

104TH CONGRESS
1ST SESSION

H. R. 1977

IN THE SENATE OF THE UNITED STATES

JULY 19 (legislative day, JULY 10), 1995

Received; read twice and referred to the Committee on Appropriations

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,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 Department of the Interior and related agencies for the
4 fiscal year ending September 30, 1996, and for other pur-
5 poses, namely:

6 TITLE I—DEPARTMENT OF THE INTERIOR

7 BUREAU OF LAND MANAGEMENT

8 MANAGEMENT OF LANDS AND RESOURCES

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

1 That appropriations herein made shall not be available for
2 the destruction of healthy, unadopted, wild horses and
3 burros in the care of the Bureau or its contractors; and
4 in addition, \$27,650,000 for Mining Law Administration
5 program operations, to remain available until expended,
6 to be reduced by amounts collected by the Bureau of Land
7 Management and credited to this appropriation from an-
8 nual mining claim fees so as to result in a final appropria-
9 tion estimated at not more than \$570,017,000: *Provided*
10 *further*, That in addition to funds otherwise available, and
11 to remain available until expended, not to exceed
12 \$5,000,000 from annual mining claim fees shall be cred-
13 ited to this account for the costs of administering the min-
14 ing claim fee program, and \$2,000,000 from communica-
15 tion site rental fees established by the Bureau.

16 WILDLAND FIRE MANAGEMENT

17 For necessary expenses for fire use and management,
18 fire preparedness, emergency presuppression, suppression
19 operations, emergency rehabilitation, and renovation or
20 construction of fire facilities in the Department of the In-
21 terior, \$235,924,000, to remain available until expended,
22 of which not to exceed \$5,025,000, shall be available for
23 the renovation or construction of fire facilities: *Provided*,
24 That notwithstanding any other provision of law, persons
25 hired pursuant to 43 U.S.C. 1469 may be furnished sub-
26 sistence and lodging without cost from funds available

1 from this appropriation: *Provided further*, That such funds
2 are also available for repayment of advances to other ap-
3 propriation accounts from which funds were previously
4 transferred for such purposes: *Provided further*, That un-
5 obligated balances of amounts previously appropriated to
6 the Fire Protection and Emergency Department of the In-
7 terior Firefighting Fund may be transferred or merged
8 with this appropriation.

9 CENTRAL HAZARDOUS MATERIALS FUND

10 For expenses necessary for use by the Department
11 of the Interior and any of its component offices and bu-
12 reaus for the remedial action, including associated activi-
13 ties, of hazardous waste substances, pollutants, or con-
14 taminants pursuant to the Comprehensive Environmental
15 Response, Compensation and Liability Act, as amended
16 (42 U.S.C. 9601 et seq.), \$10,000,000, to remain available
17 until expended: *Provided*, That, notwithstanding 31
18 U.S.C. 3302, sums recovered from or paid by a party in
19 advance of or as reimbursement for remedial action or re-
20 sponse activities conducted by the Department pursuant
21 to sections 107 or 113(f) of the Comprehensive Environ-
22 mental Response, Compensation and Liability Act, as
23 amended (42 U.S.C. 9607 or 9613(f)), shall be credited
24 to this account and shall be available without further ap-
25 propriation and shall remain available until expended: *Pro-*
26 *vided further*, That such sums recovered from or paid by

1 any party are not limited to monetary payments and may
2 include stocks, bonds or other personal or real property,
3 which may be retained, liquidated, or otherwise disposed
4 of by the Secretary of the Interior and which shall be cred-
5 ited to this account.

6 CONSTRUCTION AND ACCESS

7 For acquisition of lands and interests therein, and
8 construction of buildings, recreation facilities, roads,
9 trails, and appurtenant facilities, \$2,515,000, to remain
10 available until expended.

11 PAYMENTS IN LIEU OF TAXES

12 For expenses necessary to implement the Act of Octo-
13 ber 20, 1976, as amended (31 U.S.C. 6901-07),
14 \$111,409,000, of which not to exceed \$400,000 shall be
15 available for administrative expenses.

16 LAND ACQUISITION

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

23 OREGON AND CALIFORNIA GRANT LANDS

24 For expenses necessary for management, protection,
25 and development of resources and for construction, oper-
26 ation, and maintenance of access roads, reforestation, and

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

15 RANGE IMPROVEMENTS

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

1 \$9,113,000, to remain available until expended: *Provided*,
2 That not to exceed \$600,000 shall be available for admin-
3 istrative expenses.

4 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

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

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

8 MISCELLANEOUS TRUST FUNDS

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

17 ADMINISTRATIVE PROVISIONS

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

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

10 UNITED STATES FISH AND WILDLIFE SERVICE

11 RESOURCE MANAGEMENT

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

1 \$11,557,000 shall be for operation and maintenance of
2 fishery mitigation facilities constructed by the Corps of
3 Engineers under the Lower Snake River Compensation
4 Plan, authorized by the Water Resources Development Act
5 of 1976 (90 Stat. 2921), to compensate for loss of fishery
6 resources from water development projects on the Lower
7 Snake River: *Provided*, That unobligated and unexpended
8 balances in the Resource Management account at the end
9 of fiscal year 1995, shall be merged with and made a part
10 of the fiscal year 1996 Resource Management appropria-
11 tion, and shall remain available for obligation until Sep-
12 tember 30, 1997.

13 CONSTRUCTION

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

20 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

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

1 the Oil Pollution Act of 1990 (Public Law 101–380), and
2 the Act of July 27, 1990 (Public Law 101–337);
3 \$6,019,000, to remain available until expended: *Provided*,
4 That sums provided by any party in fiscal year 1996 and
5 thereafter are not limited to monetary payments and may
6 include stocks, bonds or other personal or real property,
7 which may be retained, liquidated or otherwise disposed
8 of by the Secretary and such sums or properties shall be
9 utilized for the restoration of injured resources, and to
10 conduct new damage assessment activities.

11 LAND ACQUISITION

12 For expenses necessary to carry out the provisions
13 of the Land and Water Conservation Fund Act of 1965,
14 as amended (16 U.S.C. 4601–4–11), including administra-
15 tive expenses, and for acquisition of land or waters, or in-
16 terest therein, in accordance with statutory authority ap-
17 plicable to the United States Fish and Wildlife Service,
18 \$14,100,000, to be derived from the Land and Water Con-
19 servation Fund, to remain available until expended.

20 COOPERATIVE ENDANGERED SPECIES CONSERVATION

21 FUND

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

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

3 NATIONAL WILDLIFE REFUGE FUND

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

6 REWARDS AND OPERATIONS

7 For expenses necessary to carry out the provisions
8 of the African Elephant Conservation Act (16 U.S.C.
9 4201–4203, 4211–4213, 4221–4225, 4241–4245, and
10 1538), \$600,000, to remain available until expended.

11 NORTH AMERICAN WETLANDS CONSERVATION FUND

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

16 LAHONTAN VALLEY AND PYRAMID LAKE FISH AND

17 WILDLIFE FUND

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

23 RHINOCEROS AND TIGER CONSERVATION FUND

24 For deposit to the Rhinoceros and Tiger Conserva-
25 tion Fund, \$200,000, to remain available until expended,

1 to be available to carry out the provisions of the Rhinoc-
2 eros and Tiger Conservation Act of 1994 (P.L. 103-391).

3 WILDLIFE CONSERVATION AND APPRECIATION FUND

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

9 ADMINISTRATIVE PROVISIONS

10 Appropriations and funds available to the United
11 States Fish and Wildlife Service shall be available for pur-
12 chase of not to exceed 54 passenger motor vehicles, none
13 of which are for police-type use; not to exceed \$400,000
14 for payment, at the discretion of the Secretary, for infor-
15 mation, rewards, or evidence concerning violations of laws
16 administered by the United States Fish and Wildlife Serv-
17 ice, and miscellaneous and emergency expenses of enforce-
18 ment activities, authorized or approved by the Secretary
19 and to be accounted for solely on his certificate; repair
20 of damage to public roads within and adjacent to reserva-
21 tion areas caused by operations of the United States Fish
22 and Wildlife Service; options for the purchase of land at
23 not to exceed \$1 for each option; facilities incident to such
24 public recreational uses on conservation areas as are con-
25 sistent with their primary purpose; and the maintenance
26 and improvement of aquaria, buildings, and other facilities

1 under the jurisdiction of the United States Fish and Wild-
2 life Service and to which the United States has title, and
3 which are utilized pursuant to law in connection with man-
4 agement and investigation of fish and wildlife resources:
5 *Provided*, That notwithstanding 44 U.S.C. 501, the Serv-
6 ice may, under cooperative cost sharing and partnership
7 arrangements authorized by law, procure printing services
8 from cooperators in connection with jointly-produced pub-
9 lications for which the cooperators share at least one-half
10 the cost of printing either in cash or services and the Serv-
11 ice determines the cooperator is capable of meeting accept-
12 ed quality standards: *Provided further*, That notwithstand-
13 ing any other provision of law, the Secretary of the Inte-
14 rior may not spend any of the funds appropriated in this
15 Act for the purchase of lands or interests in lands to be
16 used in the establishment of any new unit of the National
17 Wildlife Refuge System unless the purchase is approved
18 in advance by the House and Senate Committees on Ap-
19 propriations in compliance with the reprogramming proce-
20 dures contained in House Report 103-551: *Provided fur-*
21 *ther*, That none of the funds made available in this Act
22 may be used by the U.S. Fish and Wildlife Service to im-
23 pede or delay the issuance of a wetlands permit by the
24 U.S. Army Corps of Engineers to the City of Lake Jack-
25 son, Texas, for the development of a public golf course

1 west of Buffalo Camp Bayou between the Brazos River
2 and Highway 332.

3 NATIONAL PARK SERVICE

4 OPERATION OF THE NATIONAL PARK SYSTEM

5 For expenses necessary for the management, oper-
6 ation, and maintenance of areas and facilities adminis-
7 tered by the National Park Service (including special road
8 maintenance service to trucking permittees on a reimburs-
9 able basis), and for the general administration of the Na-
10 tional Park Service, including not to exceed \$1,593,000
11 for the Volunteers-in-Parks program, and not less than
12 \$1,000,000 for high priority projects within the scope of
13 the approved budget which shall be carried out by the
14 Youth Conservation Corps as authorized by the Act of Au-
15 gust 13, 1970, as amended by Public Law 93-408,
16 \$1,088,249,000, without regard to the Act of August 24,
17 1912, as amended (16 U.S.C. 451), of which not to exceed
18 \$72,000,000, to remain available until expended is to be
19 derived from the special fee account established pursuant
20 to title V, section 5201, of Public Law 100-203, and of
21 which not more than \$1 shall be available for activities of
22 the National Park Service at the Mojave National Pre-
23 serve.

24 NATIONAL RECREATION AND PRESERVATION

25 For expenses necessary to carry out recreation pro-
26 grams, natural programs, cultural programs, environ-

1 mental compliance and review, international park affairs,
2 statutory or contractual aid for other activities, and grant
3 administration, not otherwise provided for, \$35,725,000:
4 *Provided*, That \$248,000 of the funds provided herein are
5 for the William O. Douglas Outdoor Education Center,
6 subject to authorization.

7 HISTORIC PRESERVATION FUND

8 For expenses necessary in carrying out the provisions
9 of the Historic Preservation Act of 1966 (80 Stat. 915),
10 as amended (16 U.S.C. 470), \$37,934,000, to be derived
11 from the Historic Preservation Fund, established by sec-
12 tion 108 of that Act, as amended, to remain available for
13 obligation until September 30, 1997.

14 CONSTRUCTION

15 For construction, improvements, repair or replace-
16 ment of physical facilities, \$114,868,000, to remain avail-
17 able until expended: *Provided*, That not to exceed
18 \$6,000,000 shall be paid to the Army Corps of Engineers
19 for modifications authorized by section 104 of the Ever-
20 glades National Park Protection and Expansion Act of
21 1989.

22 LAND AND WATER CONSERVATION FUND

23 (RESCISSION)

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

1 LAND ACQUISITION AND STATE ASSISTANCE

2 For expenses necessary to carry out the provisions
3 of the Land and Water Conservation Fund Act of 1965,
4 as amended (16 U.S.C. 460l-4-11), including administra-
5 tive expenses, and for acquisition of lands or waters, or
6 interest therein, in accordance with statutory authority
7 applicable to the National Park Service, \$14,300,000, to
8 be derived from the Land and Water Conservation Fund,
9 to remain available until expended, of which \$4,800,000
10 is provided for Federal assistance to the State of Florida
11 pursuant to Public Law 103-219, and of which
12 \$1,500,000 is to administer the State assistance program.

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.

1 UNITED STATES GEOLOGICAL SURVEY

2 SURVEYS, INVESTIGATIONS, AND RESEARCH

3 For expenses necessary for the United States Geo-
4 logical Survey to perform surveys, investigations, and re-
5 search covering topography, geology, hydrology, and the
6 mineral and water resources of the United States, its Ter-
7 ritories and possessions, and other areas as authorized by
8 law (43 U.S.C. 31, 1332 and 1340); classify lands as to
9 their mineral and water resources; give engineering super-
10 vision to power permittees and Federal Energy Regulatory
11 Commission licensees; administer the minerals exploration
12 program (30 U.S.C. 641); and publish and disseminate
13 data relative to the foregoing activities; \$686,944,000, of
14 which \$62,130,000 shall be available for cooperation with
15 States or municipalities for water resources investigations,
16 and of which \$112,888,000 for resource research and the
17 operations of Cooperative Research Units shall remain
18 available until September 30, 1997: *Provided*, That no
19 part of this appropriation shall be used to pay more than
20 one-half the cost of any topographic mapping or water re-
21 sources investigations carried on in cooperation with any
22 State or municipality: *Provided further*, That funds avail-
23 able herein for resource research may be used for the pur-
24 chase of not to exceed 61 passenger motor vehicles, of
25 which 55 are for replacement only: *Provided further*, That

1 none of the funds available under this head for resource
2 research shall be used to conduct new surveys on private
3 property except when it is made known to the Federal offi-
4 cial having authority to obligate or expend such funds that
5 the survey or research has been requested and authorized
6 in writing by the property owner or the owner's authorized
7 representative: *Provided further*, That none of the funds
8 provided herein for resource research may be used to ad-
9 minister a volunteer program when it is made known to
10 the Federal official having authority to obligate or expend
11 such funds that the volunteers are not properly trained
12 or that information gathered by the volunteers is not care-
13 fully verified: *Provided further*, That no later than April
14 1, 1996, the Director of the United States Geological Sur-
15 vey shall issue agency guidelines for resource research that
16 ensure that scientific and technical peer review is utilized
17 as fully as possible in selection of projects for funding and
18 ensure the validity and reliability of research and data col-
19 lection on Federal lands: *Provided further*, That no funds
20 available for resource research may be used for any activ-
21 ity that was not authorized prior to the establishment of
22 the National Biological Survey: *Provided further*, That
23 once every five years the National Academy of Sciences
24 shall review and report on the resource research activities
25 of the Survey: *Provided further*, That if specific authoriz-

1 ing legislation is enacted during or before the start of fis-
2 cal year 1996, the resource research component of the
3 Survey should comply with the provisions of that legisla-
4 tion: *Provided further*, That unobligated and unexpended
5 balances in the National Biological Survey, Research, in-
6 ventories and surveys account at the end of fiscal year
7 1995, shall be merged with and made a part of the United
8 States Geological Survey, Surveys, investigations, and re-
9 search account and shall remain available for obligation
10 until September 30, 1996.

11 ADMINISTRATIVE PROVISIONS

12 The amount appropriated for the United States Geo-
13 logical Survey shall be available for purchase of not to ex-
14 ceed 22 passenger motor vehicles, for replacement only;
15 reimbursement to the General Services Administration for
16 security guard services; contracting for the furnishing of
17 topographic maps and for the making of geophysical or
18 other specialized surveys when it is administratively deter-
19 mined that such procedures are in the public interest; con-
20 struction and maintenance of necessary buildings and ap-
21 purtenant facilities; acquisition of lands for gauging sta-
22 tions and observation wells; expenses of the United States
23 National Committee on Geology; and payment of com-
24 pensation and expenses of persons on the rolls of the Unit-
25 ed States Geological Survey appointed, as authorized by
26 law, to represent the United States in the negotiation and

1 administration of interstate compacts: *Provided*, That ac-
2 tivities funded by appropriations herein made may be ac-
3 complished through the use of contracts, grants, or coop-
4 erative agreements as defined in 31 U.S.C. 6302, et seq.

5 MINERALS MANAGEMENT SERVICE

6 ROYALTY AND OFFSHORE MINERALS MANAGEMENT

7 For expenses necessary for minerals leasing and envi-
8 ronmental studies, regulation of industry operations, and
9 collection of royalties, as authorized by law; for enforcing
10 laws and regulations applicable to oil, gas, and other min-
11 erals leases, permits, licenses and operating contracts; and
12 for matching grants or cooperative agreements; including
13 the purchase of not to exceed eight passenger motor vehi-
14 cles for replacement only; \$186,556,000, of which not less
15 than \$70,105,000 shall be available for royalty manage-
16 ment activities; and an amount not to exceed \$12,400,000
17 for the Technical Information Management System of
18 Outer Continental Shelf (OCS) Lands Activity, to be cred-
19 ited to this appropriation and to remain available until ex-
20 pended, from additions to receipts resulting from increases
21 to rates in effect on August 5, 1993, from rate increases
22 to fee collections for OCS administrative activities per-
23 formed by the Minerals Management Service over and
24 above the rates in effect on September 30, 1993, and from
25 additional fees for OCS administrative activities estab-

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

1 mineral lessees and other royalty payors on amounts re-
2 ceived in settlement or other resolution of disputes under,
3 and for partial or complete termination of, sales agree-
4 ments for minerals from Federal and Indian leases.

5 OIL SPILL RESEARCH

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

12 BUREAU OF MINES

13 MINES AND MINERALS

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

16 ADMINISTRATIVE PROVISIONS

17 The Secretary is authorized to accept lands, buildings,
18 equipment, other contributions, and fees from public and
19 private sources, and to prosecute projects using such con-
20 tributions and fees in cooperation with other Federal,
21 State or private agencies: *Provided*, That the Bureau of
22 Mines is authorized, during the current fiscal year, to sell
23 directly or through any Government agency, including cor-
24 porations, any metal or mineral products that may be
25 manufactured in pilot plants operated by the Bureau of
26 Mines, and the proceeds of such sales shall be covered into

1 the Treasury as miscellaneous receipts: *Provided further,*
2 That notwithstanding any other provision of law, the Sec-
3 retary is authorized to convey, without reimbursement,
4 title and all interest of the United States in property and
5 facilities of the United States Bureau of Mines in Juneau,
6 Alaska to the City and Borough of Juneau, Alaska; in
7 Tuscaloosa, Alabama, to The University of Alabama; in
8 Rolla, Missouri, to the University of Missouri-Rolla; and
9 in other localities to such university or government entities
10 as the Secretary deems appropriate.

11 OFFICE OF SURFACE MINING RECLAMATION AND
12 ENFORCEMENT
13 REGULATION AND TECHNOLOGY

14 For necessary expenses to carry out the provisions
15 of the Surface Mining Control and Reclamation Act of
16 1977, Public Law 95-87, as amended, including the pur-
17 chase of not to exceed 15 passenger motor vehicles for re-
18 placement only; \$92,751,000, and notwithstanding 31
19 U.S.C. 3302, an additional amount shall be credited to
20 this account, to remain available until expended, from per-
21 formance bond forfeitures in fiscal year 1996: *Provided,*
22 That notwithstanding any other provision of law, the Sec-
23 retary of the Interior, pursuant to regulations, may utilize
24 directly or through grants to States, moneys collected in
25 fiscal year 1996 pursuant to the assessment of civil pen-

1 alties under section 518 of the Surface Mining Control
2 and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim
3 lands adversely affected by coal mining practices after Au-
4 gust 3, 1977, to remain available until expended: *Provided*
5 *further*, That notwithstanding any other provision of law,
6 appropriations for the Office of Surface Mining Reclama-
7 tion and Enforcement may provide for the travel and per
8 diem expenses of State and tribal personnel attending Of-
9 fice of Surface Mining Reclamation and Enforcement
10 sponsored training.

11 ABANDONED MINE RECLAMATION FUND

12 For necessary expenses to carry out the provisions
13 of title IV of the Surface Mining Control and Reclamation
14 Act of 1977, Public Law 95-87, as amended, including
15 the purchase of not more than 22 passenger motor vehicles
16 for replacement only, \$176,327,000, to be derived from
17 receipts of the Abandoned Mine Reclamation Fund and
18 to remain available until expended, of which \$5,000,000
19 shall be used for supplemental grants to States for the
20 reclamation of abandoned sites with acid mine rock drain-
21 age from coal mines through the Appalachian Clean
22 Streams Initiative: *Provided*, That grants to minimum
23 program States will be \$1,500,000 per State in fiscal year
24 1996: *Provided further*, That of the funds herein provided
25 up to \$18,000,000 may be used for the emergency pro-
26 gram authorized by section 410 of Public Law 95-87, as

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

22 BUREAU OF INDIAN AFFAIRS

23 OPERATION OF INDIAN PROGRAMS

24 For operation of Indian programs by direct expendi-
25 ture, contracts, cooperative agreements, compacts, and

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

1 dian Self-Determination Fund, which shall be available for
2 the transitional cost of initial or expanded tribal contracts,
3 grants, compacts, or cooperative agreements with the Bu-
4 reau of Indian Affairs under the provisions of the Indian
5 Self-Determination Act; and of which not to exceed
6 \$330,711,000 for school operations costs of Bureau-fund-
7 ed schools and other education programs shall become
8 available for obligation on July 1, 1996, and shall remain
9 available for obligation until September 30, 1997; and of
10 which not to exceed \$67,138,000 for higher education
11 scholarships, adult vocational training, and assistance to
12 public schools under the Johnson O'Malley Act shall re-
13 main available for obligation until September 30, 1997;
14 and of which not to exceed \$74,814,000 shall remain
15 available until expended for trust funds management,
16 housing improvement, road maintenance, attorney fees,
17 litigation support, self-governance grants, the Indian Self-
18 Determination Fund, and the Navajo-Hopi Settlement
19 Program: *Provided*, That tribes and tribal contractors may
20 use their tribal priority allocations for unmet indirect costs
21 of ongoing contracts, grants or compact agreements: *Pro-*
22 *vided further*, That funds made available to tribes and
23 tribal organizations through contracts or grants obligated
24 during fiscal year 1996, as authorized by the Indian Self-
25 Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450

1 et seq.), or grants authorized by the Indian Education
2 Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall
3 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 deter-
11 mine whether there has been a loss: *Provided further*, That
12 to provide funding uniformity within a Self-Governance
13 Compact, any funds provided in this Act with availability
14 for more than one year may be reprogrammed to one year
15 availability but shall remain available within the Compact
16 until expended: *Provided further*, That notwithstanding
17 any other provision of law, Indian tribal governments may,
18 by appropriate changes in eligibility criteria or by other
19 means, change eligibility for general assistance or change
20 the amount of general assistance payments for individuals
21 within the service area of such tribe who are otherwise
22 deemed eligible for general assistance payments so long
23 as such changes are applied in a consistent manner to in-
24 dividuals similarly situated: *Provided further*, That any
25 savings realized by such changes shall be available for use

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

1 of Indian Affairs shall be used to support expanded grades
2 for any school beyond the grade structure in place at each
3 school in the Bureau of Indian Affairs school system as
4 of October 1, 1995: *Provided further*, That notwithstand-
5 ing the provisions of 25 U.S.C. 2011(h)(1)(B) and (c),
6 upon the recommendation of a local school board for a
7 Bureau of Indian Affairs operated school, the Secretary
8 shall establish rates of basic compensation or annual sal-
9 ary rates for the positions of teachers and counselors (in-
10 cluding dormitory and homeliving counselors) at the school
11 at a level not less than that for comparable positions in
12 public school districts in the same geographic area.

13 CONSTRUCTION

14 For construction, major repair, and improvement of
15 irrigation and power systems, buildings, utilities, and
16 other facilities, including architectural and engineering
17 services by contract; acquisition of lands and interests in
18 lands; and preparation of lands for farming, \$98,033,000,
19 to remain available until expended: *Provided*, That such
20 amounts as may be available for the construction of the
21 Navajo Indian Irrigation Project and for other water re-
22 source development activities related to the Southern Ari-
23 zona Water Rights Settlement Act may be transferred to
24 the Bureau of Reclamation: *Provided further*, That not to
25 exceed 6 per centum of contract authority available to the
26 Bureau of Indian Affairs from the Federal Highway Trust

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

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

5 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
6 MISCELLANEOUS PAYMENTS TO INDIANS

7 For miscellaneous payments to Indian tribes and in-
8 dividuals and for necessary administrative expenses,
9 \$75,145,000, to remain available until expended; of which
10 \$73,100,000 shall be available for implementation of en-
11 acted Indian land and water claim settlements pursuant
12 to Public Laws 87-483, 97-293, 101-618, 102-374, 102-
13 441, 102-575, and 103-116, and for implementation of
14 other enacted water rights settlements, including not to
15 exceed \$8,000,000, which shall be for the Federal share
16 of the Catawba Indian Tribe of South Carolina Claims
17 Settlement, as authorized by section 5(a) of Public Law
18 103-116; and of which \$1,045,000 shall be available pur-
19 suant to Public Laws 98-500, 99-264, and 100-580; and
20 of which \$1,000,000 shall be available (1) to liquidate obli-
21 gations owed tribal and individual Indian payees of any
22 checks canceled pursuant to section 1003 of the Competi-
23 tive Equality Banking Act of 1987 (Public Law 100-86
24 (101 Stat. 659)), 31 U.S.C. 3334(b), (2) to restore to In-
25 dividual Indian Monies trust funds, Indian Irrigation Sys-
26 tems, and Indian Power Systems accounts amounts in-

1 vested in credit unions or defaulted savings and loan asso-
2 ciations and which were not Federally insured, and (3)
3 to reimburse Indian trust fund account holders for losses
4 to their respective accounts where the claim for said
5 loss(es) has been reduced to a judgment or settlement
6 agreement approved by the Department of Justice.

7 ADMINISTRATIVE PROVISIONS

8 Appropriations for the Bureau of Indian Affairs shall
9 be available for expenses of exhibits, and purchase of not
10 to exceed 275 passenger carrying motor vehicles, of which
11 not to exceed 215 shall be for replacement only.

12 TERRITORIAL AND INTERNATIONAL AFFAIRS

13 ASSISTANCE TO TERRITORIES

14 For expenses necessary for assistance to territories
15 under the jurisdiction of the Department of the Interior,
16 \$52,405,000, to remain available until expended for brown
17 tree snake control and research; grants to the judiciary
18 in American Samoa for compensation and expenses, as au-
19 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-
20 ment of American Samoa, in addition to current local rev-
21 enues, for construction and support of governmental func-
22 tions; grants to the Government of the Virgin Islands as
23 authorized by law; grants to the Government of Guam,
24 as authorized by law; and grants to the Government of
25 the Northern Mariana Islands as authorized by law (Pub-
26 lic Law 94-241; 90 Stat. 272): *Provided*, That all finan-

1 cial transactions of the territorial and local governments
2 herein provided for, including such transactions of all
3 agencies or instrumentalities established or utilized by
4 such governments, may be audited by the General Ac-
5 counting Office, at its discretion, in accordance with chap-
6 ter 35 of title 31, United States Code: *Provided further,*
7 That Northern Mariana Islands Covenant grant funding
8 shall be provided according to those terms of the Agree-
9 ment of the Special Representatives on Future United
10 States Financial Assistance for the Northern Mariana Is-
11 lands approved by Public Law 99-396, or any subsequent
12 legislation related to Commonwealth of the Northern Mar-
13 iana Islands Covenant grant funding.

14 COMPACT OF FREE ASSOCIATION

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

1 1873), the Secretary of the Interior may agree to technical
2 changes in the specifications for the project described in
3 the subsidiary agreement negotiated under section 212(a)
4 of the Compact of Free Association, Public Law 99-658,
5 or its annex, if the changes do not result in increased costs
6 to the United States.

7 DEPARTMENTAL OFFICES

8 OFFICE OF THE SECRETARY

9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of the Secretary
11 of the Interior, \$53,919,000, of which not to exceed
12 \$7,500 may be for official reception and representation
13 expenses.

14 OFFICE OF THE SOLICITOR

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of the Solicitor,
17 \$34,608,000.

18 OFFICE OF INSPECTOR GENERAL

19 SALARIES AND EXPENSES

20 For necessary expenses of the Office of Inspector
21 General, \$23,939,000.

1 NATIONAL INDIAN GAMING COMMISSION
2 SALARIES AND EXPENSES

3 For necessary expenses of the National Indian Gam-
4 ing Commission, pursuant to Public Law 100-497,
5 \$1,000,000.

6 ADMINISTRATIVE PROVISIONS

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

20 GENERAL PROVISIONS, DEPARTMENT OF THE
21 INTERIOR

22 SEC. 101. Appropriations made in this title shall be
23 available for expenditure or transfer (within each bureau
24 or office), with the approval of the Secretary, for the emer-
25 gency reconstruction, replacement, or repair of aircraft,

1 buildings, utilities, or other facilities or equipment dam-
2 aged or destroyed by fire, flood, storm, or other unavoi-
3 dable causes: *Provided*, That no funds shall be made avail-
4 able under this authority until funds specifically made
5 available to the Department of the Interior for emer-
6 gencies shall have been exhausted: *Provided further*, That
7 all funds used pursuant to this section are hereby des-
8 ignated by Congress to be “emergency requirements” pur-
9 suant to section 251(b)(2)(D) of the Balanced Budget and
10 Emergency Deficit Control Act of 1985 and must, be re-
11 plenished by a supplemental appropriation which must be
12 requested as promptly as possible.

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

1 tential grasshopper and Mormon cricket outbreaks on
2 lands under the jurisdiction of the Secretary, pursuant to
3 the authority in section 1773(b) of Public Law 99–198
4 (99 Stat. 1658); for emergency reclamation projects under
5 section 410 of Public Law 95–87; and shall transfer, from
6 any no year funds available to the Office of Surface Min-
7 ing Reclamation and Enforcement, such funds as may be
8 necessary to permit assumption of regulatory authority in
9 the event a primacy State is not carrying out the regu-
10 latory provisions of the Surface Mining Act: *Provided*,
11 That appropriations made in this title for fire suppression
12 purposes shall be available for the payment of obligations
13 incurred during the preceding fiscal year, and for reim-
14 bursement to other Federal agencies for destruction of ve-
15 hicles, aircraft, or other equipment in connection with
16 their use for fire suppression purposes, such reimburse-
17 ment to be credited to appropriations currently available
18 at the time of receipt thereof: *Provided further*, That for
19 emergency rehabilitation and wildfire suppression activi-
20 ties, no funds shall be made available under this authority
21 until funds appropriated to the “Emergency Department
22 of the Interior Firefighting Fund” shall have been ex-
23 hausted: *Provided further*, That all funds used pursuant
24 to this section are hereby designated by Congress to be
25 “emergency requirements” pursuant to section

1 251(b)(2)(D) of the Balanced Budget and Emergency
2 Deficit Control Act of 1985 and must be replenished by
3 a supplemental appropriation which must be requested as
4 promptly as possible: *Provided further*, That such replen-
5 ishment funds shall be used to reimburse, on a pro rata
6 basis, accounts from which emergency funds were trans-
7 ferred.

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

19 SEC. 104. Appropriations made to the Department
20 of the Interior in this title shall be available for services
21 as authorized by 5 U.S.C. 3109, when authorized by the
22 Secretary, in total amount not to exceed \$500,000; hire,
23 maintenance, and operation of aircraft; hire of passenger
24 motor vehicles; purchase of reprints; payment for tele-
25 phone service in private residences in the field, when au-

1 thORIZED under regulations approved by the Secretary; and
2 the payment of dues, when authorized by the Secretary,
3 for library membership in societies or associations which
4 issue publications to members only or at a price to mem-
5 bers lower than to subscribers who are not members.

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

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

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

24 SEC. 108. Amounts appropriated in this Act for the
25 Presidio which are not obligated as of the date on which

1 the Presidio Trust is established by an Act of Congress
2 shall be transferred to and available only for the Presidio
3 Trust.

4 SEC. 109. Section 6003 of Public Law 101-380 is
5 hereby repealed.

6 SEC. 110. None of the funds appropriated or other-
7 wise made available by this Act may be obligated or ex-
8 pended by the Secretary of the Interior for developing,
9 promulgating, and thereafter implementing a rule con-
10 cerning rights-of-way under section 2477 of the Revised
11 Statutes.

12 SEC. 111. No funds provided in this title may be ex-
13 pended by the Department of the Interior for the conduct
14 of offshore leasing and related activities placed under re-
15 striction in the President's moratorium statement of June
16 26, 1990, in the areas of Northern, Central, and Southern
17 California; the North Atlantic; Washington and Oregon;
18 and the Eastern Gulf of Mexico south of 26 degrees north
19 latitude and east of 86 degrees west longitude.

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

1 SEC. 113. No funds provided in this title may be ex-
2 pended by the Department of the Interior for the conduct
3 of preleasing and leasing activities in the Eastern Gulf of
4 Mexico for Outer Continental Shelf Lease Sale 151 in the
5 Outer Continental Shelf Natural Gas and Oil Resource
6 Management Comprehensive Program, 1992–1997.

7 SEC. 114. No funds provided in this title may be
8 expended by the Department of the Interior for the con-
9 duct of preleasing and leasing activities in the Atlantic for
10 Outer Continental Shelf Lease Sale 164 in the Outer Con-
11 tinental Shelf Natural Gas and Oil Resource Management
12 Comprehensive Program, 1992–1997.

13 TITLE II—RELATED AGENCIES

14 DEPARTMENT OF AGRICULTURE

15 FOREST SERVICE

16 FOREST RESEARCH

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

20 STATE AND PRIVATE FORESTRY

21 For necessary expenses of cooperating with, and pro-
22 viding technical and financial assistance to States, Terri-
23 tories, possessions, and others and for forest pest manage-
24 ment activities, cooperative forestry and education and

1 land conservation activities, \$129,551,000, to remain
2 available until expended, as authorized by law.

3 NATIONAL FOREST SYSTEM

4 For necessary expenses of the Forest Service, not
5 otherwise provided for, for management, protection, im-
6 provement, and utilization of the National Forest System,
7 for ecosystem planning, inventory, and monitoring, and for
8 administrative expenses associated with the management
9 of funds provided under the heads "Forest Research",
10 "State and Private Forestry", "National Forest System",
11 "Construction", "Fire Protection and Emergency Sup-
12 pression", and "Land Acquisition", \$1,266,688,000, to
13 remain available for obligation until September 30, 1997,
14 and including 65 per centum of all monies received during
15 the prior fiscal year as fees collected under the Land and
16 Water Conservation Fund Act of 1965, as amended, in
17 accordance with section 4 of the Act (16 U.S.C. 460l-
18 6a(i)): *Provided*, That unobligated and unexpended bal-
19 ances in the National Forest System account at the end
20 of fiscal year 1995, shall be merged with and made a part
21 of the fiscal year 1996 National Forest System appropria-
22 tion, and shall remain available for obligation until Sep-
23 tember 30, 1997: *Provided further*, That up to \$5,000,000
24 of the funds provided herein for road maintenance shall

1 be available for the planned obliteration of roads which
2 are no longer needed.

3 FIRE PROTECTION AND EMERGENCY SUPPRESSION

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

17 CONSTRUCTION

18 For necessary expenses of the Forest Service, not
19 otherwise provided for, \$120,000,000, to remain available
20 until expended, for construction and acquisition of build-
21 ings and other facilities, and for construction and repair
22 of forest roads and trails by the Forest Service as author-
23 ized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205:
24 *Provided*, That funds becoming available in fiscal year
25 1996 under the Act of March 4, 1913 (16 U.S.C. 501)
26 shall be transferred to the General Fund of the Treasury

1 of the United States: *Provided further*, That not to exceed
2 \$50,000,000, to remain available until expended, may be
3 obligated for the construction of forest roads by timber
4 purchasers.

5 LAND ACQUISITION

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

14 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
15 ACTS

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

22 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

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

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

3 RANGE BETTERMENT FUND

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

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

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

19 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

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

1 cles; operation and maintenance of aircraft, the purchase
2 of not to exceed two for replacement only, and acquisition
3 of 20 aircraft from excess sources; notwithstanding other
4 provisions of law, existing aircraft being replaced may be
5 sold, with proceeds derived or trade-in value used to offset
6 the purchase price for the replacement aircraft; (b) serv-
7 ices pursuant to the second sentence of section 706(a) of
8 the Organic Act of 1944 (7 U.S.C. 2225), and not to ex-
9 ceed \$100,000 for employment under 5 U.S.C. 3109; (c)
10 purchase, erection, and alteration of buildings and other
11 public improvements (7 U.S.C. 2250); (d) acquisition of
12 land, waters, and interests therein, pursuant to the Act
13 of August 3, 1956 (7 U.S.C. 428a); (e) for expenses pur-
14 suant to the Volunteers in the National Forest Act of
15 1972 (16 U.S.C. 558a, 558d, 558a note); and (f) for debt
16 collection contracts in accordance with 31 U.S.C. 3718(c).

17 None of the funds made available under this Act shall
18 be obligated or expended to change the boundaries of any
19 region, to abolish any region, to move or close any regional
20 office for research, State and private forestry, or National
21 Forest System administration of the Forest Service, De-
22 partment of Agriculture, without the consent of the House
23 and Senate Committees on Appropriations and the Com-
24 mittee on Agriculture, Nutrition, and Forestry in the

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

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

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

21 None of the funds made available to the Forest Serv-
22 ice under this Act shall be subject to transfer under the
23 provisions of section 702(b) of the Department of Agri-
24 culture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C.
25 147b unless the proposed transfer is approved in advance

1 by the House and Senate Committees on Appropriations
2 in compliance with the reprogramming procedures con-
3 tained in House Report 103-551.

4 No funds appropriated to the Forest Service shall be
5 transferred to the Working Capital Fund of the Depart-
6 ment of Agriculture without the approval of the Chief of
7 the Forest Service.

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

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

1 burse the applicable appropriation to which such costs
2 were originally charged.

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

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

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

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

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

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

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

21 Not withstanding any other provision of law, eighty
22 percent of the funds appropriated to the Forest Service
23 in the National Forest System and Construction accounts
24 and planned to be allocated to activities under the “Jobs
25 in the Woods” program for projects on National Forest

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

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

13 DEPARTMENT OF ENERGY

14 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

15 For necessary expenses in carrying out fossil energy
16 research and development activities, under the authority
17 of the Department of Energy Organization Act (Public
18 Law 95-91), including the acquisition of interest, includ-
19 ing defeasible and equitable interests in any real property
20 or any facility or for plant or facility acquisition or expan-
21 sion, \$379,524,000, to remain available until expended:
22 *Provided*, That no part of the sum herein made available
23 shall be used for the field testing of nuclear explosives in
24 the recovery of oil and gas.

1 ALTERNATIVE FUELS PRODUCTION
2 (INCLUDING TRANSFER OF FUNDS)

3 Monies received as investment income on the prin-
4 cipal amount in the Great Plains Project Trust at the
5 Norwest Bank of North Dakota, in such sums as are
6 earned as of October 1, 1995, shall be deposited in this
7 account and immediately transferred to the General Fund
8 of the Treasury. Monies received as revenue sharing from
9 the operation of the Great Plains Gasification Plant shall
10 be immediately transferred to the General Fund of the
11 Treasury.

12 NAVAL PETROLEUM AND OIL SHALE RESERVES

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

18 ENERGY CONSERVATION

19 For necessary expenses in carrying out energy con-
20 servation activities, \$556,371,000, to remain available
21 until expended, including, notwithstanding any other pro-
22 vision of law, the excess amount for fiscal year 1996 deter-
23 mined under the provisions of section 3003(d) of Public
24 Law 99-509 (15 U.S.C. 4502), and of which \$16,000,000
25 shall be derived from available unobligated balances in the

1 Biomass Energy Development account: *Provided*, That
2 \$148,946,000 shall be for use in energy conservation pro-
3 grams as defined in section 3008(3) of Public Law 99-
4 509 (15 U.S.C. 4507) and shall not be available until ex-
5 cess amounts are determined under the provisions of sec-
6 tion 3003(d) of Public Law 99-509 (15 U.S.C. 4502):
7 *Provided further*, That notwithstanding section 3003(d)(2)
8 of Public Law 99-509 such sums shall be allocated to the
9 eligible programs as follows: \$110,946,000 for the weath-
10 erization assistance program and \$26,500,000 for the
11 State energy conservation program.

12 ECONOMIC REGULATION

13 For necessary expenses in carrying out the activities
14 of the Economic Regulatory Administration and the Office
15 of Hearings and Appeals, \$6,297,000, to remain available
16 until expended.

17 STRATEGIC PETROLEUM RESERVE

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses for Strategic Petroleum Re-
20 serve facility development and operations and program
21 management activities pursuant to the Energy Policy and
22 Conservation Act of 1975, as amended (42 U.S.C. 6201
23 et seq.), \$287,000,000, to remain available until expended,
24 of which \$187,000,000 shall be derived by transfer of un-
25 obligated balances from the “SPR petroleum account” and

1 \$100,000,000 shall be derived by transfer from the “SPR
2 Decommissioning Fund”: *Provided*, That notwithstanding
3 section 161 of the Energy Policy and Conservation Act,
4 the Secretary shall draw down and sell up to seven million
5 barrels of oil from the Strategic Petroleum Reserve: *Pro-*
6 *vided further*, That the proceeds from the sale shall be de-
7 posited into a special account in the Treasury, to be estab-
8 lished and known as the “SPR Decommissioning Fund”,
9 and shall be available for the purpose of removal of oil
10 from and decommissioning of the Weeks Island site and
11 for other purposes related to the operations of the Strate-
12 gic Petroleum Reserve.

13 SPR PETROLEUM ACCOUNT

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

20 ENERGY INFORMATION ADMINISTRATION

21 For necessary expenses in carrying out the activities
22 of the Energy Information Administration, \$79,766,000,
23 to remain available until expended: *Provided*, That not-
24 withstanding Section 4(d) of the Service Contract Act of
25 1965 (41 U.S.C. 353(d)) or any other provision of law,

1 funds appropriated under this heading hereafter may be
2 used to enter into a contract for end use consumption sur-
3 veys for a term not to exceed eight years: *Provided further,*
4 That notwithstanding any other provision of law, hereafter
5 the Manufacturing Energy Consumption Survey shall be
6 conducted on a triennial basis.

7 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

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

23 The Secretary is authorized to accept lands, build-
24 ings, equipment, and other contributions from public and
25 private sources and to prosecute projects in cooperation

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

23 No funds provided in this Act may be expended by
24 the Department of Energy to prepare, issue, or process

1 procurement documents for programs or projects for
2 which appropriations have not been made.

3 DEPARTMENT OF HEALTH AND HUMAN
4 SERVICES

5 INDIAN HEALTH SERVICE

6 INDIAN HEALTH SERVICES

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

1 able for obligation until September 30, 1997: *Provided fur-*
2 *ther*, That of the funds provided, not less than
3 \$11,306,000 shall be used to carry out the loan repayment
4 program under section 108 of the Indian Health Care Im-
5 provement Act, as amended: *Provided further*, That funds
6 provided in this Act may be used for one-year contracts
7 and grants which are to be performed in two fiscal years,
8 so long as the total obligation is recorded in the year for
9 which the funds are appropriated: *Provided further*, That
10 the amounts collected by the Secretary of Health and
11 Human Services under the authority of title IV of the In-
12 dian Health Care Improvement Act shall be available for
13 two fiscal years after the fiscal year in which they were
14 collected, for the purpose of achieving compliance with the
15 applicable conditions and requirements of titles XVIII and
16 XIX of the Social Security Act (exclusive of planning, de-
17 sign, or construction of new facilities): *Provided further*,
18 That of the funds provided, \$7,500,000 shall remain avail-
19 able until expended, for the Indian Self-Determination
20 Fund, which shall be available for the transitional costs
21 of initial or expanded tribal contracts, grants or coopera-
22 tive agreements with the Indian Health Service under the
23 provisions of the Indian Self-Determination Act: *Provided*
24 *further*, That funding contained herein, and in any earlier
25 appropriations Acts for scholarship programs under the

1 Indian Health Care Improvement Act (25 U.S.C. 1613)
2 shall remain available for obligation until September 30,
3 1997: *Provided further*, That amounts received by tribes
4 and tribal organizations under title IV of the Indian
5 Health Care Improvement Act, as amended, shall be re-
6 ported and accounted for and available to the receiving
7 tribes and tribal organizations until expended.

8 INDIAN HEALTH FACILITIES

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

1 for the planning, design, construction or renovation of
2 health facilities for the benefit of an Indian tribe or tribes
3 may be used to purchase land for sites to construct, im-
4 prove, or enlarge 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, \$52,500,000.

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

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

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

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

11 PAYMENT TO THE INSTITUTE

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

16 SMITHSONIAN INSTITUTION

17 SALARIES AND EXPENSES

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

1 (for terms not to exceed thirty years), and protection of
2 buildings, facilities, and approaches; not to exceed
3 \$100,000 for services as authorized by 5 U.S.C. 3109; up
4 to 5 replacement passenger vehicles; purchase, rental, re-
5 pair, and cleaning of uniforms for employees;
6 \$309,471,000, of which not to exceed \$32,000,000 for the
7 instrumentation program, collections acquisition, Museum
8 Support Center equipment and move, exhibition
9 reinstallation, the National Museum of the American In-
10 dian, the repatriation of skeletal remains program, re-
11 search equipment, information management, and Latino
12 programming shall remain available until expended and,
13 including such funds as may be necessary to support
14 American overseas research centers and a total of
15 \$125,000 for the Council of American Overseas Research
16 Centers: *Provided*, That funds appropriated herein are
17 available for advance payments to independent contractors
18 performing research services or participating in official
19 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,
25 \$3,000,000, to remain available until expended.

1 REPAIR AND RESTORATION OF BUILDINGS

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

13 CONSTRUCTION

14 For necessary expenses for construction,
15 \$12,950,000, to remain available until expended: *Pro-*
16 *vided*, That notwithstanding any other provision of law,
17 a single procurement for the construction of the National
18 Museum of the American Indian Cultural Resources Cen-
19 ter may be issued which includes the full scope of the
20 project: *Provided further*, That the solicitation and the
21 contract shall contain the clause “availability of funds”
22 found at 48 CFR 52.232.18.

1 NATIONAL GALLERY OF ART

2 SALARIES AND EXPENSES

3 For the upkeep and operations of the National Gal-
4 lery of Art, the protection and care of the works of art
5 therein, and administrative expenses incident thereto, as
6 authorized by the Act of March 24, 1937 (50 Stat. 51),
7 as amended by the public resolution of April 13, 1939
8 (Public Resolution 9, Seventy-sixth Congress), including
9 services as authorized by 5 U.S.C. 3109; payment in ad-
10 vance when authorized by the treasurer of the Gallery for
11 membership in library, museum, and art associations or
12 societies whose publications or services are available to
13 members only, or to members at a price lower than to the
14 general public; purchase, repair, and cleaning of uniforms
15 for guards, and uniforms, or allowances therefor, for other
16 employees as authorized by law (5 U.S.C. 5901–5902);
17 purchase or rental of devices and services for protecting
18 buildings and contents thereof, and maintenance, alter-
19 ation, improvement, and repair of buildings, approaches,
20 and grounds; and purchase of services for restoration and
21 repair of works of art for the National Gallery of Art by
22 contracts made, without advertising, with individuals,
23 firms, or organizations at such rates or prices and under
24 such terms and conditions as the Gallery may deem prop-
25 er, \$51,315,000, of which not to exceed \$3,026,000 for

1 the special exhibition program shall remain available until
2 expended.

3 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

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

13 JOHN F. KENNEDY CENTER FOR THE PERFORMING
14 ARTS

15 OPERATIONS AND MAINTENANCE

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

19 CONSTRUCTION

20 For necessary expenses of capital repair and rehabili-
21 tation of the existing features of the building and site of
22 the John F. Kennedy Center for the Performing Arts,
23 \$8,983,000, to remain available until expended.

1 appropriation, to remain available until September 30,
2 1997, to the National Endowment for the Arts, of which
3 \$7,500,000 shall be available for purposes of section
4 5(p)(1): *Provided*, That this appropriation shall be avail-
5 able for obligation only in such amounts as may be equal
6 to the total amounts of gifts, bequests, and devises of
7 money, and other property accepted by the Chairman or
8 by grantees of the Endowment under the provisions of sec-
9 tion 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A)
10 during the current and preceding fiscal years for which
11 equal amounts have not previously been appropriated.

12 NATIONAL ENDOWMENT FOR THE HUMANITIES

13 GRANTS AND ADMINISTRATION

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

21 MATCHING GRANTS

22 To carry out the provisions of section 10(a)(2) of the
23 National Foundation on the Arts and the Humanities Act
24 of 1965, as amended, \$17,025,000, to remain available
25 until September 30, 1997, of which \$9,180,000 shall be
26 available to the National Endowment for the Humanities

1 for the purposes of section 7(h): *Provided*, That this ap-
2 propriation shall be available for obligation only in such
3 amounts as may be equal to the total amounts of gifts,
4 bequests, and devises of money, and other property accept-
5 ed by the Chairman or by grantees of the Endowment
6 under the provisions of subsections 11(a)(2)(B) and
7 11(a)(3)(B) during the current and preceding fiscal years
8 for which equal amounts have not previously been appro-
9 priated.

10 INSTITUTE OF MUSEUM SERVICES

11 GRANTS AND ADMINISTRATION

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

15 ADMINISTRATIVE PROVISIONS

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

1 COMMISSION OF FINE ARTS

2 SALARIES AND EXPENSES

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

5 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

6 For necessary expenses as authorized by Public Law
7 99-190 (99 Stat. 1261; 20 U.S.C. 956(a)), as amended,
8 \$6,000,000.

9 ADVISORY COUNCIL ON HISTORIC PRESERVATION

10 SALARIES AND EXPENSES

11 For expenses necessary for the Advisory Council on
12 Historic Preservation, \$3,063,000.

13 NATIONAL CAPITAL PLANNING COMMISSION

14 SALARIES AND EXPENSES

15 For necessary expenses, as authorized by the Na-
16 tional Capital Planning Act of 1952 (40 U.S.C. 71-71i),
17 including services as authorized by 5 U.S.C. 3109,
18 \$5,090,000: *Provided*, That all appointed members will be
19 compensated at a rate not to exceed the rate for Executive
20 Schedule Level IV.

21 FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

22 SALARIES AND EXPENSES

23 For necessary expenses of the Franklin Delano Roo-
24 sevelt Memorial Commission, established by the Act of Au-
25 gust 11, 1955 (69 Stat. 694), as amended by Public Law

1 92–332 (86 Stat. 401), \$48,000, to remain available until
2 September 30, 1997.

3 PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION
4 SALARIES AND EXPENSES

5 For necessary expenses for the orderly closure of the
6 Pennsylvania Avenue Development Corporation,
7 \$2,000,000.

8 UNITED STATES HOLOCAUST MEMORIAL COUNCIL
9 HOLOCAUST MEMORIAL COUNCIL

10 For expenses of the Holocaust Memorial Council, as
11 authorized by Public Law 96–388, as amended,
12 \$28,707,000; of which \$1,575,000 for the Museum’s re-
13 pair and rehabilitation program and \$1,264,000 for the
14 Museum’s exhibition program shall remain available until
15 expended.

16 TITLE III—GENERAL PROVISIONS

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

24 SEC. 302. No part of any appropriation under this
25 Act shall be available to the Secretary of the Interior or

1 the Secretary of Agriculture for the leasing of oil and nat-
2 ural gas by noncompetitive bidding on publicly owned
3 lands within the boundaries of the Shawnee National For-
4 est, Illinois: *Provided*, That nothing herein is intended to
5 inhibit or otherwise affect the sale, lease, or right to access
6 to minerals owned by private individuals.

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

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

15 SEC. 305. None of the funds provided in this Act to
16 any department or agency shall be obligated or expended
17 to provide a personal cook, chauffeur, or other personal
18 servants to any officer or employee of such department
19 or agency except as otherwise provided by law.

20 SEC. 306. No assessments may be levied against any
21 program, budget activity, subactivity, or project funded by
22 this Act unless notice of such assessments and the basis
23 therefor are presented to the Committees on Appropria-
24 tions and are approved by such Committees.

1 SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN
2 ACT.—None of the funds made available in this Act may
3 be expended by an entity unless the entity agrees that in
4 expending the funds the entity will comply with sections
5 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–
6 10c; popularly known as the “Buy American Act”).

7 (b) SENSE OF CONGRESS; REQUIREMENT REGARD-
8 ING NOTICE.—

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

17 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—
18 In providing financial assistance using funds made
19 available in this Act, the head of each Federal agen-
20 cy shall provide to each recipient of the assistance
21 a notice describing the statement made in paragraph
22 (1) by the Congress.

23 (c) PROHIBITION OF CONTRACTS WITH PERSONS
24 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
25 If it has been finally determined by a court or Federal

1 agency that any person intentionally affixed a label bear-
2 ing a “Made in America” inscription, or any inscription
3 with the same meaning, to any product sold in or shipped
4 to the United States that is not made in the United
5 States, the person shall be ineligible to receive any con-
6 tract or subcontract made with funds made available in
7 this Act, pursuant to the debarment, suspension, and ineli-
8 gibility procedures described in sections 9.400 through
9 9.409 of title 48, Code of Federal Regulations.

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

16 SEC. 309. None of the funds made available by this
17 Act may be obligated or expended by the National Park
18 Service to enter into or implement a concession contract
19 which permits or requires the removal of the underground
20 lunchroom at the Carlsbad Caverns National Park.

21 SEC. 310. Where the actual costs of construction
22 projects under self-determination contracts, compacts, or
23 grants, pursuant to Public Laws 93-638, 100-413, or
24 100-297, are less than the estimated costs thereof, use

1 of the resulting excess funds shall be determined by the
2 appropriate Secretary after consultation with the tribes.

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

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

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

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

24 (2) except as provided by subsection (d), trans-
25 fer all rights, title, and interest in and to all prop-

1 erty, both real and personal, held in the name of the
2 Pennsylvania Avenue Development Corporation to
3 the General Services Administration.

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

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

14 (A) The Willard Hotel property on Square
15 225.

16 (B) The Gallery Row project on Square
17 457.

18 (C) The Lansburgh's project on Square
19 431.

20 (D) The Market Square North project on
21 Square 407.

22 (2) Collection of sale or lease revenue owed the
23 Federal Government (if any) in the event two unde-
24 veloped sites owned by the Pennsylvania Avenue De-

1 velopment Corporation on Squares 457 and 406 are
2 sold or leased prior to April 1, 1996.

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

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

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

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

22 (7) Carrying out the responsibilities of the
23 Pennsylvania Avenue Development Corporation
24 under the Federal Triangle Development Act (40
25 U.S.C. 1101-1109), including responsibilities for

1 managing assets and liabilities of the Corporation
2 under such Act.

3 (c) In carrying out the responsibilities of the Penn-
4 sylvania Avenue Development Corporation transferred
5 under this section, the Administrator of the General Serv-
6 ices Administration shall have the following powers:

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

21 (2) To modify from time to time the plan re-
22 ferred to in paragraph (1) if such modification is
23 first transmitted to the Committee on Transpor-
24 tation and Infrastructure and the Committee on Ap-
25 propriations of the House of Representatives and the

1 Committee on Environment and Public Works and
2 the Committee on Appropriations of the Senate and
3 at least 60 days elapse after the date of such trans-
4 mission.

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

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

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

19 (6) To use all of the funds transferred from the
20 Pennsylvania Avenue Development Corporation or
21 income earned on Pennsylvania Avenue Development
22 Corporation property to complete any pending devel-
23 opment projects.

24 (d)(1)(A) On or before April 1, 1996, the Pennsylva-
25 nia Avenue Development Corporation shall transfer all its

1 right, title, and interest in and to the property described
2 in subparagraph (B) to the National Park Service, De-
3 partment of the Interior.

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

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

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

23 (4) The National Park Service may enter into con-
24 tracts, cooperative agreements, or other transactions with
25 any agency or instrumentality of the United States, the

1 several States, or the District of Columbia or with any
2 person, firm, association, or corporation as may be deemed
3 necessary or appropriate for the conduct of special events,
4 festivals, concerts, or other art and cultural programs at
5 the Pennsylvania Avenue National Historic Site or may
6 establish a nonprofit foundation to solicit funds for such
7 activities.

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

15 (f) SAVINGS PROVISIONS.—

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

24 (2) EXISTING RIGHTS, DUTIES, AND OBLIGA-
25 TIONS NOT AFFECTED.—Subsection (a) shall not be

1 construed as affecting the validity of any right, duty,
2 or obligation of the United States or any other per-
3 son arising under or pursuant to any contract, loan,
4 or other instrument or agreement which was in ef-
5 fect on the day before the date of the transfers
6 under subsection (a).

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

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

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

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

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

14 (c)(1) From the funds appropriated to the Forest
15 Service, the Secretary of Agriculture (hereinafter “Sec-
16 retary”) shall—

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

1 (B) determine whether such policy modified to
2 meet the specific conditions of such national forest,
3 or another policy which serves the purpose of such
4 policy, should be adopted for such national forest.

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

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

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

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

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

16 SEC. 315. (a) The Secretary of the Interior (acting
17 through the Bureau of Land Management, the National
18 Park Service and the United States Fish and Wildlife
19 Service) and the Secretary of Agriculture (acting through
20 the Forest Service) shall each implement a fee program
21 to demonstrate the feasibility of user-generated cost recov-
22 ery for the operation and maintenance of recreation sites
23 and habitat enhancement projects on Federal lands.

24 (b) In carrying out the pilot program established pur-
25 suant to this section, the appropriate Secretary shall select

1 from areas under the jurisdiction of each of the four agen-
2 cies referred to in subsection (a) no fewer than 10, but
3 as many as 30, sites or projects for fee demonstration.
4 For each such demonstration, the Secretary, notwith-
5 standing any other provision of law—

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

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

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

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

23 (c)(1) Amounts collected at each fee demonstration
24 site in excess of 104 percent of that site's total collections

1 during the previous fiscal year shall be distributed as fol-
2 lows:

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

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

15 (2) For purposes of this subsection, “total collec-
16 tions” for each site shall be defined as gross collections
17 before any reduction for amounts attributable to collection
18 costs.

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

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

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

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

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

21 (e) The Secretary of the Interior and the Secretary
22 of Agriculture shall carry out this section without promul-
23 gating regulations.

24 (f) The authority to collect fees under this section
25 shall commence on October 1, 1995, and end on Septem-

1 ber 30, 1996. Funds in accounts established shall remain
2 available through September 30, 1997.

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

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

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

23 SEC. 319. (a) LIMITATION ON USE OF FUNDS.—
24 None of the funds made available in this Act may be used
25 by the Department of Energy in implementing the Codes

1 and Standards Program to plan, propose, issue, or pre-
2 scribe any new or amended standard.

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

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

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

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

22 (3) that is for fluorescent lamps ballasts.

23 SEC. 321. None of the funds made available in this
24 Act may be used (1) to demolish the bridge between Jersey
25 City, New Jersey, and Ellis Island; or (2) to prevent pe-

1 pedestrian use of such bridge, when it is made known to
 2 the Federal official having authority to obligate or expend
 3 such funds that such pedestrian use is consistent with gen-
 4 erally accepted safety standards.

5 SEC. 322. No funds appropriated or otherwise made
 6 available pursuant to this Act in fiscal year 1996 shall
 7 be obligated or expended to accept or process applications
 8 for a patent for any mining or mill site claim located under
 9 the general mining laws or to issue a patent for any such
 10 claim.

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

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

Passed the House of Representatives July 18, 1995.

Attest:

ROBIN H. CARLE,

Clerk.

HR 1977 RFS—2

HR 1977 RFS—3

HR 1977 RFS—4

HR 1977 RFS—5

HR 1977 RFS—6

HR 1977 RFS—7

HR 1977 RFS—8