennsylvania Avenue National Historic Site includes the
9 parks, plazas, sidewalks, special lighting, trees, sculpture,
10 and memorials.

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

15 (3) The National Park Service shall be responsible
16 for management, administration, maintenance, law en-
17 forcement, visitor services, resource protection, interpreta-
18 tion, and historic preservation at the Pennsylvania Avenue
19 National Historic Site.

20 (4) The National Park Service may enter into con-
21 tracts, cooperative agreements, or other transactions with
22 any agency or instrumentality of the United States, the
23 several States, or the District of Columbia or with any
24 person, firm, association, or corporation as may be deemed
25 necessary or appropriate for the conduct of special events,

1 festivals, concerts, or other art and cultural programs at
2 the Pennsylvania Avenue National Historic Site or may
3 establish a nonprofit foundation to solicit funds for such
4 activities.

5 (e) Notwithstanding any other provision of law, the
6 responsibility for ensuring that development or redevelop-
7 ment in the Pennsylvania Avenue area is carried out in
8 accordance with the Pennsylvania Avenue Development
9 Corporation Plan—1974, as amended, is transferred to
10 the National Capital Planning Commission or its succes-
11 sor commencing April 1, 1996.

12 (f) SAVINGS PROVISIONS.—

13 (1) REGULATIONS.—Any regulations prescribed
14 by the Corporation in connection with the Penn-
15 sylvania Avenue Development Corporation Act of
16 1972 (40 U.S.C. 871–885) and the Federal Triangle
17 Development Act (40 U.S.C. 1101–1109) shall con-
18 tinue in effect until suspended by regulations pre-
19 scribed by the Administrator of the General Services
20 Administration.

21 (2) EXISTING RIGHTS, DUTIES, AND OBLIGA-
22 TIONS NOT AFFECTED.—Subsection (a) shall not be
23 construed as affecting the validity of any right, duty,
24 or obligation of the United States or any other per-
25 son arising under or pursuant to any contract, loan,

1 or other instrument or agreement which was in ef-
2 fect on the day before the date of the transfers
3 under subsection (a).

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

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

17 “(b) The Corporation shall be dissolved on April 1,
18 1996. Upon dissolution, assets, obligations, and indebted-
19 ness of the Corporation shall be transferred in accordance
20 with the Department of the Interior and Related Agencies
21 Appropriations Act, 1996.”.

22 (152)SEC. 314. (a) Except as provided in subsection
23 (b), no part of any appropriation contained in this Act
24 or any other Act shall be obligated or expended for the
25 operation or implementation of the Interior Columbia

1 River Basin Ecoregion Assessment Project (hereinafter
2 “Project”).

3 (b) From the funds appropriated to the Forest Serv-
4 ice and the Bureau of Land Management, \$600,000 is
5 made available to publish by January 1, 1996, for peer
6 review and public comment, the scientific information col-
7 lected, and analysis undertaken, by the Project prior to
8 the date of enactment of this Act concerning forest health
9 conditions and forest management needs related to those
10 conditions.

11 (c)(1) From the funds appropriated to the Forest
12 Service, the Secretary of Agriculture (hereinafter “Sec-
13 retary”) shall—

14 (A) review the land and resource management
15 plan (hereinafter “plan”) for each national forest
16 within the area encompassed by the Project and any
17 policy which is applicable to such plan (whether or
18 not such policy is final or draft, or has been added
19 to such plan by amendment), which is or is intended
20 to be of limited duration, and which the Project was
21 tasked to address; and

22 (B) determine whether such policy modified to
23 meet the specific conditions of such national forest,
24 or another policy which serves the purpose of such
25 policy, should be adopted for such national forest.

1 (2) If the Secretary makes a decision that such a
2 modified or alternative policy should be adopted for such
3 national forest, the Secretary shall prepare and adopt for
4 the plan for such national forest an amendment which
5 contains such policy, which is directed solely to and affects
6 only such plan, and which addresses the specific conditions
7 of the national forest and the relationship of such policy
8 to such conditions.

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

21 (4) Any amendment prepared pursuant to paragraph
22 (2) which adopts a modified or alternative policy to sub-
23 stitute for a policy referred to in paragraph (1)(A) which
24 has undergone consultation pursuant to section 7 of the
25 Endangered Species Act of 1973 shall not again be subject

1 to the consultation provisions of such section 7. No further
2 consultation shall be undertaken on any policy referred to
3 in paragraph (1)(A).

4 ~~(5) Any amendment prepared pursuant to paragraph~~
5 ~~(2) shall be adopted on or before March 31, 1996: Pro-~~
6 ~~vided, That any amendment deemed a significant amend-~~
7 ~~ment pursuant to paragraph (3) shall be adopted on or~~
8 ~~before June 30, 1996.~~

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

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

16 *(b) From the funds appropriated to the Forest Service*
17 *and Bureau of Land Management, a sum of \$4,000,000 is*
18 *made available for the appropriate line officers assigned to*
19 *the Walla Walla office and the Boise office of the Project*
20 *to publish by April 30, 1996, an eastside final environ-*
21 *mental impact statement, without a record of decision, for*
22 *the Federal lands subject to the Project in Oregon and*
23 *Washington and an Upper Columbia Basin final environ-*
24 *mental impact statement, without a record of decision, for*
25 *the Federal lands subject to the Project in Idaho and Mon-*

1 *tana and other affected States, respectively. Among other*
2 *matters, the final environmental impact statements shall*
3 *contain the scientific information collected and analysis*
4 *undertaken by the Project on landscape dynamics and forest*
5 *health conditions and the implications of such dynamics*
6 *and conditions for forest management, including the man-*
7 *agement of forest vegetation structure, composition, and*
8 *density.*

9 *(c)(1) From the funds generally appropriated to the*
10 *Forest Service and the Bureau of Land Management, the*
11 *Secretary of Agriculture or the Secretary of the Interior as*
12 *the case may be, shall—*

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

1 (B) based on such review, determine whether
2 such policy modified to meet the specific conditions of
3 such forest, or an alternative policy which serves the
4 purpose of such policy, should be adopted for such for-
5 est.

6 (2) If the Secretary concerned makes a decision that
7 such a modified or alternative policy should be adopted for
8 such forest, the Secretary concerned shall prepare and adopt
9 for the resource management plan for such forest an amend-
10 ment which contains such policy, which is directed solely
11 to and affects only such plan, and which addresses the spe-
12 cific conditions of the forest and the relationship of such
13 policy to such conditions. The Secretary shall consult with
14 the Governor of the State, and the Commissioner of the
15 county or counties, in which the forest is situated prior to
16 such decision and, if the decision is to prepare an amend-
17 ment, during the preparation thereof.

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

1 *the plan any policy referred to in paragraph (1)(A)) shall*
2 *be deemed a significant plan amendment, or equivalent,*
3 *pursuant to section 6(f)(4) of the Forest and Rangeland Re-*
4 *newable Resources Planning Act of 1974 (16 U.S.C.*
5 *1604(f)(4)) or section 202 of the Federal Land Policy and*
6 *Management Act of 1976 (43 U.S.C. 1712).*

7 *(4)(A) Any amendment prepared pursuant to para-*
8 *graph (2) which adopts a policy that is a modification of*
9 *or alternative to a policy referred to in paragraph (1)(A)*
10 *upon which consultation or conferencing has occurred pur-*
11 *suant to section 7 of the Endangered Species Act of 1973*
12 *(16 U.S.C. 1536) shall not again be subject to the consulta-*
13 *tion or conferencing provisions of such section 7.*

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

18 *(C) No further consultation other than the consultation*
19 *specified in subparagraph (B) shall be undertaken on any*
20 *amendments prepared pursuant to paragraph (2), on any*
21 *project or activity which is consistent with an applicable*
22 *amendment, on any policy referred to in paragraph (1)(A),*
23 *or on any portion of any resource management plan related*
24 *to such policy or the species to which such policy applies.*

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

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

12 (7) On the signing of a record of decision or equivalent
13 document making an amendment for the Clearwater Na-
14 tional Forest pursuant to paragraph (2), the requirement
15 for revision referred to in the Stipulation of Dismissal
16 dated September 13, 1993, applicable to the Clearwater Na-
17 tional Forest is deemed to be satisfied, and the interim
18 management direction provisions contained in the Stipula-
19 tion of Dismissal shall be of no further effect with respect
20 to the Clearwater National Forest.

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

24 **(153)SEC. 315. (a) The Secretary of the Interior**
25 **(acting through the Bureau of Land Management, the Na-**

1 tional Park Service and the United States Fish and Wild-
2 life Service) and the Secretary of Agriculture (acting
3 through the Forest Service) shall each implement a fee
4 program to demonstrate the feasibility of user-generated
5 cost recovery for the operation and maintenance of recre-
6 ation sites and habitat enhancement projects on Federal
7 lands.

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

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

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

23 (3) may contract with any public or private en-
24 tity to provide visitor services, including reservations
25 and information, and may accept services of volun-

1 teers to collect fees charged pursuant to paragraph
2 (1); and

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

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

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

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

23 (2) For purposes of this subsection, "total collec-
24 tions" for each site shall be defined as gross collections

1 before any reduction for amounts attributable to collection
2 costs.

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

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

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

1 Conservation Fund Act of 1965 (16 U.S.C. 460l), and any
2 other provision of law relating to revenue allocation.

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

5 ~~(e) The Secretary of the Interior and the Secretary~~
6 ~~of Agriculture shall carry out this section without promul-~~
7 ~~gating regulations.~~

8 ~~(f) The authority to collect fees under this section~~
9 ~~shall commence on October 1, 1995, and end on Septem-~~
10 ~~ber 30, 1996. Funds in accounts established shall remain~~
11 ~~available through September 30, 1997.~~

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

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

1 *For each such demonstration, the Secretary, notwithstand-*
2 *ing any other provision of law—*

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

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

11 *(3) may contract, including provisions for rea-*
12 *sonable commissions, with any public or private en-*
13 *tity to provide visitor services, including reservations*
14 *and information, and may accept services of volun-*
15 *teers to collect fees charged pursuant to paragraph*
16 *(1);*

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

22 *(5) may assess a fine of not more than \$100 for*
23 *any violation of the authority to collect fees for ad-*
24 *mission to the area or for the use of outdoor recre-*

1 *ation sites, facilities, visitor centers, equipment, and*
2 *services.*

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

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

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

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

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

1 (E) For the Fish and Wildlife Service, the bal-
2 ance shall be distributed in accordance with the Fish
3 and Wildlife Service Administrative Provisions of this
4 Act.

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

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

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

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

20 (4) In order to increase the quality of the visitor expe-
21 rience at public recreational areas and enhance the protec-
22 tion of resources, amounts available for expenditure under
23 paragraph (1) may only be used for the site or project con-
24 cerned, for backlogged repair and maintenance projects (in-
25 cluding projects relating to health and safety) and for inter-

1 *pretation, signage, habitat or facility enhancement, resource*
2 *preservation, annual operation (including fee collection),*
3 *maintenance, and law enforcement relating to public use.*
4 *The agencywide accounts may be used for the same purposes*
5 *set forth in the preceding sentence, but for sites or projects*
6 *selected at the discretion of the respective agency head.*

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

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

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

23 *(f) The authority to collect fees under this section shall*
24 *commence on October 1, 1995, and end on September 30,*

1 1998. Funds in accounts established shall remain available
2 through September 30, 2001.

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

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

11 (A) identifies all Federal lands and facilities
12 that provide tourism or recreational use; and

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

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

23 ~~(154)SEC. 316. The Forest Service and Bureau of~~
24 ~~Land Management may offer for sale salvageable timber~~
25 ~~in the Pacific Northwest in fiscal year 1996: Provided,~~

1 That for public lands known to contain the Northern spot-
2 ted owl, such salvage sales may be offered as long as the
3 offering of such sale will not render the area unsuitable
4 as habitat for the Northern spotted owl: *Provided further,*
5 That timber salvage activity in spotted owl habitat is to
6 be done in full compliance with all existing environmental
7 and forest management laws.

8 SEC. 317. None of the funds made available in this
9 Act may be used for any program, project, or activity
10 when it is made known to the Federal entity or official
11 to which the funds are made available that the program,
12 project, or activity is not in compliance with any applicable
13 Federal law relating to risk assessment, the protection of
14 private property rights, or unfunded mandates.

15 ~~(155)~~SEC. 318. None of the funds provided in this
16 Act may be made available for the Mississippi River Cor-
17 ridor Heritage Commission.

18 ~~(156)~~SEC. 319. (a) LIMITATION ON USE OF
19 FUNDS.—None of the funds made available in this Act
20 may be used by the Department of Energy in implement-
21 ing the Codes and Standards Program to plan, propose,
22 issue, or prescribe any new or amended standard.

23 (b) CORRESPONDING REDUCTION IN FUNDS.—The
24 aggregate amount otherwise provided in this Act for “DE-

1 PARTMENT OF ENERGY—Energy Conservation” is
2 hereby reduced by \$12,799,000.

3 ~~(157)~~SEC. 320. None of the funds made available
4 in this Act may be used by the Department of Energy
5 in implementing the Codes and Standards Program to
6 plan, propose, issue, or prescribe any new or amended
7 standard—

8 (1) when it is made known to the Federal offi-
9 cial having authority to obligate or expend such
10 funds that the Attorney General, in accordance with
11 section 325(o)(2)(B) of the Energy Policy and Con-
12 servation Act (42 U.S.C. 6295(o)(2)(B)), determined
13 that the standard is likely to cause significant anti-
14 competitive effects;

15 (2) that the Secretary of Energy, in accordance
16 with such section 325(o)(2)(B), has determined that
17 the benefits of the standard do not exceed its bur-
18 dens; or

19 (3) that is for fluorescent lamps ballasts.

20 *SEC. 320. None of the funds made available in this*
21 *Act shall be used by the Department of Energy in imple-*
22 *menting the Codes and Standards Program to propose,*
23 *issue, or prescribe any new or amended standard: Provided,*
24 *That this section shall expire on September 30, 1996: Pro-*
25 *vided further, That nothing in this section shall preclude*

1 *the Federal Government from promulgating rules concern-*
2 *ing energy efficiency standards for the construction of new*
3 *federally-owned commercial and residential buildings.*

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

11 ~~(158)SEC. 322. No funds appropriated or otherwise~~
12 ~~made available pursuant to this Act in fiscal year 1996~~
13 ~~shall be obligated or expended to accept or process applica-~~
14 ~~tions for a patent for any mining or mill site claim located~~
15 ~~under the general mining laws or to issue a patent for~~
16 ~~any such claim.~~

17 SEC. 322. (a) *FAIR MARKET VALUE FOR MINERAL*
18 *PATENTS.—Except as provided in subsection (c), any pat-*
19 *ent issued by the United States under the general mining*
20 *laws after the date of enactment of this Act shall be issued*
21 *only upon payment by the owner of the claim of the fair*
22 *market value for the interest in the land owned by the Unit-*
23 *ed States exclusive of and without regard to the mineral*
24 *deposits in the land or the use of the land. For the purposes*
25 *of this section, “general mining laws” means those Acts*

1 *which generally comprise chapters 2, 11, 12, 12A, 15, and*
2 *16, and sections 161 and 162, of title 30 of the United*
3 *States Code, all Acts heretofore enacted which are amend-*
4 *atory of or supplementary to any of the foregoing Acts, and*
5 *the judicial and administrative decisions interpreting such*
6 *Acts.*

7 *(b) RIGHT OF REENTRY.—*

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

22 *(2) NOTICE BY THE SECRETARY.—If the patented*
23 *estate is used by the patentee for any purpose other*
24 *than for conducting mineral activities in good faith,*
25 *the Secretary of the Interior shall serve on all owners*

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

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

1 of reentry under this section shall remain open to the
2 location of mining claims and mill sites, unless with-
3 drawn under other applicable law.

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

12 (d) *PROCESSING OF PENDING PATENT APPLICA-*
13 *TIONS.*—

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

19 (A) *Within three months of the enactment of*
20 *this Act, file with the House and Senate Com-*
21 *mittees on Appropriations and the Committee on*
22 *Resources of the House of Representatives and*
23 *the Committee on Energy and Natural Resources*
24 *of the United States Senate a plan which details*
25 *how the Department of the Interior will take*

1 *final action on all such applications within two*
2 *years of the enactment of this Act and file re-*
3 *ports annually thereafter with the same commit-*
4 *tees detailing actions taken by the Department of*
5 *the Interior to carry out such plan; and*

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

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

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

5 **(159)**SEC. 324. *No part of any appropriation con-*
6 *tained in this Act or any other Act shall be expended or*
7 *obligated to fund the activities of the Office of Forestry and*
8 *Economic Development after December 31, 1995.*

9 **(160)**SEC. 325. *No part of any appropriation con-*
10 *tained in this Act or any other Act shall be expended or*
11 *obligated to: (a) redefine the definition of an area in which*
12 *a marbled murrelet is “known to be nesting”; or (b) to mod-*
13 *ify the protocol for surveying for marbled murrelets in effect*
14 *on July 21, 1995.*

15 **(161)**SEC. 326. (a) *LAND EXCHANGE.—The Secretary*
16 *of the Interior (hereinafter referred to as the “Secretary”)*
17 *is authorized to convey to the Boise Cascade Corporation*
18 *(hereinafter referred to as the “Corporation”), a corporation*
19 *formed under the statutes of the State of Delaware, with*
20 *its principal place of business at Boise, Idaho, title to ap-*
21 *proximately seven acres of land, more or less, located in*
22 *sections 14 and 23, township 36 north, range 37 east, Wil-*
23 *lamette Meridian, Stevens County, Washington, further*
24 *identified in the records of the Bureau of Reclamation, De-*
25 *partment of the Interior, as Tract No. GC-19860, and to*

1 *accept from the Corporation in exchange therefor, title to*
2 *approximately one hundred and thirty-six acres of land lo-*
3 *cated in section 19, township 37 north, range 38 east and*
4 *section 33, township 38 north, range 37 east, Willamette*
5 *Meridian, Stevens County, Washington, and further identi-*
6 *fied in the records of the Bureau of Reclamation, Depart-*
7 *ment of the Interior, as Tract No. GC-19858 and Tract*
8 *No. GC-19859, respectively.*

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

22 **(c) ADMINISTRATIVE COSTS.**—*Costs of conducting the*
23 *necessary land surveys, preparing the legal descriptions of*
24 *the lands to be conveyed, performing the appraisals, and*

1 *administrative costs incurred in completing the exchange*
2 *shall be borne by the Corporation.*

3 (d) *LIABILITY FOR HAZARDOUS SUBSTANCES.—(1)*
4 *The Secretary shall not acquire any lands under this Act*
5 *if the Secretary determines that such lands, or any portion*
6 *thereof, have become contaminated with hazardous sub-*
7 *stances (as defined in the Comprehensive Environmental*
8 *Response, Compensation, and Liability Act (42 U.S.C.*
9 *9601)).*

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

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

1 **(162)**SEC. 327. *TIMBER SALES PIPELINE RESTORA-*
2 *TION FUNDS.—(a) The Secretary of Agriculture and the*
3 *Secretary of the Interior shall each establish a Timber Sales*
4 *Pipeline Restoration Fund (hereinafter “Agriculture Fund”*
5 *and “Interior Fund” or “Funds”). Any revenues received*
6 *from sales released under section 2001(k) of the Fiscal Year*
7 *1995 Supplemental Appropriations for Disaster Assistance*
8 *and Rescissions Act, minus the funds necessary to make*
9 *payments to States or local governments under other law*
10 *concerning the distribution of revenues derived from the af-*
11 *ected lands, which are in excess of \$37,500,000 (hereinafter*
12 *“excess revenues”) shall be deposited into the Funds. The*
13 *distribution of excess revenues between the Agriculture*
14 *Fund and Interior Fund shall be calculated by multiplying*
15 *the total of excess revenues times a fraction with a denomi-*
16 *nator of the total revenues received from all sales released*
17 *under such section 2001(k) and numerators of the total reve-*
18 *nues received from such sales on lands within the National*
19 *Forest System and the total revenues received from such*
20 *sales on lands administered by the Bureau of Land Man-*
21 *agement, respectively: Provided, That revenues or portions*
22 *thereof from sales released under such section 2001(k),*
23 *minus the amounts necessary for State and local govern-*
24 *ment payments and other necessary deposits, may be depos-*
25 *ited into the Funds immediately upon receipt thereof and*

1 *subsequently redistributed between the Funds or paid into*
2 *the United States Treasury as miscellaneous receipts as*
3 *may be required when the calculation of excess revenues is*
4 *made.*

5 *(b)(1) From the funds deposited into the Agriculture*
6 *Fund and into the Interior Fund pursuant to subsection*
7 *(a)—*

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

14 *(i) are situated on lands within the Na-*
15 *tional Forest System and lands administered by*
16 *the Bureau of Land Management, respectively;*
17 *and*

18 *(ii) are in addition to timber sales for*
19 *which funds are otherwise available in this Act*
20 *or other appropriations acts.*

21 *(B) twenty-five percent shall be available, with-*
22 *out fiscal year limitation or further appropriation, to*
23 *expend on the backlog of recreation projects on lands*
24 *within the National Forest System and lands admin-*

1 *istered by the Bureau of Land Management, respec-*
2 *tively.*

3 *(2) Expenditures under this subsection for preparation*
4 *of timber sales may include expenditures for Forest Service*
5 *activities within the forest land management budget line*
6 *item and associated timber roads, and Bureau of Land*
7 *Management activities within the Oregon and California*
8 *grant lands account and the forestry management area ac-*
9 *count, as determined by the Secretary concerned.*

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

19 *(d) The Secretary concerned shall terminate all pay-*
20 *ments into the Agriculture Fund or the Interior Fund, and*
21 *pay any unobligated funds in the affected Fund into the*
22 *United States Treasury as miscellaneous receipts, whenever*
23 *the Secretary concerned makes a finding, published in the*
24 *Federal Register, that sales sufficient to achieve the total*
25 *allowable sales quantity of the national forest system for*

1 *the Forest Service or the allowable sales level for the Oregon*
2 *and California grant lands for the Bureau of Land Man-*
3 *agement, respectively, have been prepared.*

4 *(e) Any timber sales prepared and recreation projects*
5 *completed under this section shall comply with all applica-*
6 *ble environmental and natural resource laws and regula-*
7 *tions.*

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

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

21 **(163)** *SEC. 328. Notwithstanding any other provision*
22 *of law, none of the funds provided in this or any other act*
23 *shall be available for travel and training expenses for the*
24 *Bureau of Indian Affairs or the Office of Indian Education*
25 *for education conferences or training activities.*

1 **(164)** *SEC. 329. Of the funds provided to the National*
2 *Endowment for the Arts:*

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

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

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

19 **(165)SEC. 330. DELAY IN IMPLEMENTATION OF THE ADMIN-**
20 **ISTRATION'S RANGELAND REFORM PRO-**
21 **GRAM.**

22 *None of the funds made available under this or any*
23 *other Act may be used to implement or enforce the final*
24 *rule published by the Secretary of the Interior on February*
25 *22, 1995 (60 Fed. Reg. 9894), making amendments to parts*

1 4, 1780, and 4100 of title 43, Code of Federal Regulations,
2 to take effect August 21, 1995, until November 21, 1995.
3 None of the funds made available under this or any other
4 Act may be used to publish proposed or enforce final regula-
5 tions governing the management of livestock grazing on
6 lands administered by the Forest Service until November
7 21, 1995.

8 **(166)**SEC. 331. (a)(1) The head of each agency re-
9 ferred to in paragraph (2) shall submit to the President
10 each year, through the head of the department having juris-
11 diction over the agency, a land acquisition ranking for the
12 agency concerned for the fiscal year beginning after the date
13 of the submittal of the report.

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

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

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

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

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

24 (3) In this section, the term “land acquisition rank-
25 ing”, in the case of a Federal agency, means a statement

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

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

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

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

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

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

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

1 (D) the extent, if any, to which an increase in
2 the cost of the land covered by the proposals makes
3 timely completion of the acquisition advisable;

4 (E) the extent of public support for the acquisition
5 of the land; and

6 (F) such other matters as the Secretary concerned
7 shall prescribe.

8 **(167)** SEC. 332. Section 1864 of title 18, United States
9 Code, is amended—

10 (1) in subsection (b)—

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

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

15 (C) in paragraph (4), by striking “if damage
16 exceeding \$10,000 to the property of any individual
17 results,” and inserting “if damage to
18 the property of any individual results or if
19 avoidance costs have been incurred exceeding
20 \$10,000, in the aggregate,”; and

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

23 (2) in subsection (c) by striking “ten” and inserting
24 “20”;

25 (3) in subsection (d), by—

1 (A) striking “and” at the end of paragraph

2 (2);

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

5 (C) adding at the end the following:

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

8 “(A) detecting a hazardous or injurious de-
9 vice; or

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

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

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

1 party, whenever the court determines such award is appro-
2 priate.”.

3 **(168)**SEC. 333. Notwithstanding any other provision
4 of law, none of the funds authorized to be appropriated pur-
5 suant to this Act may be used to promote, disseminate,
6 sponsor or produce materials or performances which deni-
7 grate the objects or beliefs of the adherents of a particular
8 religion.

9 **(169)**SEC. 334. Notwithstanding any other provision
10 of law, none of the funds made available to the National
11 Endowment for the Arts under this Act may be used to pro-
12 mote, disseminate, sponsor, or produce materials or per-
13 formances that depict or describe, in a patently offensive
14 way, sexual or excretory activities or organs.

15 **(170)**SEC. 335. Public Law 94-158 is modified to ex-
16 tend the scope of the Arts and Artifacts Indemnity Act to
17 include exhibitions originating in the United States and
18 touring the United States for indemnification subject to the
19 availability of funds.

20 **(171)SEC. 336. ENERGY SAVINGS AT FEDERAL FACILITIES.**

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

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

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

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

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

18 *(c) REPORT.—*

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

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

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

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

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

7 (172) **SEC. 337. DISTRIBUTION OF INDIAN HEALTH SERVICE**

8 **PROFESSIONALS.**

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

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

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

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

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

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

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

19 (4) provide an analysis of—

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

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

1 **(173)SEC. 338. HIV-AIDS PREVENTION AND TREATMENT**

2 **PLAN.**

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

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

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

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

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

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

24 (b) *SERVICE PLAN.*—The Secretary, acting through the
25 Indian Health Service and in consultation with Indian
26 tribes, shall develop and implement a plan of action for

1 *meeting the existing and projected needs, which based on*
2 *the evaluation conducted pursuant to subsection (a), are de-*
3 *termined to be unmet.*

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

Passed the House of Representatives August 10,
1995.

Attest: ROBIN H. CARLE,
Clerk.

Passed the Senate August 9 (legislative day, July
10), 1995.

Attest: KELLY D. JOHNSTON,
Secretary.

HR 1977 PP—2

HR 1977 PP—3

HR 1977 PP—4

HR 1977 PP—5

HR 1977 PP—6

HR 1977 PP—7