

## Calendar No. 495

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R. 3662****[Report No. 104-319]**

---

IN THE SENATE OF THE UNITED STATES

JUNE 21, 1996

Received; read twice and referred to the Committee on Appropriations

JULY 16, 1996

Reported by Mr. GORTON, with amendments

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

---

**AN ACT**

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

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       Department of the Interior and related agencies for the  
6       fiscal year ending September 30, 1997, and for other pur-  
7       poses, namely:

## 1 TITLE I—DEPARTMENT OF THE INTERIOR

## 2 BUREAU OF LAND MANAGEMENT

## 3 MANAGEMENT OF LANDS AND RESOURCES

4 For expenses necessary for protection, use, improve-  
5 ment, development, disposal, cadastral surveying, classi-  
6 fication, acquisition of easements and other interests in  
7 lands, and performance of other functions, including main-  
8 tenance of facilities, as authorized by law, in the manage-  
9 ment of lands and their resources under the jurisdiction  
10 of the Bureau of Land Management, including the general  
11 administration of the Bureau, and assessment of mineral  
12 potential of public lands pursuant to Public Law 96–487  
13 (16 U.S.C. 3150(a)), ~~\$566,514,000~~ \$578,692,000, to re-  
14 main available until expended, of which ~~\$2,000,000~~  
15 \$2,010,000 shall be available for assessment of the mineral  
16 potential of public lands in Alaska pursuant to section  
17 1010 of Public Law 96–487 (16 U.S.C. 3150); and of  
18 which \$3,000,000 shall be derived from the special receipt  
19 account established by the Land and Water Conservation  
20 Act of 1965, as amended (16 U.S.C. 4601–6a(i)); and of  
21 which \$1,000,000 shall be available in fiscal year 1997  
22 subject to a match by at least an equal amount by the  
23 National Fish and Wildlife Foundation, to such Founda-  
24 tion for challenge cost share projects supporting fish and  
25 wildlife conservation affecting Bureau lands; in addition,

1 \$27,300,000 for Mining Law Administration program op-  
2 erations, to remain available until expended, to be reduced  
3 by amounts collected by the Bureau and credited to this  
4 appropriation from annual mining claim fees so as to re-  
5 sult in a final appropriation estimated at not more than  
6 ~~\$566,514,000~~ \$578,692,000; and in addition, not to exceed  
7 \$5,000,000, to remain available until expended, from an-  
8 nual mining claim fees; which shall be credited to this ac-  
9 count for the costs of administering the mining claim fee  
10 program, and \$2,000,000 from communication site rental  
11 fees established by the Bureau for the cost of administer-  
12 ing communication site activities: *Provided*, That appro-  
13 priations herein made shall not be available for the de-  
14 struction of healthy, unadopted, wild horses and burros  
15 in the care of the Bureau or its contractors: *Provided fur-*  
16 *ther*, That in fiscal year 1997 and thereafter, all fees, ex-  
17 cluding mining claim fees, in excess of the fiscal year 1996  
18 collections established by the Secretary of the Interior  
19 under the authority of 43 U.S.C. 1734 for processing, re-  
20 cording, or documenting authorizations to use public lands  
21 or public land natural resources (including cultural, his-  
22 torical, and mineral) and for providing specific services to  
23 public land users, and which are not presently being cov-  
24 ered into any Bureau of Land Management appropriation  
25 accounts, and not otherwise dedicated by law for a specific

1 distribution, shall be made immediately available for pro-  
2 gram operations in this account and remain available until  
3 expended.

4 WILDLAND FIRE MANAGEMENT

5 For necessary expenses for fire use and management,  
6 fire preparedness, suppression operations, and emergency  
7 rehabilitation by the Department of the Interior,  
8 ~~\$247,924,000~~ \$264,609,000, to remain available until ex-  
9 pended, of which not to exceed \$5,025,000 shall be for  
10 the renovation or construction of fire facilities: *Provided*,  
11 That such funds are also available for repayment of ad-  
12 vances to other appropriation accounts from which funds  
13 were previously transferred for such purposes: *Provided*  
14 *further*, That persons hired pursuant to 43 U.S.C. 1469  
15 may be furnished subsistence and lodging without costs  
16 from funds available from this appropriation: *Provided*  
17 *further*, That unobligated balances of amounts previously  
18 appropriated to the “Fire Protection” and “Emergency  
19 Department of the Interior Firefighting Fund” may be  
20 transferred to this appropriation.

21 CENTRAL HAZARDOUS MATERIALS FUND

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

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

16 CONSTRUCTION

17 For construction of buildings, recreation facilities,  
18 roads, trails, and appurtenant facilities, ~~\$3,103,000~~  
19 \$4,333,000, to remain available until expended.

20 PAYMENTS IN LIEU OF TAXES

21 For expenses necessary to implement the Act of Octo-  
22 ber 20, 1976, as amended (31 U.S.C. 6901–07),  
23 ~~\$113,500,000~~ \$115,000,000, of which not to exceed  
24 \$400,000 shall be available for administrative expenses.

## 1 LAND ACQUISITION

2 For expenses necessary to carry out sections 205,  
3 206, and 318(d) of Public Law 94–579 including adminis-  
4 trative expenses and acquisition of lands or waters, or in-  
5 terests therein, ~~\$10,000,000~~ \$14,060,000, to be derived  
6 from the Land and Water Conservation Fund, to remain  
7 available until expended.

## 8 OREGON AND CALIFORNIA GRANT LANDS

9 For expenses necessary for management, protection,  
10 and development of resources and for construction, oper-  
11 ation, and maintenance of access roads, reforestation, and  
12 other improvements on the revested Oregon and California  
13 Railroad grant lands, on other Federal lands in the Or-  
14 egon and California land-grant counties of Oregon, and  
15 on adjacent rights-of-way; and acquisition of lands or in-  
16 terests therein including existing connecting roads on or  
17 adjacent to such grant lands; ~~\$98,365,000~~ \$102,656,000,  
18 to remain available until expended: *Provided*, That 25 per  
19 centum of the aggregate of all receipts during the current  
20 fiscal year from the revested Oregon and California Rail-  
21 road grant lands is hereby made a charge against the Or-  
22 egon and California land-grant fund and shall be trans-  
23 ferred to the General Fund in the Treasury in accordance  
24 with the second paragraph of subsection (b) of title II of  
25 the Act of August 28, 1937 (50 Stat. 876).

## RANGE IMPROVEMENTS

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

## SERVICE CHARGES, DEPOSITS, AND FORFEITURES

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

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

19 MISCELLANEOUS TRUST FUNDS

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

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

3 ADMINISTRATIVE PROVISIONS

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

15 UNITED STATES FISH AND WILDLIFE SERVICE

16 RESOURCE MANAGEMENT

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

1 tion, and utilization of fishery and wildlife resources, ex-  
2 cept whales, seals, and sea lions, and for the performance  
3 of other authorized functions related to such resources; for  
4 the general administration of the United States Fish and  
5 Wildlife Service; for maintenance of the herd of long-  
6 horned cattle on the Wichita Mountains Wildlife Refuge;  
7 and not less than \$1,000,000 for high priority projects  
8 within the scope of the approved budget which shall be  
9 carried out by the Youth Conservation Corps as author-  
10 ized by the Act of August 13, 1970, as amended,  
11 ~~\$520,519,000~~ \$529,527,000, to remain available until Sep-  
12 tember 30, 1998, of which \$11,557,000 shall remain avail-  
13 able until expended for operation and maintenance of fish-  
14 ery mitigation facilities constructed by the Corps of Engi-  
15 neers under the Lower Snake River Compensation Plan,  
16 authorized by the Water Resources Development Act of  
17 1976, to compensate for loss of fishery resources from  
18 water development projects on the Lower Snake River, *of*  
19 *which not more than \$500,000 shall be used only to prepare*  
20 *and publish withdrawal notices under section 4(b)(6)*  
21 *(A)(i)(IV) and (B)(ii) of the Endangered Species Act and*  
22 *to prepare and publish proposed or final rules to remove*  
23 *species from either of the lists published under section 4(c)*  
24 *of the Endangered Species Act or to change the status of*  
25 *species from endangered to threatened in accordance with*

1 *the provisions of subsections (a) and (b) of section 4 of the*  
2 *Endangered Species Act, and of which \$1,000,000 not to*  
3 *exceed \$1,500,000 shall be provided to the National Fish*  
4 *and Wildlife Foundation for implementation of the Natu-*  
5 *ral Communities Conservation Plan, and shall be available*  
6 *only to the extent matched by at least an equal amount*  
7 *from the Foundation and shall remain available until ex-*  
8 *ended:—Provided, That pursuant to 31 U.S.C. 9701, the*  
9 *Secretary shall charge reasonable fees for the full costs*  
10 *of providing training by the National Education and*  
11 *Training Center, to be credited to this account, notwith-*  
12 *standing 31 U.S.C. 3302, of which not to exceed*  
13 *\$2,000,000 shall be available for the direct costs of provid-*  
14 *ing such training: Provided, That hereafter, pursuant to 31*  
15 *U.S.C. 9701, the Secretary shall charge reasonable fees for*  
16 *the full costs of providing training by the National Edu-*  
17 *cation and Training Center, to be credited to this account,*  
18 *notwithstanding 31 U.S.C. 3302, for the direct costs of pro-*  
19 *viding such training:—Provided further, That not to exceed*  
20 *\$1,000,000 of the funds provided herein may be used for*  
21 *contaminant sample analysis.*

#### 22 CONSTRUCTION

23 For construction and acquisition of buildings and  
24 other facilities required in the conservation, management,  
25 investigation, protection, and utilization of fishery and

1 wildlife resources, and the acquisition of lands and inter-  
2 ests therein; ~~\$38,298,000~~ \$45,306,000, to remain available  
3 until expended.

4 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

5 To conduct natural resource damage assessment ac-  
6 tivities by the Department of the Interior necessary to  
7 carry out the provisions of the Comprehensive Environ-  
8 mental Response, Compensation, and Liability Act, as  
9 amended (42 U.S.C. 9601, et seq.), Federal Water Pollu-  
10 tion Control Act, as amended (33 U.S.C. 1251, et seq.),  
11 the Oil Pollution Act of 1990 (Public Law 101–380), and  
12 Public Law 101–337; \$4,000,000, to remain available  
13 until expended.

14 LAND ACQUISITION

15 For expenses necessary to carry out the Land and  
16 Water Conservation Fund Act of 1965, as amended (16  
17 U.S.C. 4601–4–11), including administrative expenses,  
18 and for acquisition of land or waters, or interest therein,  
19 in accordance with statutory authority applicable to the  
20 United States Fish and Wildlife Service, ~~\$30,000,000~~  
21 \$50,802,000, of which \$3,000,000 is authorized to be appro-  
22 priated and shall be used to establish the Clarks River Na-  
23 tional Wildlife Refuge in Kentucky, to be derived from the  
24 Land and Water Conservation Fund, to remain available  
25 until expended.

1 COOPERATIVE ENDANGERED SPECIES CONSERVATION  
2 FUND

3 For expenses necessary to carry out the provisions  
4 of the Endangered Species Act of 1973 (16 U.S.C. 1531–  
5 1543), as amended, ~~\$13,085,000~~ (increased by  
6 ~~\$1,000,000~~) \$14,085,000, for grants to States, to be de-  
7 rived from the Cooperative Endangered Species Conserva-  
8 tion Fund, and to remain available until expended.

9 NATIONAL WILDLIFE REFUGE FUND

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

12 REWARDS AND OPERATIONS

13 For expenses necessary to carry out the provisions  
14 of the African Elephant Conservation Act (16 U.S.C.  
15 4201–4203, 4211–4213, 4221–4225, 4241–4245, and  
16 1538), ~~\$1,000,000~~ \$600,000, to remain available until ex-  
17 pended.

18 NORTH AMERICAN WETLANDS CONSERVATION FUND

19 For expenses necessary to carry out the provisions  
20 of the North American Wetlands Conservation Act, Public  
21 Law 101–233, ~~\$7,750,000~~ \$10,750,000, to remain avail-  
22 able until expended.

23 RHINOCEROS AND TIGER CONSERVATION FUND

24 For deposit to the Rhinoceros and Tiger Conserva-  
25 tion Fund, ~~\$400,000~~ \$200,000, to remain available until

1 expended, to carry out the Rhinoceros and Tiger Con-  
2 servation Act of 1994 (Public Law 103–391).

3 WILDLIFE CONSERVATION AND APPRECIATION FUND

4 For deposit to the Wildlife Conservation and Appre-  
5 ciation Fund, \$800,000, to remain available until ex-  
6 pended, ~~for carrying out the Partnerships for Wildlife Act~~  
7 ~~only to the extent such funds are matched as provided in~~  
8 ~~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 83 passenger motor vehicles of  
13 which 73 are for replacement only (including 43 for police-  
14 type use); not to exceed \$400,000 for payment, at the dis-  
15 cretion of the Secretary, for information, rewards, or evi-  
16 dence concerning violations of laws administered by the  
17 Service, and miscellaneous and emergency expenses of en-  
18 forcement activities, authorized or approved by the Sec-  
19 retary and to be accounted for solely on his certificate;  
20 repair of damage to public roads within and adjacent to  
21 reservation areas caused by operations of the Service; op-  
22 tions for the purchase of land at not to exceed \$1 for each  
23 option; facilities incident to such public recreational uses  
24 on conservation areas as are consistent with their primary  
25 purpose; and the maintenance and improvement of aquar-

1 ia, buildings, and other facilities under the jurisdiction of  
2 the 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 the Service  
13 may accept donated aircraft as replacements for existing  
14 aircraft: *Provided further*, That notwithstanding any other  
15 provision of law, the Secretary of the Interior may not  
16 spend any of the funds appropriated in this Act for the  
17 purchase of lands or interests in lands to be used in the  
18 establishment of any new unit of the National Wildlife  
19 Refuge System unless the purchase is approved in advance  
20 by the House and Senate Committees on Appropriations  
21 in compliance with the reprogramming procedures con-  
22 tained in House Report 103–551: *Provided further*, That  
23 *section 201 of the Emergency Wetlands Resources Act of*  
24 *1986 (16 U.S.C. 3911) is amended—*

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

3           (2) in subsection (c)—

4                   (A) by redesignating clauses (i), (ii), and  
5                   (iii) of subparagraph (A) as paragraphs (1), (2),  
6                   and (3), respectively;

7                   (B) by striking “shall be distributed as fol-  
8                   lows:” and all that follows through “such  
9                   amount—” and inserting “shall be used by the  
10                  Secretary—”; and

11                  (C) by striking subparagraph (b).

12                                   NATIONAL PARK SERVICE

13                                   OPERATION OF THE NATIONAL PARK SYSTEM

14           For expenses necessary for the management, oper-  
15           ation, and maintenance of areas and facilities adminis-  
16           tered by the National Park Service (including special road  
17           maintenance service to trucking permittees on a reimburs-  
18           able basis), and for the general administration of the Na-  
19           tional Park Service, including not to exceed \$1,593,000  
20           for the Volunteers-in-Parks program, and not less than  
21           \$1,000,000 for high priority projects within the scope of  
22           the approved budget which shall be carried out by the  
23           Youth Conservation Corps as authorized by 16 U.S.C.  
24           1706, ~~\$1,135,139,000~~ \$1,156,784,000, without regard to  
25           16 U.S.C. 451, of which ~~\$12,800,000~~ \$4,000,000 for re-

1 search, planning and interagency coordination in support  
 2 of land acquisition for Everglades restoration shall remain  
 3 available until expended, and of which not to exceed  
 4 \$72,000,000, to remain available until expended, is to be  
 5 derived from the special fee account established pursuant  
 6 to title V, section 5201, of Public Law 100-203.

7 NATIONAL RECREATION AND PRESERVATION

8 For expenses necessary to carry out recreation pro-  
 9 grams, natural programs, cultural programs, environ-  
 10 mental compliance and review, international park affairs,  
 11 statutory or contractual aid for other activities, and grant  
 12 administration, not otherwise provided for, ~~\$36,476,000~~  
 13 \$39,476,000.

14 HISTORIC PRESERVATION FUND

15 For expenses necessary in carrying out the Historic  
 16 Preservation Act of 1966, as amended (16 U.S.C. 470),  
 17 ~~\$36,212,000~~ \$36,612,000, to be derived from the Historic  
 18 Preservation Fund, to remain available until September  
 19 30, 1998.

20 CONSTRUCTION

21 For construction, improvements, repair or replace-  
 22 ment of physical facilities including the modifications au-  
 23 thorized by section 104 of the Everglades National Park  
 24 Protection and Expansion Act of 1989, ~~\$119,745,000~~  
 25 \$165,418,000, to remain available until expended: ~~Pro-~~

1 *vided*, That funds provided under this head, derived from  
 2 the Historic Preservation Fund, established by the His-  
 3 toric Preservation Act of 1966, as amended (16 U.S.C.  
 4 470), may be available until expended to render sites safe  
 5 for visitors and for building stabilization: *Provided*, That  
 6 funds previously provided under this heading that had been  
 7 made available to the City of Hot Springs, Arkansas, to  
 8 be used for a flood protection feasibility study, are now  
 9 made available to the City of Hot Springs for the rehabili-  
 10 tation of the Federally-constructed Hot Springs Creek Arch,  
 11 including the portion within Hot Springs National Park.

12 LAND AND WATER CONSERVATION FUND

13 (RESCISSION)

14 The contract authority provided for fiscal year 1997  
 15 by 16 U.S.C. 4601-10a is rescinded.

16 LAND ACQUISITION AND STATE ASSISTANCE

17 For expenses necessary to carry out the Land and  
 18 Water Conservation Fund Act of 1965, as amended (16  
 19 U.S.C. 4601-4-11), including administrative expenses,  
 20 and for acquisition of lands or waters, or interest therein,  
 21 in accordance with statutory authority applicable to the  
 22 National Park Service, ~~\$30,000,000~~ \$48,415,000, to be de-  
 23 rived from the Land and Water Conservation Fund, to  
 24 remain available until expended, of which \$1,000,000 is  
 25 to administer the State assistance program: *Provided*,

1 That any funds made available for the purpose of acquisi-  
2 tion of the Elwha and Glines dams shall be used solely  
3 for acquisition, and shall not be expended until the full  
4 purchase amount has been appropriated by the Congress;  
5 *Provided further*, That of the funds provided herein,  
6 \$2,500,000 is available for acquisition of the Sterling For-  
7 est, subject to authorization.

8 ADMINISTRATIVE PROVISIONS

9 Appropriations for the National Park Service shall be  
10 available for the purchase of not to exceed 404 passenger  
11 motor vehicles, of which 287 shall be for replacement only,  
12 including not to exceed 320 for police-type use, 13 buses,  
13 and 6 ambulances: *Provided*, That none of the funds ap-  
14 propriated to the National Park Service may be used to  
15 process any grant or contract documents which do not in-  
16 clude the text of 18 U.S.C. 1913: ~~*Provided further*, That~~  
17 ~~of the funds provided to the National Park Service in this~~  
18 ~~or any other Act not more than \$1,700,000 is to be used~~  
19 ~~for the Office of the Director, not more than \$2,000,000~~  
20 ~~is to be used for the Office of Public Affairs, and not more~~  
21 ~~than \$951,000 is to be used for the Office of Congres-~~  
22 ~~sional Affairs: *Provided further*, That none of the funds~~  
23 ~~appropriated to the National Park Service may be used~~  
24 ~~to implement an agreement for the redevelopment of the~~  
25 ~~southern end of Ellis Island until such agreement has been~~

1 submitted to the Congress and shall not be implemented  
2 prior to the expiration of 30 calendar days (not including  
3 any day in which either House of Congress is not in ses-  
4 sion because of adjournment of more than three calendar  
5 days to a day certain) from the receipt by the Speaker  
6 of the House of Representatives and the President of the  
7 Senate of a full and comprehensive report on the develop-  
8 ment of the southern end of Ellis Island, including the  
9 facts and circumstances relied upon in support of the pro-  
10 posed project.

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

14       The National Park Service may in fiscal year 1997  
15 and thereafter enter into cooperative agreements that in-  
16 volve the transfer of National Park Service appropriated  
17 funds to State, local and tribal governments, other public  
18 entities, educational institutions, and private nonprofit or-  
19 ganizations for the public purpose of carrying out National  
20 Park Service programs pursuant to 31 U.S.C. 6305 to  
21 carry out public purposes of National Park Service pro-  
22 grams.

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 43 U.S.C. 31, 1332 and 1340; classify lands as to their  
9 mineral and water resources; give engineering supervision  
10 to power permittees and Federal Energy Regulatory Com-  
11 mission licensees; administer the minerals exploration pro-  
12 gram (30 U.S.C. 641); and publish and disseminate data  
13 relative to the foregoing activities; and to conduct inquiries  
14 into the economic conditions affecting mining and mate-  
15 rials processing industries (30 U.S.C. 3, 21a, and 1603;  
16 50 U.S.C. 98g(1)) and related purposes as authorized by  
17 law and to publish and disseminate data; ~~\$730,163,000~~  
18 ~~\$737,040,000~~, of which ~~\$62,130,000~~ ~~\$65,809,000~~ shall be  
19 available only for cooperation with States or municipalities  
20 for water resources investigations; *and of which*  
21 *\$16,000,000 shall remain available until expended for con-*  
22 *ducting inquiries into the economic conditions affecting*  
23 *mining and materials processing industries*; and of which  
24 ~~\$137,000,000~~ ~~\$137,750,000~~ shall be available until Sep-  
25 tember 30, 1998 for the biological research activity and

1 the operation of the Cooperative Research Units; and of  
2 which \$16,000,000 shall remain available until expended  
3 for conducting inquiries into the economic conditions af-  
4 fecting mining and materials processing industries: *Pro-*  
5 *vided*, That none of these funds provided for the biological  
6 research activity shall be used to conduct new surveys on  
7 private property, unless specifically authorized in writing  
8 by the property owner: *Provided further*, That beginning  
9 in fiscal year 1998 and once every five years thereafter,  
10 the National Academy of Sciences shall review and report  
11 on the biological research activity of the Survey: *Provided*  
12 *further*, That no part of this appropriation shall be used  
13 to pay more than one-half the cost of topographic mapping  
14 or water resources data collection and investigations car-  
15 ried on in cooperation with States and municipalities.

16 ADMINISTRATIVE PROVISIONS

17 The amount appropriated for the United States Geo-  
18 logical Survey shall be available for the purchase of not  
19 to exceed 53 passenger motor vehicles, of which 48 are  
20 for replacement only; reimbursement to the General Serv-  
21 ices Administration for security guard services; contract-  
22 ing for the furnishing of topographic maps and for the  
23 making of geophysical or other specialized surveys when  
24 it is administratively determined that such procedures are  
25 in the public interest; construction and maintenance of

1 necessary buildings and appurtenant facilities; acquisition  
 2 of lands for gauging stations and observation wells; ex-  
 3 penses of the United States National Committee on Geol-  
 4 ogy; and payment of compensation and expenses of per-  
 5 sons on the rolls of the Survey duly appointed to represent  
 6 the United States in the negotiation and administration  
 7 of interstate compacts: *Provided*, That activities funded by  
 8 appropriations herein made may be accomplished through  
 9 the use of contracts, grants, or cooperative agreements as  
 10 defined in 31 U.S.C. 6302, et seq.

11 MINERALS MANAGEMENT SERVICE

12 ROYALTY AND OFFSHORE MINERALS MANAGEMENT

13 For expenses necessary for minerals leasing and envi-  
 14 ronmental studies, regulation of industry operations, and  
 15 collection of royalties, as authorized by law; for enforcing  
 16 laws and regulations applicable to oil, gas, and other min-  
 17 erals leases, permits, licenses and operating contracts; and  
 18 for matching grants or cooperative agreements; including  
 19 the purchase of not to exceed eight passenger motor vehi-  
 20 cles for replacement only; ~~\$182,555,000~~ \$159,555,000, of  
 21 which not less than ~~\$74,063,000~~ \$70,063,000 shall be  
 22 available for royalty management activities; and an  
 23 amount not to exceed ~~\$15,400,000~~ \$41,000,000 for the  
 24 Technical Information Management System and ~~Related~~  
 25 ~~Activities~~ activities of the Outer Continental Shelf (OCS)

1 Lands Activity, to be credited to this appropriation and  
2 to remain available until expended, from additions to re-  
3 ceipts resulting from increases to rates in effect on August  
4 5, 1993, from rate increases to fee collections for OCS  
5 administrative activities performed by the Minerals Man-  
6 agement Service over and above the rates in effect on Sep-  
7 tember 30, 1993, and from additional fees for OCS admin-  
8 istrative activities established after September 30, 1993:  
9 *Provided*, That \$1,500,000 for computer acquisitions shall  
10 remain available until September 30, 1998: *Provided fur-*  
11 *ther*, That funds appropriated under this Act shall be  
12 available for the payment of interest in accordance with  
13 30 U.S.C. 1721 (b) and (d): *Provided further*, That not  
14 to exceed \$3,000 shall be available for reasonable expenses  
15 related to promoting volunteer beach and marine cleanup  
16 activities: *Provided further*, That notwithstanding any  
17 other provision of law, \$15,000 under this head shall be  
18 available for refunds of overpayments in connection with  
19 certain Indian leases in which the Director of the Minerals  
20 Management Service concurred with the claimed refund  
21 due, to pay amounts owed to Indian allottees or Tribes,  
22 or to correct prior unrecoverable erroneous payments.

23 OIL SPILL RESEARCH

24 For necessary expenses to carry out title I, section  
25 1016, title IV, sections 4202 and 4303, title VII, and title

1 VIII, section 8201 of the Oil Pollution Act of 1990,  
2 \$6,440,000, which shall be derived from the Oil Spill Li-  
3 ability Trust Fund, to remain available until expended.

4 *BUREAU OF MINES*

5 *MINES AND MINERALS*

6 *For expenses necessary for, and incidental to, the clo-*  
7 *sure of the United States Bureau of Mines, including pay-*  
8 *ments for workers compensation and unemployment com-*  
9 *ensation for former employees of the United States Bureau*  
10 *of Mines, \$2,000,000, to remain available until expended.*

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 10 passenger motor vehicles, for  
18 replacement only; ~~\$94,272,000~~ \$94,172,000, and notwith-  
19 standing 31 U.S.C. 3302, an additional amount shall be  
20 credited to this account, to remain available until ex-  
21 pended, from performance bond forfeitures in fiscal year  
22 1997: *Provided*, That the Secretary of the Interior, pursu-  
23 ant to regulations, may utilize directly or through grants  
24 to States, moneys collected in fiscal year 1997 for civil  
25 penalties assessed under section 518 of the Surface Min-

1 ing Control and Reclamation Act of 1977 (30 U.S.C.  
2 1268), to reclaim lands adversely affected by coal mining  
3 practices after August 3, 1977, to remain available until  
4 expended: *Provided further*, That appropriations for the  
5 Office of Surface Mining Reclamation and Enforcement  
6 may provide for the travel and per diem expenses of State  
7 and tribal personnel attending Office of Surface Mining  
8 Reclamation and Enforcement sponsored training.

9 ABANDONED MINE RECLAMATION FUND

10 For necessary expenses to carry out title IV of the  
11 Surface Mining Control and Reclamation Act of 1977,  
12 Public Law 95–87, as amended, including the purchase  
13 of not more than 10 passenger motor vehicles for replace-  
14 ment only, ~~\$175,887,000~~ \$179,085,000, to be derived from  
15 receipts of the Abandoned Mine Reclamation Fund and  
16 to remain available until expended; of which \$4,000,000  
17 shall be for supplemental grants to States for the reclama-  
18 tion of abandoned sites with acid mine rock drainage from  
19 coal mines through the Appalachian Clean Streams Initia-  
20 tive: *Provided*, That grants to minimum program States  
21 will be \$1,500,000 per State in fiscal year 1997: *Provided*  
22 *further*, That of the funds herein provided up to  
23 \$18,000,000 may be used for the emergency program au-  
24 thorized by section 410 of Public Law 95–87, as amended,  
25 of which no more than 25 per centum shall be used for

1 emergency reclamation projects in any one State and  
2 funds for federally-administered emergency reclamation  
3 projects under this proviso shall not exceed \$11,000,000:  
4 *Provided further*, That prior year unobligated funds appro-  
5 priated for the emergency reclamation program shall not  
6 be subject to the 25 per centum limitation per State and  
7 may be used without fiscal year limitation for emergency  
8 projects: *Provided further*, That pursuant to Public Law  
9 97-365, the Department of the Interior is authorized to  
10 use up to 20 per centum from the recovery of the delin-  
11 quent debt owed to the United States Government to pay  
12 for contracts to collect these debts: *Provided further*, That  
13 funds made available to States under title IV of Public  
14 Law 95-87 may be used, at their discretion, for any re-  
15 quired non-Federal share of the cost of projects funded  
16 by the Federal Government for the purpose of environ-  
17 mental restoration related to treatment or abatement of  
18 acid mine drainage from abandoned mines: *Provided fur-*  
19 *ther*, That such projects must be consistent with the pur-  
20 poses and priorities of the Surface Mining Control and  
21 Reclamation Act.

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, including pay-  
10 ment of irrigation assessments and charges; acquisition of  
11 water rights; advances for Indian industrial and business  
12 enterprises; operation of Indian arts and crafts shops and  
13 museums; development of Indian arts and crafts, as au-  
14 thorized by law; for the general administration of the Bu-  
15 reau, including such expenses in field offices; maintaining  
16 of Indian reservation roads as defined in 23 U.S.C. 101;  
17 and construction, repair, and improvement of Indian hous-  
18 ing, ~~\$1,381,623,000~~ *\$1,413,606,000*, of which not to ex-  
19 ceed ~~\$90,829,000~~ *\$91,379,000* shall be for payments to  
20 tribes and tribal organizations for contract support costs  
21 associated with ongoing contracts or grants or compacts  
22 entered into with the Bureau prior to fiscal year 1997,  
23 as authorized by the Indian Self-Determination Act of  
24 1975, as amended, and up to \$5,000,000 shall be for the  
25 Indian Self-Determination Fund, which shall be available

1 for the transitional cost of initial or expanded tribal con-  
2 tracts, grants, compacts, or cooperative agreements with  
3 the Bureau under such Act; and of which not to exceed  
4 ~~\$339,709,000~~ \$344,711,000 for school operations costs of  
5 Bureau-funded schools and other education programs  
6 shall become available on July 1, 1997, and shall remain  
7 available until September 30, 1998; and of which not to  
8 exceed ~~\$55,838,000~~ \$53,805,000 for higher education  
9 scholarships, adult vocational training, and assistance to  
10 public schools under 25 U.S.C. 452 et seq., shall remain  
11 available until September 30, 1998; and of which not to  
12 exceed ~~\$55,603,000~~ \$54,973,000 shall remain available  
13 until expended for housing improvement, road mainte-  
14 nance, attorney fees, litigation support, self-governance  
15 grants, the Indian Self-Determination Fund, and the Nav-  
16 ajo-Hopi Settlement Program: *Provided*, That tribes and  
17 tribal contractors may use their tribal priority allocations  
18 for unmet indirect costs of ongoing contracts, grants or  
19 compact agreements: *Provided further*, That funds made  
20 available to tribes and tribal organizations through con-  
21 tracts or grants obligated during fiscal year 1997, as au-  
22 thorized by the Indian Self-Determination Act of 1975,  
23 or grants authorized by the Indian Education Amend-  
24 ments of 1988 (25 U.S.C. 2001 and 2008A) shall remain  
25 available until expended by the contractor or grantee: *Pro-*

1 *vided further*, That to provide funding uniformity within  
2 a Self-Governance Compact, any funds provided in this  
3 Act with availability for more than one year may be repro-  
4 grammed to one year availability but shall remain avail-  
5 able within the Compact until expended: *Provided further*,  
6 That notwithstanding any other provision of law, Indian  
7 tribal governments may, by appropriate changes in eligi-  
8 bility criteria or by other means, change eligibility for gen-  
9 eral assistance or change the amount of general assistance  
10 payments for individuals within the service area of such  
11 tribe who are otherwise deemed eligible for general assist-  
12 ance payments so long as such changes are applied in a  
13 consistent manner to individuals similarly situated: *Pro-*  
14 *vided further*, That any savings realized by such changes  
15 shall be available for use in meeting other priorities of the  
16 tribes: *Provided further*, That any net increase in costs to  
17 the Federal Government which result solely from tribally  
18 increased payment levels for general assistance shall be  
19 met exclusively from funds available to the tribe from  
20 within its tribal priority allocation: *Provided further*, That  
21 any forestry funds allocated to a tribe which remain unob-  
22 ligated as of September 30, 1997, may be transferred dur-  
23 ing fiscal year 1998 to an Indian forest land assistance  
24 account established for the benefit of such tribe within the  
25 tribe's trust fund account: *Provided further*, That any such

1 unobligated balances not so transferred shall expire on  
2 September 30, 1998: *Provided further*, That notwithstand-  
3 ing any other provision of law, no funds available to the  
4 Bureau, other than the amounts provided herein for as-  
5 sistance to public schools under 25 U.S.C. 452 et seq.,  
6 shall be available to support the operation of any elemen-  
7 tary or secondary school in the State of Alaska in fiscal  
8 year 1997: *Provided further*, That funds made available  
9 in this or any other Act for expenditure through Septem-  
10 ber 30, 1998 for schools funded by the Bureau shall be  
11 available only to the schools in the Bureau school system  
12 as of September 1, 1995: *Provided further*, That no funds  
13 available to the Bureau shall be used to support expanded  
14 grades for any school *or dormitory* beyond the grade struc-  
15 ture in place *or approved by the Secretary of the Interior*  
16 at each school in the Bureau school system as of October  
17 1, 1995: *Provided further*, That in fiscal year 1997 and  
18 thereafter, notwithstanding the provisions of 25 U.S.C.  
19 2012(h)(1) (A) and (B), upon the recommendation of ei-  
20 ther (i) a local school board and school supervisor for an  
21 education position in a Bureau of Indian Affairs operated  
22 school, or (ii) an Agency school board and education line  
23 officer for an Agency education position, the Secretary  
24 shall establish adjustments to the rates of basic compensa-  
25 tion or annual salary rates established under 25 U.S.C.

1 2012(h)(1) (A) and (B) for education positions at the  
2 school or the Agency, at a level not less than that for com-  
3 parable positions in the nearest public school district, and  
4 the adjustment shall be deemed to be a change to basic  
5 pay and shall not be subject to collective bargaining: *Pro-*  
6 *vided further*, That any reduction to rates of basic com-  
7 pensation or annual salary rates below the rates estab-  
8 lished under 25 U.S.C. 2012(h)(1) (A) and (B) shall apply  
9 only to educators appointed after June 30, 1997, and shall  
10 not affect the right of an individual employed on June 30,  
11 1997, in an education position, to receive the compensa-  
12 tion attached to such position under 25 U.S.C. 2012(h)(1)  
13 (A) and (B) so long as the individual remains in the same  
14 position at the same school: *Provided further*, That not-  
15 withstanding 25 U.S.C. 2012(h)(1)(B), when the rates of  
16 basic compensation for teachers and counselors at Bureau-  
17 operated schools are established at the rates of basic com-  
18 pensation applicable to comparable positions in overseas  
19 schools under the Defense Department Overseas Teachers  
20 Pay and Personnel Practices Act, such rates shall become  
21 effective with the start of the next academic year following  
22 the issuance of the Department of Defense salary schedule  
23 and shall not be effected retroactively.

## 1 CONSTRUCTION

2 For construction, major repair, and improvement of  
3 irrigation and power systems, buildings, utilities, and  
4 other facilities, including architectural and engineering  
5 services by contract; acquisition of lands, and interests in  
6 lands; and preparation of lands for farming, and for con-  
7 struction of the Navajo Indian Irrigation Project pursuant  
8 to Public Law 87-483, ~~\$85,831,000~~ \$93,933,000, to re-  
9 main available until expended: *Provided*, That such  
10 amounts as may be available for the construction of the  
11 Navajo Indian Irrigation Project may be transferred to the  
12 Bureau of Reclamation: *Provided further*, That not to ex-  
13 ceed 6 per centum of contract authority available to the  
14 Bureau of Indian Affairs from the Federal Highway Trust  
15 Fund may be used to cover the road program management  
16 costs of the Bureau: *Provided further*, That any funds pro-  
17 vided for the Safety of Dams program pursuant to 25  
18 U.S.C. 13 shall be made available on a non-reimbursable  
19 basis: *Provided further*, That for fiscal year 1997, in im-  
20 plementing new construction or facilities improvement and  
21 repair project grants in excess of \$100,000 that are pro-  
22 vided to tribally controlled grant schools under Public Law  
23 100-297, as amended, the Secretary of the Interior shall  
24 use the Administrative and Audit Requirements and Cost  
25 Principles for Assistance Programs contained in 43 CFR

1 part 12 as the regulatory requirements: *Provided further*,  
 2 That such grants shall not be subject to section 12.61 of  
 3 43 CFR; the Secretary and the grantee shall negotiate and  
 4 determine a schedule of payments for the work to be per-  
 5 formed: *Provided further*, That in considering applications,  
 6 the Secretary shall consider whether the Indian tribe or  
 7 tribal organization would be deficient in assuring that the  
 8 construction projects conform to applicable building stand-  
 9 ards and codes and Federal, tribal, or State health and  
 10 safety standards as required by 25 U.S.C. 2005(a), with  
 11 respect to organizational and financial management capa-  
 12 bilities: *Provided further*, That if the Secretary declines an  
 13 application, the Secretary shall follow the requirements  
 14 contained in 25 U.S.C. 2505(f): *Provided further*, That  
 15 any disputes between the Secretary and any grantee con-  
 16 cerning a grant shall be subject to the disputes provision  
 17 in 25 U.S.C. 2508(e).

18 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND

19 MISCELLANEOUS PAYMENTS TO INDIANS

20 For miscellaneous payments to Indian tribes and in-  
 21 dividuals and for necessary administrative expenses,  
 22 ~~\$65,241,000~~ \$69,241,000, to remain available until ex-  
 23 pended; of which ~~\$56,400,000~~ \$68,400,000 shall be avail-  
 24 able for implementation of enacted Indian land and water  
 25 claim settlements pursuant to Public Laws 101–618, 102–

1 374, 102–575, and for implementation of other enacted  
2 water rights settlements, including not to exceed  
3 \$8,000,000, which shall be for the Federal share of the  
4 Catawba Indian Tribe of South Carolina Claims Settle-  
5 ment, as authorized by section 5(a) of Public Law 103–  
6 116; and of which \$841,000 shall be available pursuant  
7 to Public Laws 98–500, 99–264, and 100–580.

8 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

9 For the cost of guaranteed loans, \$4,500,000, as au-  
10 thorized by the Indian Financing Act of 1974, as amend-  
11 ed: *Provided*, That such costs, including the cost of modi-  
12 fying such loans, shall be as defined in section 502 of the  
13 Congressional Budget Act of 1974: *Provided further*, That  
14 these funds are available to subsidize total loan principal,  
15 any part of which is to be guaranteed, not to exceed  
16 \$34,615,000.

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

19 ADMINISTRATIVE PROVISIONS

20 Appropriations for the Bureau of Indian Affairs (ex-  
21 cept the revolving fund for loans, the Indian loan guaran-  
22 tee and insurance fund, the Technical Assistance of Indian  
23 Enterprises account, the Indian Direct Loan Program ac-  
24 count, and the Indian Guaranteed Loan Program account)  
25 shall be available for expenses of exhibits, and purchase

1 of not to exceed 229 passenger motor vehicles, of which  
2 not to exceed 187 shall be for replacement only.

3 DEPARTMENTAL OFFICES

4 INSULAR AFFAIRS

5 ASSISTANCE TO TERRITORIES

6 For expenses necessary for assistance to territories  
7 under the jurisdiction of the Department of the Interior,  
8 ~~\$65,088,000~~ \$65,388,000, of which (1) ~~\$61,239,000~~  
9 \$61,539,000 shall be available until expended for technical  
10 assistance, including maintenance assistance, disaster as-  
11 sistance, insular management controls, and brown tree  
12 snake control and research; grants to the judiciary in  
13 American Samoa for compensation and expenses, as au-  
14 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-  
15 ment of American Samoa, in addition to current local rev-  
16 enues, for construction and support of governmental func-  
17 tions; grants to the Government of the Virgin Islands as  
18 authorized by law; grants to the Government of Guam,  
19 as authorized by law; and grants to the Government of  
20 the Northern Mariana Islands as authorized by law (Pub-  
21 lic Law 94-241; 90 Stat. 272); and (2) \$3,849,000 shall  
22 be available for salaries and expenses of the Office of Insu-  
23 lar Affairs: *Provided*, That all financial transactions of the  
24 territorial and local governments herein provided for, in-  
25 cluding such transactions of all agencies or instrumental-

ities established or utilized by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 99-396, or any subsequent legislation related to Commonwealth of the Northern Mariana Islands grant funding: *Provided further*, That section 703(a) of Public Law 94-241, as amended, is hereby amended by striking “of the Government of the Northern Mariana Islands”: *Provided further*, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: *Provided further*, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations maintenance needs, improved capability of local operations and maintenance in-

stitutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets): *Provided further*, That any appropriation for disaster assistance under this head in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compacts of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, ~~\$23,638,000~~ \$23,438,000, to remain available until expended, as authorized by Public Law 99–239 and Public Law 99–658.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, ~~\$53,691,000~~ \$58,991,000, of

1 which not to exceed \$7,500 may be for official reception  
2 and representation expenses.

3 OFFICE OF THE SOLICITOR

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of the Solicitor,  
6 ~~\$35,208,000~~ \$35,443,000.

7 OFFICE OF INSPECTOR GENERAL

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of Inspector  
10 General, \$24,439,000, together with any funds or prop-  
11 erty transferred to the Office of Inspector General through  
12 forfeiture proceedings or from the Department of Justice  
13 Assets Forfeiture Fund or the Department of the Treas-  
14 ury Assets Forfeiture Fund, that represent an equitable  
15 share from the forfeiture of property in investigations in  
16 which the Office of Inspector General participated, with  
17 such transferred funds to remain available until expended.

18 NATIONAL INDIAN GAMING COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses of the National Indian Gam-  
21 ing Commission, pursuant to Public Law 100-497,  
22 \$1,000,000.

1 OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS  
2 FEDERAL TRUST PROGRAMS

3 For operation of trust programs for Indians by direct  
4 expenditure, contracts, cooperative agreements, compacts,  
5 and grants, ~~\$19,126,000~~ \$36,338,000, to remain available  
6 until expended for trust funds management: *Provided*,  
7 That funds made available to tribes and tribal organiza-  
8 tions through contracts or grants obligated during fiscal  
9 year 1997, as authorized by the Indian Self-Determination  
10 Act of 1975 (25 U.S.C. 450 et seq.), shall remain available  
11 until expended by the contractor or grantee: *Provided fur-*  
12 *ther*, That notwithstanding any other provision of law, the  
13 statute of limitations shall not commence to run on any  
14 claim, including any claim in litigation pending on the date  
15 of this Act, concerning losses to or mismanagement of  
16 trust funds, until the affected tribe or individual Indian  
17 has been furnished with an accounting of such funds from  
18 which the beneficiary can determine whether there has  
19 been a loss: *Provided further*, That unobligated balances  
20 previously made available (1) to liquidate obligations owed  
21 tribal and individual Indian payees of any checks canceled  
22 pursuant to section 1003 of the Competitive Equality  
23 Banking Act of 1987 (Public Law 100-86; 31 U.S.C.  
24 3334(b)), (2) to restore Individual Indian Monies trust  
25 funds, Indian Irrigation Systems, and Indian Power Sys-

1 tems accounts amounts invested in credit unions or de-  
2 faulted savings and loan associations and which where not  
3 Federally insured, including any interest on these amounts  
4 that may have been earned, but was not because of the  
5 default, and (3) to reimburse Indian trust fund account  
6 holders for losses to their respective accounts where the  
7 claim for said loss has been reduced to a judgement or  
8 settlement agreement approved by the Department of Jus-  
9 tice, under the heading “Indian Land and Water Claim  
10 Settlements and Miscellaneous Payments to Indians”, Bu-  
11 reau of Indian Affairs in fiscal years 1995 and 1996, are  
12 hereby transferred to and merged with this appropriation  
13 and may only be used for the operation of trust programs,  
14 in accordance with this appropriation.

15 ADMINISTRATIVE PROVISIONS

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

1 licitor”, and “Office of Inspector General” may be aug-  
2 mented through the Working Capital Fund or the Consoli-  
3 dated Working Fund.

4 GENERAL PROVISIONS, DEPARTMENT OF THE  
5 INTERIOR

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

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

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

1 ment to be credited to appropriations currently available  
2 at the time of receipt thereof: *Provided further*, That for  
3 emergency rehabilitation and wildfire suppression activi-  
4 ties, no funds shall be made available under this authority  
5 until funds appropriated to “Wildland Fire Management”  
6 shall have been exhausted: *Provided further*, That all funds  
7 used pursuant to this section are hereby designated by  
8 Congress to be “emergency requirements” pursuant to  
9 section 251(b)(2)(D) of the Balanced Budget and Emer-  
10 gency Deficit Control Act of 1985, and must be replen-  
11 ished by a supplemental appropriation which must be re-  
12 quested as promptly as possible: *Provided further*, That  
13 such replenishment funds shall be used to reimburse, on  
14 a pro rata basis, accounts from which emergency funds  
15 were transferred.

16       SEC. 103. Appropriations made in this title shall be  
17 available for operation of warehouses, garages, shops, and  
18 similar facilities, wherever consolidation of activities will  
19 contribute to efficiency or economy, and said appropria-  
20 tions shall be reimbursed for services rendered to any  
21 other activity in the same manner as authorized by sec-  
22 tions 1535 and 1536 of title 31, United States Code: *Pro-*  
23 *vided*, That reimbursements for costs and supplies, mate-  
24 rials, equipment, and for services rendered may be cred-

1 ited to the appropriation current at the time such reim-  
2 bursements are received.

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

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

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

23       ~~SEC. 107. Appropriations made in this title from the~~  
24 ~~Land and Water Conservation Fund for acquisition of~~  
25 ~~lands and waters, or interests therein, shall be available~~

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

8       SEC. 108. Prior to the transfer of Presidio properties  
9 to the Presidio Trust, when authorized, the Secretary may  
10 not obligate in any calendar month more than  $\frac{1}{12}$  of the  
11 fiscal year 1997 appropriation for operation of the Pre-  
12 sidio: *Provided*, That prior to the transfer of any Presidio  
13 property to the Presidio Trust, the Secretary shall trans-  
14 fer such funds as the Trust deems necessary to initiate  
15 leasing and other authorized activities of the Trust: *Pro-*  
16 *vided further*, That this section shall expire on September  
17 ~~30, 1997~~ *December 31, 1996*.

18       ~~SEC. 109. None of the funds appropriated or other-~~  
19 ~~wise made available by this Act may be obligated or ex-~~  
20 ~~pended by the Secretary of the Interior for developing,~~  
21 ~~promulgating, and thereafter implementing a rule con-~~  
22 ~~cerning rights-of-way under section 2477 of the Revised~~  
23 ~~Statutes.~~

24       *SEC. 109. No final rule or regulation of any agency*  
25 *of the Federal Government pertaining to the recognition,*

1 *management, or validity of a right-of-way pursuant to Re-*  
2 *vised Statute 2477 (43 U.S.C. 932) shall take effect unless*  
3 *expressly authorized by an Act of Congress subsequent to*  
4 *the date of enactment of this Act.*

5       SEC. 110. No funds provided in this title may be ex-  
6 pended by the Department of the Interior for the conduct  
7 of offshore leasing and related activities placed under re-  
8 striction in the President's moratorium statement of June  
9 26, 1990, in the areas of Northern, Central, and Southern  
10 California; the North Atlantic; Washington and Oregon;  
11 and the Eastern Gulf of Mexico south of 26 degrees north  
12 latitude and east of 86 degrees west longitude.

13       SEC. 111. No funds provided in this title may be ex-  
14 pended by the Department of the Interior for the conduct  
15 of leasing, or the approval or permitting of any drilling  
16 or other exploration activity, on lands within the North  
17 Aleutian Basin planning area.

18       SEC. 112. No funds provided in this title may be ex-  
19 pended by the Department of the Interior for the conduct  
20 of preleasing and leasing activities in the Eastern Gulf of  
21 Mexico for Outer Continental Shelf Lease Sale 151 in the  
22 Outer Continental Shelf Natural Gas and Oil Resource  
23 Management Comprehensive Program, 1992–1997.

24       SEC. 113. No funds provided in this title may be ex-  
25 pended by the Department of the Interior for the conduct

1 of preleasing and leasing activities in the Atlantic for  
2 Outer Continental Shelf Lease Sale 164 in the Outer Con-  
3 tinental Shelf Natural Gas and Oil Resource Management  
4 Comprehensive Program, 1992–1997.

5       SEC. 114. There is hereby established in the Treasury  
6 a franchise fund pilot, as authorized by section 403 of  
7 Public Law 103–356, to be available as provided in such  
8 section for costs of capitalizing and operating administra-  
9 tive services as the Secretary determines may be per-  
10 formed more advantageously as central services: *Provided*,  
11 That any inventories, equipment, and other assets pertain-  
12 ing to the services to be provided by such fund, either on  
13 hand or on order, less the related liabilities or unpaid obli-  
14 gations, and any appropriations made prior to the current  
15 year for the purpose of providing capital shall be used to  
16 capitalize such fund: *Provided further*, That such fund  
17 shall be paid in advance from funds available to the De-  
18 partment and other Federal agencies for which such cen-  
19 tralized services are performed, at rates which will return  
20 in full all expenses of operation, including accrued leave,  
21 depreciation of fund plant and equipment, amortization of  
22 automatic data processing (ADP) software and systems  
23 (either acquired or donated) and an amount necessary to  
24 maintain a reasonable operating reserve, as determined by  
25 the Secretary: *Provided further*, That such fund shall pro-

1 vide services on a competitive basis: *Provided further*, That  
2 an amount not to exceed four percent of the total annual  
3 income to such fund may be retained in the fund for fiscal  
4 year 1997 and each fiscal year thereafter, to remain avail-  
5 able until expended, to be used for the acquisition of cap-  
6 ital equipment, and for the improvement and implementa-  
7 tion of Department financial management, ADP, and  
8 other support systems: *Provided further*, That no later  
9 than thirty days after the end of each fiscal year amounts  
10 in excess of this reserve limitation shall be transferred to  
11 the Treasury: *Provided further*, That such franchise fund  
12 pilot shall terminate pursuant to section 403(f) of Public  
13 Law 103–356.

14 ~~SEC. 115. None of the funds in this Act or any other~~  
15 ~~Act may be used by the Secretary for the redesign of~~  
16 ~~Pennsylvania Avenue in front of the White House without~~  
17 ~~the advance approval of the House and Senate Committees~~  
18 ~~on Appropriations.~~

19 *SEC. 115. Public Law 102–495 is amended by adding*  
20 *the following new section:*

21 **“SEC. 10. WASHINGTON STATE REMOVAL OPTION.**

22 *“(a) Upon appropriation of \$29,500,000 for the Fed-*  
23 *eral Government to acquire the Elwha and Glines dams in*  
24 *Washington State pursuant to this Act, the State of Wash-*  
25 *ington may, upon the submission to Congress of a binding*

1 *agreement to remove the two dams within a reasonable pe-*  
2 *riod of time, purchase the two dams from the Federal Gov-*  
3 *ernment for \$2.*

4       “(b) Upon receipt of the payment pursuant to sub-  
5 section (a), the Federal Government shall relinquish owner-  
6 ship and title of dams to the State of Washington.

7       “(c) Upon the purchase of the dams by the State of  
8 Washington, Public Law 102–495 is hereby repealed.”.

9       SEC. 116. Section 7 of Public Law 99–647 (16 U.S.C.  
10 461 note) is amended to read as follows:

11 **“SEC. 7. TERMINATION OF COMMISSION.**

12       “The Commission shall terminate on November 10,  
13 1997.”.

14       SEC. 117. The Congress of the United States hereby  
15 designates and ratifies the assignment to the University of  
16 Utah as successor to, and beneficiary of, all the existing  
17 assets, revenues, funds and rights granted to the State of  
18 Utah under the Miners Hospital Grant (February 20, 1929,  
19 45 Stat. 1252) and the School of Mines Grant (July 26,  
20 1894, 28 Stat. 110). Further, the Secretary of the Interior  
21 is authorized and directed to accept such relinquishment of  
22 all remaining and un conveyed entitlement for quantity  
23 grants owed the State of Utah for the Miners Hospital  
24 Grant (February 20, 1929, 45 Stat. 1252) and any  
25 un conveyed entitlement that may remain for the University

1 *of Utah School of Mines Grant (July 26, 1894, 28 Stat.*  
2 *110).*

3       *SEC. 118. (a) No later than February 28, 1997, the*  
4 *Secretary of the Interior, upon negotiation with the com-*  
5 *mittee established pursuant to subsection (c), and with the*  
6 *Office of Management and Budget, Special Trustee for*  
7 *American Indians, the Chief Financial Officer for the De-*  
8 *partment of the Interior, the Assistant Secretary—Indian*  
9 *Affairs, and the Solicitor of the Department of the Interior,*  
10 *shall transmit to the Committee on Appropriations and the*  
11 *Committee on Indian Affairs of the United States Senate*  
12 *and to the Committee on Appropriations and the Commit-*  
13 *tee on Resources of the House of Representatives a report*  
14 *which (1) proposes a formula to distribute the funds appro-*  
15 *priated for the “Operation of Indian Programs” account*  
16 *for direct payments to Indian tribes except those in Alaska*  
17 *and (2) identifies the amount of funds set aside to provide*  
18 *services to Indian tribes in Alaska.*

19       *(b) The formula and the allocation to Alaska shall be*  
20 *deemed approved if within 30 calendar days of receipt of*  
21 *the report from the Secretary, no one of the Committees have*  
22 *taken action to disapprove the formula or the allocation to*  
23 *Alaska. Notification to the Secretary of any such dis-*  
24 *approval shall be accomplished by a letter signed by the*  
25 *chairman and ranking minority member of any one of the*

1 *four committees identified in subsection (a) with copies pro-*  
2 *vided to the chairmen and ranking minority members of*  
3 *the other committees identified in subsection (a).*

4       *(c) The negotiating committee referenced in subsection*  
5 *(a) shall be comprised of (1) Federal representatives as*  
6 *deemed necessary by the Secretary of the Interior and (2)*  
7 *tribal representatives, 12 of which shall be tribal representa-*  
8 *tives chosen by the tribes from each of the 12 existing BIA*  
9 *Areas (3) one representative from each of the four Commit-*  
10 *tees identified in subsection (a). Agreement by a two-thirds*  
11 *majority of tribal representatives is necessary for any for-*  
12 *mula developed by the negotiating committee.*

13       *(d) The formula proposed under subsection (a) shall*  
14 *recognize the minimum funding requirements for small and*  
15 *needy tribes.*

16       *(e) In developing the fiscal year 1998 budget request,*  
17 *the Secretary shall propose separate appropriations ac-*  
18 *counts for the amounts proposed for direct payments to*  
19 *tribes; and for amounts proposed to be provided for services*  
20 *to Indian tribes in Alaska.*

21       *(f) For purposes of this section, the term "Indian*  
22 *tribe" means any Indian tribe, band, nation, or other orga-*  
23 *nized group or community of Indians, including any Alas-*  
24 *ka Native village or regional or village corporation as de-*  
25 *fin ed in or established pursuant to the Alaska Native*

1 *Claims Settlement Act, which is recognized as eligible for*  
2 *the special programs and services provided by the United*  
3 *States to Indians because of their status as Indians, as fur-*  
4 *ther defined in the Indian Self-Determination and Edu-*  
5 *cation Assistance Act of 1975, as amended.*

6       *(g) No funds shall be distributed under the formula*  
7 *proposed pursuant to subsection (a) until the formula is*  
8 *approved under the procedures set forth in subsection (b).*  
9 *Not to exceed one-half of the funding to be included in the*  
10 *tribal formula within the “Operation of Indian Programs”*  
11 *account shall be available prior to implementation of the*  
12 *formula.*

13       *(h) The determination of what funds from the Oper-*  
14 *ation of Indian Programs account, excluding funds for edu-*  
15 *cation and reimbursable funds, are withheld from being*  
16 *made available for distribution under the formula shall in-*  
17 *clude a determination negotiated with the negotiating com-*  
18 *mittee described in subsection (c) of the amount, if any,*  
19 *of residual Federal funds to be retained by the Secretary*  
20 *that are minimally necessary to carry out trustee and other*  
21 *functions of the Federal Government that are not delegable*  
22 *by law to the Indian tribes.*

23       *(i) Upon approval of the formula, the Secretary shall*  
24 *provide for the immediate and direct transfer, to any In-*  
25 *dian tribe choosing to receive all those funds in lieu of direct*

1 *services, the share of funds identified for that Indian tribe*  
2 *under the formula. Upon allocation of those funds to an*  
3 *Indian tribe, those funds will not be subject the oversight*  
4 *authority of the Bureau of Indian Affairs.*

5       *(j) Should the Federal-tribal negotiations under this*  
6 *section reach an impasse at any time before December 31,*  
7 *1996, or there are unresolved issues as of December 31,*  
8 *1996, the Secretary and the negotiating committee described*  
9 *in subsection (c) shall jointly select an arbitrator from the*  
10 *roster of individuals maintained by the Administrative*  
11 *Conference of the United States pursuant to title 5, section*  
12 *573(c) of the United States Code, which arbitrator shall re-*  
13 *solve the issues upon which there is impasse, after receiving*  
14 *evidence and hearing arguments from both the Federal and*  
15 *tribal representatives on the negotiating committee, and re-*  
16 *port the recommended resolution of the arbitrator to the*  
17 *Secretary and the four committees of the Congress identified*  
18 *in subsection (a), on or before February 28, 1997.*

19       *(k) Section 402(b)(1) of The Indian Self-Determina-*  
20 *tion and Education Assistance Act (25 U.S.C. 458bb) is*  
21 *amended to read as follows: “(1) In addition to those Indian*  
22 *tribes participating in self-governance under subsection (a)*  
23 *of this section, the Secretary, acting through the Director*  
24 *of the Office of Self-Governance, may select up to 50 new*

1 *tribes per year from the applicant pool described in sub-*  
2 *section (c) of this section to participate in self-governance.”.*

3       *SEC. 119. In fiscal year 1997 and thereafter, the In-*  
4 *dian Arts and Crafts Board may charge admission fees at*  
5 *its museums; charge rent and/or franchise fees for shops lo-*  
6 *cated in its museums; publish and sell publications; sell or*  
7 *rent or license use of photographs or other images in hard*  
8 *copy or other forms; license the use of designs, in whole or*  
9 *in part, by others; charge for consulting services provided*  
10 *to others; and may accept the services of volunteers to carry*  
11 *out its mission: Provided, That all revenue derived from*  
12 *such activities is covered into the special fund established*  
13 *by section 4 of Public Law 74–355 (25 U.S.C. 305c).*

14       *SEC. 120. TRANSFER OF CERTAIN BUREAU OF LAND*  
15 *MANAGEMENT FACILITIES.—*

16           *(a) BATTLE MOUNTAIN, NEVADA.—Not later than*  
17 *30 days after the date of enactment of this Act, the*  
18 *Secretary of the Interior, acting through the Director*  
19 *of the Bureau of Land Management, shall transfer to*  
20 *Lander County, Nevada, without consideration, title*  
21 *to the former Bureau of Land Management adminis-*  
22 *trative site and associated buildings in Battle Moun-*  
23 *tain, Nevada.*

24           *(b) WINNEMUCCA, NEVADA.—*

1           (1) *TRANSFER.*—Not later than 30 days  
2 after the date of enactment of this Act, the Sec-  
3 retary of the Interior, acting through the Direc-  
4 tor of the Bureau of Land Management, shall  
5 transfer to the State of Nevada, without consider-  
6 ation, title to the surplus Bureau of Land Man-  
7 agement District Office building in Winnemucca,  
8 Nevada.

9           (2) *USE.*—The transfer under paragraph  
10 (1) is made with the intent that the building  
11 shall be available to meet the needs of the De-  
12 partment of Conservation and Natural Resources  
13 of the State of Nevada.

14 *SEC. 121. COOK INLET REGION, INC. RECOGNITION.*—

15           (a) *Cook Inlet Region, Inc., an Alaska Native re-*  
16 *gional corporation organized under Public Law 92–*  
17 *203, shall be deemed to be an Indian tribal entity for*  
18 *the purpose of federal programs for which Indians are*  
19 *eligible because of their status as Indians.*

20           (b) *The Bureau of Indian Affairs shall specifi-*  
21 *cally include Cook Inlet Region, Inc. on any list that*  
22 *designates federally recognized Indian tribes or In-*  
23 *Indian tribal entities for use in administration of any*  
24 *Federal program.*

1           (c)(1) *The tribe of a Native village located with-*  
2 *in the Cook Inlet region shall serve as the tribal au-*  
3 *thority for the purpose of receiving funding and ad-*  
4 *ministering Federal assistance and social service pro-*  
5 *grams within the settled area associated with the vil-*  
6 *lage, provided that Cook Inlet Region, Inc. shall serve*  
7 *as the tribal authority for such purposes for all other*  
8 *areas within the region and for the Municipality of*  
9 *Anchorage. These village tribes and Cook Inlet Re-*  
10 *gion, Inc. may delegate their or its tribal authority*  
11 *to another tribe or tribal organization in the region.*  
12 *For purposes of this subsection, “settled area” shall*  
13 *mean that area containing the cluster of houses,*  
14 *buildings, roads, and trails of the improved village*  
15 *site.*

16           (2) *For those Alaska Natives residing within the*  
17 *Cook Inlet region who are not enrolled to or otherwise*  
18 *affiliated with a tribe, Cook Inlet Region, Inc. shall*  
19 *serve as the tribal authority.*

20 *SEC. 122. ALASKA AVIATION HERITAGE.—*

21           (a) *FINDINGS.—The Congress finds that—*

22                   (1) *the Department of the Interior’s Grum-*  
23 *man Goose G21–A aircraft number N789 is to be*  
24 *retired from several decades of active service in*  
25 *the State of Alaska in 1996; and*

1                   (2) *the aircraft is of significant historic*  
2                   *value to the people of the State of Alaska.*

3                   (b) *DONATION OF AIRCRAFT.—The Secretary of*  
4                   *the Interior shall transfer the Grumman Goose G21–*  
5                   *A aircraft number N789 to the Alaska Aviation Her-*  
6                   *itage Museum in Anchorage, Alaska, at no cost to the*  
7                   *museum, for permanent display.*

8                   *SEC. 123. The Mesquite Lands Act of 1988 is amended*  
9                   *by adding the following at the end of section 3:*

10                  “(d) *FOURTH AREA.—(1) No later than ten years after*  
11                  *the date of enactment of this Act, the City of Mesquite shall*  
12                  *notify the Secretary as to which if any of the public lands*  
13                  *identified in paragraph (2) of this subsection the city wish-*  
14                  *es to purchase.*

15                  “(2) *For a period of twelve years after the date of en-*  
16                  *actment of this Act, the city shall have exclusive right to*  
17                  *purchase the following parcels of public lands:*

18                         *“Parcel A—East ½ Sec. 6, T. 13 S., R. 71 E.,*  
19                         *Mount Diablo Meridian; Sec. 5, T. 13 S., R. 71 E.,*  
20                         *Mount Diablo Meridian; West ½ Sec. 4, T. 13 S., R.*  
21                         *71 E, Mount Diablo Meridian; East ½, West ½ Sec.*  
22                         *4, T. 13 S., R. 71 E., Mount Diablo Meridian.*

23                         *“Parcel B—North ½ Sec. 7, T. 13 S., R. 71 E.,*  
24                         *Mount Diablo Meridian; South East ¼ Sec. 12, T. 13*  
25                         *S., R. 70 E., Mount Diablo Meridian; East ½, North*

1 *East 1/4 Sec. 12, T. 13 S., R. 70 E., Mount Diablo*  
 2 *Meridian; East 1/2, West 1/2 North East 1/4 Sec. 12,*  
 3 *T. 13 S., R. 70 E., Mount Diablo Meridian.*

4 *“Parcel C—West 1/2 Sec. 6, T. 13 S., R. 71 E.,*  
 5 *Mount Diablo Meridian; Sec. 1, T. 13 S., R. 70 E.,*  
 6 *Mount Diablo Meridian; West 1/2, West 1/2, North*  
 7 *East 1/4 Sec. 12, T. 13 S., R. 70 E., Mount Diablo*  
 8 *Meridian; North West 1/4 Sec. 13, S., R. 70 E., Mount*  
 9 *Diablo Meridian; West 1/2 Sec. 12, T. 13 S., R. 70 E.,*  
 10 *Mount Diablo Meridian; East 1/2, South East 1/4, Sec.*  
 11 *11, T. 13 S., R. 70 E., Mount Diablo Meridian; East*  
 12 *1/2 North East 1/4, Sec. 14, T. 13 S., R. 70 E., Mount*  
 13 *Diablo Meridian.*

14 *“Parcel D—South 1/2 Sec. 14, T. 13 S., R. 70 E.,*  
 15 *Mount Diablo Meridian; South West 1/4, Sec. 13, T.*  
 16 *13 S., R. 70 E., Mount Diablo Meridian; Portion of*  
 17 *section 23, North of Interstate 15, T. 13 S., R. 70 E.,*  
 18 *Mount Diablo Meridian; Portion of section 24, North*  
 19 *of Interstate 15, T. 13 S., R. 70 E., Mount Diablo*  
 20 *Meridian; Portion of section 26, North of Interstate*  
 21 *15, T. 13 S., R. 70 E., Mount Diablo Meridian.”*

22 **SEC. 124. FATHER AULL SITE TRANSFER.**

23 *(a) This section may be cited as the “Father Aull Site*  
 24 *Transfer Act of 1996”.*

25 *(b) FINDINGS.—Congress finds that—*

1           (1) *the buildings and grounds developed by Fa-*  
2 *ther Roger Aull located on public domain land near*  
3 *Silver City, New Mexico, are historically significant*  
4 *to the citizens of the community;*

5           (2) *vandalism at the site has become increas-*  
6 *ingly destructive and frequent in recent years;*

7           (3) *because of the isolated location and the dis-*  
8 *tance from other significant resources and agency fa-*  
9 *ilities, the Bureau of Land Management has been*  
10 *unable to devote sufficient resources to restore and*  
11 *protect the site from further damage; and*

12           (4) *St. Vincent DePaul Parish in Silver City,*  
13 *New Mexico, has indicated an interest in, and devel-*  
14 *oped a sound proposal for the restoration of, the site,*  
15 *such that the site could be permanently occupied and*  
16 *used by the community.*

17           (c) *CONVEYANCE OF PROPERTY.*—*Subject to valid ex-*  
18 *isting rights, all right, title and interest of the United States*  
19 *in and to the land (including improvements on the land),*  
20 *consisting of approximately 43.06 acres, located approxi-*  
21 *mately 10 miles east of Silver City, New Mexico, and de-*  
22 *scribed as follows: T. 17 S., R. 12 W., Section 30: Lot 13,*  
23 *and Section 31: Lot 27 (as generally depicted on the map*  
24 *dated July 1995) is hereby conveyed by operation of law*

1 *to St. Vincent DePaul Parish in Silver City, New Mexico,*  
 2 *without consideration.*

3       (d) *RELEASE.—Upon the conveyance of any land or*  
 4 *interest in land identified in this section of St. Vincent*  
 5 *DePaul Parish, St. Vincent DePaul Parish shall assume*  
 6 *any liability for any claim relating to the land or interest*  
 7 *in the land arising after the date of the conveyance.*

8       (e) *MAP.—The map referred to in this section shall*  
 9 *be on file and available for public inspection in—*

10               (1) *the State of New Mexico Office of the Bureau*  
 11 *of Land Management, Santa Fe, New Mexico; and*

12               (2) *the Las Cruces District Office of the Bureau*  
 13 *of Land Management, Las Cruces, New Mexico.*

## 14                               TITLE II—RELATED AGENCIES

### 15                                       DEPARTMENT OF AGRICULTURE

#### 16   FOREST SERVICE

#### 17   FOREST AND RANGELAND RESEARCH

18       For necessary expenses of forest and rangeland re-  
 19 search as authorized by law, ~~\$179,000,000~~ \$180,200,000,  
 20 to remain available until ~~September 30, 1998~~: *Provided,*  
 21 ~~That unobligated and unexpended balances remaining in~~  
 22 ~~this account at the end of fiscal year 1996 shall be merged~~  
 23 ~~with and made a part of the fiscal year 1997 Forest and~~  
 24 ~~Rangeland Research appropriation expended.~~

## 1 STATE AND PRIVATE FORESTRY

2 For necessary expenses of cooperating with, and pro-  
 3 viding technical and financial assistance to States, Terri-  
 4 tories, possessions, and others and for forest pest manage-  
 5 ment activities, cooperative forestry and education and  
 6 land conservation activities, ~~\$148,884,000~~ \$156,811,000 to  
 7 remain available until expended, as authorized by law.

## 8 NATIONAL FOREST SYSTEM

9 For necessary expenses of the Forest Service, not  
 10 otherwise provided for, for management, protection, im-  
 11 provement, and utilization of the National Forest System,  
 12 for ecosystem planning, inventory, and monitoring, and for  
 13 administrative expenses associated with the management  
 14 of funds provided under the heads "Forest and Rangeland  
 15 Research," "State and Private Forestry," "National For-  
 16 est System," "Wildland Fire Management," "Reconstruc-  
 17 tion and Construction," and "Land Acquisition,"  
 18 ~~\$1,259,057,000 (reduced by \$1,000,000)~~ \$1,285,881,000  
 19 to remain available for obligation until September 30,  
 20 1998 expended, and including 50 60 per centum of all  
 21 monies received during the prior fiscal year as fees col-  
 22 lected under the Land and Water Conservation Fund Act  
 23 of 1965, as amended, in accordance with section 4 of the  
 24 Act (16 U.S.C. 4601-6a(i)): *Provided, That unobligated*  
 25 *and unexpended balances in the National Forest System*

1 account at the end of fiscal year 1996, shall be merged  
2 with and made a part of the fiscal year 1997 National  
3 Forest System appropriation, and shall remain available  
4 for obligation until September 30, 1998: *Provided further,*  
5 That up to \$5,000,000 of the funds provided herein for  
6 road maintenance shall be available for the planned oblit-  
7 eration of roads which are no longer needed.

8 WILDLAND FIRE MANAGEMENT

9 For necessary expenses for forest fire presuppression  
10 activities on National Forest System lands, for emergency  
11 fire suppression on or adjacent to such lands or other  
12 lands under fire protection agreement, and for emergency  
13 rehabilitation of burned over National Forest System  
14 lands, \$411,485,000, to remain available until expended:  
15 *Provided,* That unexpended balances of amounts pre-  
16 viously appropriated under any other headings for Forest  
17 Service fire activities are transferred to and merged with  
18 this appropriation and subject to the same terms and con-  
19 ditions: *Provided further,* That such funds are available  
20 for repayment of advances from other appropriations ac-  
21 counts previously transferred for such purposes.

22 *For an additional amount to cover necessary expenses*  
23 *for emergency rehabilitation, presuppression due to emer-*  
24 *gencies, and wildfire suppression activities of the Forest*  
25 *Service, \$250,000,000, to remain available until expended:*

1 *Provided, That such funds are available for repayment of*  
2 *advances from other accounts previously transferred for*  
3 *such purposes.*

4 *In addition, to cover necessary expenses for emergency*  
5 *rehabilitation, presuppression due to emergencies, and*  
6 *wildfire suppression activities of the Forest Service,*  
7 *\$109,531,000, to remain available until expended: Pro-*  
8 *vided, That these funds, or any portion thereof, shall be*  
9 *available only to the extent that the President notifies the*  
10 *Congress of his designation of any or all of these amounts*  
11 *as emergency requirements under the Balanced Budget and*  
12 *Emergency Deficit Control Act of 1985, as amended: Pro-*  
13 *vided further, That the entire amount is designated by Con-*  
14 *gress as an emergency requirement pursuant to section*  
15 *252(b)(2)(D)(I) of such Act: Provided further, That such*  
16 *funds are available for repayment of advances from other*  
17 *appropriations accounts previously transferred for such*  
18 *purposes.*

19 RECONSTRUCTION AND CONSTRUCTION

20 For necessary expenses of the Forest Service, not  
21 otherwise provided for, ~~\$164,100,000~~ \$172,167,000, to re-  
22 main available until expended for construction, reconstruc-  
23 tion and acquisition of buildings and other facilities, and  
24 for construction, reconstruction and repair of forest roads  
25 and trails by the Forest Service as authorized by 16  
26 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided,*

1 That not to exceed \$50,000,000, to remain available until  
2 expended, may be obligated for the construction of forest  
3 roads by timber purchasers:~~Provided further, That funds~~  
4 appropriated under this head for the construction of the  
5 Wayne National Forest Supervisor's Office may be grant-  
6 ed to the Ohio State Highway Patrol, Ohio State Depart-  
7 ment of Transportation, as the Federal share of the cost  
8 of construction of a new facility to be jointly occupied by  
9 the Forest Service and the Ohio State Highway Patrol:  
10 ~~Provided further, That an agreed upon lease of space in~~  
11 the new facility shall be provided to the Forest Service  
12 without charge for the life of the building.

13 LAND ACQUISITION

14 For expenses necessary to carry out the provisions  
15 of the Land and Water Conservation Fund Act of 1965,  
16 as amended (16 U.S.C. 4601-4-11), including adminis-  
17 trative expenses, and for acquisition of land or waters, or  
18 interest therein, in accordance with statutory authority  
19 applicable to the Forest Service, ~~\$30,000,000~~ \$39,660,000,  
20 to be derived from the Land and Water Conservation  
21 Fund, to remain available until expended:~~Provided, That~~  
22 funding for specific land acquisitions are subject to the  
23 approval of the House and Senate Committees on Appro-  
24 priations.

1 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL  
2 ACTS

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

9 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

10 For acquisition of lands, *such sums*, to be derived  
11 from funds deposited by State, county, or municipal gov-  
12 ernments, public school districts, or other public school au-  
13 thorities pursuant to the Act of December 4, 1967, as  
14 amended (16 U.S.C. 484a), to remain available until ex-  
15 pended.

16 RANGE BETTERMENT FUND

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

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

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

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

8 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

9 Appropriations to the Forest Service for the current  
10 fiscal year shall be available for: (a) purchase of not to  
11 exceed 159 passenger motor vehicles of which 14 will be  
12 used primarily for law enforcement purposes and of which  
13 149 shall be for replacement; acquisition of 10 passenger  
14 motor vehicles from excess sources, and hire of such vehi-  
15 cles; operation and maintenance of aircraft, the purchase  
16 of not to exceed two for replacement only, and acquisition  
17 of 20 aircraft from excess sources; notwithstanding other  
18 provisions of law, existing aircraft being replaced may be  
19 sold, with proceeds derived or trade-in value used to offset  
20 the purchase price for the replacement aircraft; (b) serv-  
21 ices pursuant to 7 U.S.C. 2225, and not to exceed  
22 \$100,000 for employment under 5 U.S.C. 3109; (c) pur-  
23 chase, erection, and alteration of buildings and other pub-  
24 lic improvements (7 U.S.C. 2250); (d) acquisition of land,  
25 waters, and interests therein, pursuant to 7 U.S.C. 428a;

1 (e) for expenses pursuant to the Volunteers in the Na-  
2 tional Forest Act of 1972 (16 U.S.C 558a, 558d, 558a  
3 note); and (f) for debt collection contracts in accordance  
4 with 31 U.S.C. 3718(c).

5       None of the funds made available under this Act shall  
6 be obligated or expended to change the boundaries of any  
7 region, to abolish any region, to move or close any regional  
8 office *for research, State and private forestry, or National*  
9 *Forest System administration of the Forest Service, Depart-*  
10 *ment of Agriculture*, or to implement any reorganization,  
11 “reinvention” or other type of organizational restructuring  
12 of the Forest Service, *other than the relocation of the Re-*  
13 *gional Office for Region 5 of the Forest Service from San*  
14 *Francisco to excess military property at Mare Island,*  
15 *Vallejo, California*, without the consent of the House and  
16 Senate Committees on Appropriations.

17       *Any funds available to the Forest Service may be used*  
18 *for retrofitting Mare Island facilities to accommodate the*  
19 *relocation: Provided, That funds for the move must come*  
20 *from funds otherwise available to Region 5: Provided fur-*  
21 *ther, That any funds to be provided for such purposes shall*  
22 *only be available upon approval of the House and Senate*  
23 *Committees on Appropriations.*

24       Any appropriations or funds available to the Forest  
25 Service may be advanced to the Wildland Fire Manage-

1 ment appropriation and may be used for forest firefighting  
2 and the emergency rehabilitation of burned-over lands  
3 under its jurisdiction.

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

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

22 None of the funds available to the Forest Service may  
23 be reprogrammed without the advance approval of the  
24 House and Senate Committees on Appropriations in ac-

1 cordance with the procedures contained in House Report  
2 103–551.

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

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

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

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

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

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

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

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

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

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

17           *Pursuant to section 2(b)(2) of Public Law 98-244, up*  
18 *to \$1,000,000 of the funds available to the Forest Service*  
19 *shall be available for matching funds, as authorized in 16*  
20 *U.S.C. 3701-3709, on a one-for-one basis to match private*  
21 *contributions for projects on National Forest System lands*  
22 *or related to Forest Service programs.*

23           *Pursuant to section 402(b) of Public Law 101-593, up*  
24 *to \$1,000,000 of the funds available to the Forest Service*  
25 *shall be available for matching funds, as authorized in 16*

1 *U.S.C. 583j-3, on a one-for-one basis to match private con-*  
2 *tributions for projects on National Forest System lands or*  
3 *related to Forest Service programs.*

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

8 Notwithstanding any other provision of law, 80 per-  
9 cent of the funds appropriated to the Forest Service in  
10 the National Forest System and Construction accounts  
11 and planned to be allocated to activities under the “Jobs  
12 in the Woods” program for projects on National Forest  
13 land in the State of Washington may be granted directly  
14 to the Washington State Department of Fish and Wildlife  
15 for accomplishment of planned projects. Twenty percent  
16 of said funds shall be retained by the Forest Service for  
17 planning and administering projects. Project selection and  
18 prioritization shall be accomplished by the Forest Service  
19 with such consultation with the State of Washington as  
20 the Forest Service deems appropriate.

21 Funds appropriated to the Forest Service shall be  
22 available for payments to counties within the Columbia  
23 River Gorge National Scenic Area, pursuant to sections  
24 14(c)(1) and (2), and section 16(a)(2) of Public Law 99-  
25 663.



1 use, and disposal of mineral substances without objection-  
 2 able social and environmental costs (30 U.S.C. 3, 1602,  
 3 and 1603), performed under the minerals and materials  
 4 science programs at the Albany Research Center in Or-  
 5 egon, ~~\$354,754,000~~ \$367,504,000, to remain available  
 6 until expended: *Provided*, That no part of the sum herein  
 7 made available shall be used for the field testing of nuclear  
 8 explosives in the recovery of oil and gas.

9 ALTERNATIVE FUELS PRODUCTION

10 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

11 Monies received as investment income on the prin-  
 12 cipal amount in the Great Plains Project Trust at the  
 13 Norwest Bank of North Dakota, in such sums as are  
 14 earned as of October 1, 1996, shall be deposited in this  
 15 account and immediately transferred to the General Fund  
 16 of the Treasury. Monies received as revenue sharing from  
 17 the operation of the Great Plains Gasification Plant shall  
 18 be immediately transferred to the General Fund of the  
 19 Treasury. Funds are hereby rescinded in the amount of  
 20 \$2,500,000 from unobligated balances under this head.

21 NAVAL PETROLEUM AND OIL SHALE RESERVES

22 For necessary expenses in carrying out naval petro-  
 23 leum and oil shale reserve activities, ~~\$143,786,000~~ (re-  
 24 duced by ~~\$11,764,000~~) \$133,000,000, to remain available

1 until expended: *Provided*, That the requirements of 10  
2 U.S.C. 7430(b)(2)(B) shall not apply to fiscal year 1997.

3 ENERGY CONSERVATION

4 For necessary expenses in carrying out energy con-  
5 servation activities, ~~\$507,680,000~~ (~~increased by~~  
6 ~~\$11,764,000~~) (~~increased by \$4,000,000~~) \$570,452,000, to  
7 remain available until expended, including, notwithstand-  
8 ing any other provision of law, the excess amount for fiscal  
9 year 1997 determined under the provisions of section  
10 3003(d) of Public Law 99-509 (15 U.S.C. 4502): *Pro-*  
11 *vided*, That ~~\$125,000,000~~ (~~increased by \$11,764,000~~)  
12 \$158,900,000 shall be for use in energy conservation pro-  
13 grams as defined in section 3008(3) of Public Law 99-  
14 509 (15 U.S.C. 4507) and shall not be available until ex-  
15 cess amounts are determined under the provisions of sec-  
16 tion 3003(d) of Public Law 99-509 (15 U.S.C. 4502):  
17 *Provided further*, That notwithstanding section 3003(d)(2)  
18 of Public Law 99-509 such sums shall be allocated to the  
19 eligible programs as follows: ~~\$100,000,000~~ (~~increased by~~  
20 ~~\$11,764,000~~) \$131,500,000 for weatherization assistance  
21 grants and ~~\$25,000,000~~ \$27,400,000 for State energy con-  
22 servation grants.

## 1 ECONOMIC REGULATION

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

5 STRATEGIC PETROLEUM RESERVE  
6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses for Strategic Petroleum Re-  
8 serve facility development and operations and program  
9 management activities pursuant to the Energy Policy and  
10 Conservation Act of 1975, as amended (42 U.S.C. 6201  
11 et seq.), \$220,000,000, to remain available until expended,  
12 ~~of which \$220,000,000 shall be repaid from the "SPR Op-~~  
13 ~~erating Fund"~~ from amounts made available from the sale  
14 ~~of oil from the Reserve of which \$220,000,000 shall be re-~~  
15 ~~paid from the "SPR Operating Fund" from amounts made~~  
16 ~~available from the sale of oil from the Reserve: Provided,~~  
17 ~~That notwithstanding section 161 of the Energy Policy and~~  
18 ~~Conservation Act, the Secretary shall draw down and sell~~  
19 ~~in fiscal year 1997 \$220,000,000 worth of oil from the Stra-~~  
20 ~~tegic Petroleum Reserve: Provided further, That the proceeds~~  
21 ~~from the sale shall be deposited into a special account in~~  
22 ~~the Treasury, to be established and known as the "SPR Op-~~  
23 ~~erating Fund", and shall, upon receipt, be transferred to~~  
24 ~~the Strategic Petroleum Reserve account for operations of~~  
25 ~~the Strategic Petroleum Reserve.~~

## 1 SPR PETROLEUM ACCOUNT

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

## 8 ENERGY INFORMATION ADMINISTRATION

9 For necessary expenses in carrying out the activities  
10 of the Energy Information Administration, ~~\$66,120,000~~  
11 ~~\$64,120,000~~ to remain available until expended.

## 12 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

19 From appropriations under this Act, transfers of  
20 sums may be made to other agencies of the Government  
21 for the performance of work for which the appropriation  
22 is made.

23 None of the funds made available to the Department  
24 of Energy under this Act shall be used to implement or  
25 finance authorized price support or loan guarantee pro-

1 grams unless specific provision is made for such programs  
2 in an appropriations Act.

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

1 project, including the facts and circumstances relied upon  
2 in support of the proposed project.

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

7 In addition to other authorities set forth in this Act,  
8 the Secretary may accept fees and contributions from pub-  
9 lic and private sources, to be deposited in a contributed  
10 funds account, and prosecute projects using such fees and  
11 contributions in cooperation with other Federal, State or  
12 private agencies or concerns.

13 DEPARTMENT OF HEALTH AND HUMAN  
14 SERVICES

15 INDIAN HEALTH SERVICE

16 INDIAN HEALTH SERVICES

17 For expenses necessary to carry out the Act of Au-  
18 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-  
19 tion Act, the Indian Health Care Improvement Act, and  
20 titles II and III of the Public Health Service Act with re-  
21 spect to the Indian Health Service, ~~\$1,779,561,000~~  
22 \$1,800,836,000, together with payments received during  
23 the fiscal year pursuant to 42 U.S.C. 238(b) for services  
24 furnished by the Indian Health Service: *Provided*, That  
25 funds made available to tribes and tribal organizations

1 through contracts, grant agreements, or any other agree-  
2 ments or compacts authorized by the Indian Self-Deter-  
3 mination and Education Assistance Act of 1975 (25  
4 U.S.C. 450), shall be deemed to be obligated at the time  
5 of the grant or contract award and thereafter shall remain  
6 available to the tribe or tribal organization without fiscal  
7 year limitation: *Provided further*, That \$12,000,000 shall  
8 remain available until expended, for the Indian Cata-  
9 strophic Health Emergency Fund: *Provided further*, That  
10 ~~\$353,125,000~~ \$353,128,000 for contract medical care shall  
11 remain available for obligation until September 30, 1998:  
12 *Provided further*, That of the funds provided, not less than  
13 ~~\$11,306,000~~ \$11,706,000 shall be used to carry out the  
14 loan repayment program under section 108 of the Indian  
15 Health Care Improvement Act: *Provided further*, That  
16 funds provided in this Act may be used for one-year con-  
17 tracts and grants which are to be performed in two fiscal  
18 years, so long as the total obligation is recorded in the  
19 year for which the funds are appropriated: *Provided fur-*  
20 *ther*, That the amounts collected by the Secretary of  
21 Health and Human Services under the authority of title  
22 IV of the Indian Health Care Improvement Act shall re-  
23 main available until expended for the purpose of achieving  
24 compliance with the applicable conditions and require-  
25 ments of titles XVIII and XIX of the Social Security Act

1 (exclusive of planning, design, or construction of new fa-  
2 cilities):~~*Provided further,*~~ That of the funds provided,  
3 \$7,500,000 shall remain available until expended, for the  
4 Indian Self-Determination Fund, which shall be available  
5 for the transitional costs of initial or expanded tribal con-  
6 tracts, grants or cooperative agreements with the Indian  
7 Health Service under the provisions of the Indian Self-  
8 Determination Act: *Provided further, That of the funds pro-*  
9 *vided, \$7,500,000 shall remain available until expended, for*  
10 *the Indian Self-Determination Fund, which shall be avail-*  
11 *able for the nonrecurring transitional costs of initial or ex-*  
12 *anded tribal contracts, compacts, grants or cooperative*  
13 *agreements with the Indian Health Service under the provi-*  
14 *sions of the Indian Self-Determination Act: Provided fur-*  
15 *ther,* That funding contained herein, and in any earlier  
16 appropriations Acts for scholarship programs under the  
17 Indian Health Care Improvement Act (25 U.S.C. 1613)  
18 shall remain available for obligation until September 30,  
19 1998: *Provided further,* That amounts received by tribes  
20 and tribal organizations under title IV of the Indian  
21 Health Care Improvement Act shall be reported and ac-  
22 counted for and available to the receiving tribes and tribal  
23 organizations until expended.

## 1 INDIAN HEALTH FACILITIES

2 For construction, repair, maintenance, improvement,  
3 and equipment of health and related auxiliary facilities,  
4 including quarters for personnel; preparation of plans,  
5 specifications, and drawings; acquisition of sites, purchase  
6 and erection of modular buildings, and purchases of trail-  
7 ers; and for provision of domestic and community sanita-  
8 tion facilities for Indians, as authorized by section 7 of  
9 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian  
10 Self-Determination Act, and the Indian Health Care Im-  
11 provement Act, and for expenses necessary to carry out  
12 such Acts and titles II and III of the Public Health Serv-  
13 ice Act with respect to environmental health and facilities  
14 support activities of the Indian Health Service,  
15 ~~\$227,701,000~~ \$251,957,000, to remain available until ex-  
16 pended: *Provided*, That notwithstanding any other provi-  
17 sion of law, funds appropriated for the planning, design,  
18 construction or renovation of health facilities for the bene-  
19 fit of an Indian tribe or tribes may be used to purchase  
20 land for sites to construct, improve, or enlarge health or  
21 related facilities.

## 22 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

23 Appropriations in this Act to the Indian Health Serv-  
24 ice shall be available for services as authorized by 5 U.S.C.  
25 3109 but at rates not to exceed the per diem rate equiva-

1 lent to the maximum rate payable for senior-level positions  
2 under 5 U.S.C. 5376; hire of passenger motor vehicles and  
3 aircraft; purchase of medical equipment; purchase of re-  
4 prints; purchase, renovation and erection of modular  
5 buildings and renovation of existing facilities; payments  
6 for telephone service in private residences in the field,  
7 when authorized under regulations approved by the Sec-  
8 retary; and for uniforms or allowances therefore as au-  
9 thorized by 5 U.S.C. 5901–5902; and for expenses of at-  
10 tendance at meetings which are concerned with the func-  
11 tions or activities for which the appropriation is made or  
12 which will contribute to improved conduct, supervision, or  
13 management of those functions or activities: *Provided*,  
14 That in accordance with the provisions of the Indian  
15 Health Care Improvement Act, non-Indian patients may  
16 be extended health care at all tribally administered or In-  
17 dian Health Service facilities, subject to charges, and the  
18 proceeds along with funds recovered under the Federal  
19 Medical Care Recovery Act (42 U.S.C. 2651–53) shall be  
20 credited to the account of the facility providing the service  
21 and shall be available without fiscal year limitation: *Pro-*  
22 *vided further*, That notwithstanding any other law or regu-  
23 lation, funds transferred from the Department of Housing  
24 and Urban Development to the Indian Health Service  
25 shall be administered under Public Law 86–121 (the In-

1 dian Sanitation Facilities Act) and Public Law 93–638,  
2 as amended: *Provided further*, That funds appropriated to  
3 the Indian Health Service in this Act, except those used  
4 for administrative and program direction purposes, shall  
5 not be subject to limitations directed at curtailing Federal  
6 travel and transportation: *Provided further*, ~~That the In-~~  
7 ~~dian Health Service shall neither bill nor charge those In-~~  
8 ~~dians who may have the economic means to pay unless~~  
9 ~~and until such time as Congress has agreed upon a specific~~  
10 ~~policy to do so and has directed the Indian Health Service~~  
11 ~~to implement such a policy~~: *Provided further*, That not-  
12 withstanding any other provision of law, funds previously  
13 or herein made available to a tribe or tribal organization  
14 through a contract, grant, or agreement authorized by  
15 title I or title III of the Indian Self-Determination and  
16 Education Assistance Act of 1975 (25 U.S.C. 450), may  
17 be deobligated and reobligated to a self-determination con-  
18 tract under title I, or a self-governance agreement under  
19 title III of such Act and thereafter shall remain available  
20 to the tribe or tribal organization without fiscal year limi-  
21 tation: *Provided further*, That none of the funds made  
22 available to the Indian Health Service in this Act shall  
23 be used to implement the final rule published in the Fed-  
24 eral Register on September 16, 1987, by the Department  
25 of Health and Human Services, relating to the eligibility

1 for the health care services of the Indian Health Service  
2 until the Indian Health Service has submitted a budget  
3 request reflecting the increased costs associated with the  
4 proposed final rule, and such request has been included  
5 in an appropriations Act and enacted into law: *Provided*  
6 *further*, That funds made available in this Act are to be  
7 apportioned to the Indian Health Service as appropriated  
8 in this Act, and accounted for in the appropriation struc-  
9 ture set forth in this Act: *Provided further*, That funds  
10 received from any source, including tribal contractors and  
11 compactors for previously transferred functions which  
12 tribal contractors and compactors no longer wish to retain,  
13 for services, goods, or training and technical assistance,  
14 shall be retained by the Indian Health Service and shall  
15 remain available until expended by the Indian Health  
16 Service: *Provided further*, That reimbursements for train-  
17 ing, technical assistance, or services provided by the In-  
18 dian Health Service will contain total costs, including di-  
19 rect, administrative, and overhead associated with the pro-  
20 vision of goods, services, or technical assistance: *Provided*  
21 *further*, That the appropriation structure for the Indian  
22 Health Service may not be altered without advance ap-  
23 proval of the House and Senate Committees on Appropria-  
24 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 of the Elementary  
6 and Secondary Education Act of 1965, as amended, and  
7 section 215 of the Department of Education Organization  
8 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, ~~\$20,345,000~~ \$19,345,000, to remain available until  
15 expended: *Provided*, That funds provided in this or any  
16 other appropriations Act are to be used to relocate eligible  
17 individuals and groups including evictees from District 6,  
18 Hopi-partitioned lands residents, those in significantly  
19 substandard housing, and all others certified as eligible  
20 and not included in the preceding categories: *Provided fur-*  
21 *ther*, That none of the funds contained in this or any other  
22 Act may be used by the Office of Navajo and Hopi Indian  
23 Relocation to evict any single Navajo or Navajo family  
24 who, as of November 30, 1985, was physically domiciled  
25 on the lands partitioned to the Hopi Tribe unless a new

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

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

11 PAYMENT TO THE INSTITUTE

12 For payment to the Institute of American Indian and  
13 Alaska Native Culture and Arts Development, as author-  
14 ized by title XV of Public Law 99–498, as amended (20  
15 U.S.C. 56, part A), \$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 ~~\$317,188,000~~ \$317,582,000, of which not to exceed  
7 ~~\$31,664,000~~ \$30,665,000 for the instrumentation pro-  
8 gram, collections acquisition, Museum Support Center  
9 equipment and move, exhibition reinstallation, the Na-  
10 tional Museum of the American Indian, the repatriation  
11 of skeletal remains program, research equipment, informa-  
12 tion management, and Latino programming shall remain  
13 available until expended, and including such funds as may  
14 be necessary to support American overseas research cen-  
15 ters and a total of \$125,000 for the Council of American  
16 Overseas Research Centers: *Provided*, That funds appro-  
17 priated herein are available for advance payments to inde-  
18 pendent contractors performing research services or par-  
19 ticipating in official Smithsonian presentations.

20 CONSTRUCTION AND IMPROVEMENTS, NATIONAL

21 ZOOLOGICAL PARK

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

1 ~~\$3,250,000~~ \$4,000,000, to remain available until ex-  
2 pended.

3 REPAIR AND RESTORATION OF BUILDINGS

4 For necessary expenses of repair and restoration of  
5 buildings owned or occupied by the Smithsonian Institu-  
6 tion, by contract or otherwise, as authorized by section  
7 2 of the Act of August 22, 1949 (63 Stat. 623), including  
8 not to exceed \$10,000 for services as authorized by 5  
9 U.S.C. 3109, ~~\$39,954,000~~ \$38,000,000, to remain avail-  
10 able until expended: *Provided*, That contracts awarded for  
11 environmental systems, protection systems, and exterior  
12 repair or restoration of buildings of the Smithsonian Insti-  
13 tution may be negotiated with selected contractors and  
14 awarded on the basis of contractor qualifications as well  
15 as price.

16 CONSTRUCTION

17 For necessary expenses for construction, ~~\$7,000,000~~  
18 \$12,000,000, to remain available until expended.

19 NATIONAL GALLERY OF ART

20 SALARIES AND EXPENSES

21 For the upkeep and operations of the National Gal-  
22 lery of Art, the protection and care of the works of art  
23 therein, and administrative expenses incident thereto, as  
24 authorized by the Act of March 24, 1937 (50 Stat. 51),  
25 as amended by the public resolution of April 13, 1939

1 (Public Resolution 9, Seventy-sixth Congress), including  
2 services as authorized by 5 U.S.C. 3109; payment in ad-  
3 vance when authorized by the treasurer of the Gallery for  
4 membership in library, museum, and art associations or  
5 societies whose publications or services are available to  
6 members only, or to members at a price lower than to the  
7 general public; purchase, repair, and cleaning of uniforms  
8 for guards, and uniforms, or allowances therefor, for other  
9 employees as authorized by law (5 U.S.C. 5901–5902);  
10 purchase or rental of devices and services for protecting  
11 buildings and contents thereof, and maintenance, alter-  
12 ation, improvement, and repair of buildings, approaches,  
13 and grounds; and purchase of services for restoration and  
14 repair of works of art for the National Gallery of Art by  
15 contracts made, without advertising, with individuals,  
16 firms, or organizations at such rates or prices and under  
17 such terms and conditions as the Gallery may deem prop-  
18 er, \$53,899,000, of which not to exceed \$3,026,000 for  
19 the special exhibition program shall remain available until  
20 expended.

21 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

22 For necessary expenses of repair, restoration and  
23 renovation of buildings, grounds and facilities owned or  
24 occupied by the National Gallery of Art, by contract or  
25 otherwise, as authorized, \$5,942,000, to remain available

1 until expended: *Provided*, That contracts awarded for envi-  
2 ronmental systems, protection systems, and exterior repair  
3 or renovation of buildings of the National Gallery of Art  
4 may be negotiated with selected contractors and awarded  
5 on the basis of contractor qualifications as well as price.

6 JOHN F. KENNEDY CENTER FOR THE PERFORMING  
7 ARTS  
8 OPERATIONS AND MAINTENANCE

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

12 CONSTRUCTION

13 For necessary expenses of capital repair and rehabili-  
14 tation of the existing features of the building and site of  
15 the John F. Kennedy Center for the Performing Arts,  
16 \$9,000,000, to remain available until expended.

17 WOODROW WILSON INTERNATIONAL CENTER FOR  
18 SCHOLARS

19 SALARIES AND EXPENSES

20 For expenses necessary in carrying out the provisions  
21 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.  
22 1356) including hire of passenger vehicles and services as  
23 authorized by 5 U.S.C. 3109, \$5,840,000.

1 NATIONAL FOUNDATION ON THE ARTS AND THE  
2 HUMANITIES  
3 NATIONAL ENDOWMENT FOR THE ARTS  
4 GRANTS AND ADMINISTRATION

5 For necessary expenses to carry out the National  
6 Foundation on the Arts and the Humanities Act of 1965,  
7 as amended, \$82,734,000, shall be available to the Na-  
8 tional Endowment for the Arts for the support of projects  
9 and productions in the arts through assistance to organi-  
10 zations and individuals pursuant to section 5(c) of the Act,  
11 and for administering the functions of the Act, to remain  
12 available until expended.

13 MATCHING GRANTS

14 To carry out the provisions of section 10(a)(2) of the  
15 National Foundation on the Arts and the Humanities Act  
16 of 1965, as amended, \$16,760,000, to remain available  
17 until expended, to the National Endowment for the Arts:  
18 *Provided*, That this appropriation shall be available for ob-  
19 ligation only in such amounts as may be equal to the total  
20 amounts of gifts, bequests, and devises of money, and  
21 other property accepted by the Chairman or by grantees  
22 of the Endowment under the provisions of section  
23 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during  
24 the current and preceding fiscal years for which equal  
25 amounts have not previously been appropriated.

1 NATIONAL ENDOWMENT FOR THE HUMANITIES  
2 GRANTS AND ADMINISTRATION

3 For necessary expenses to carry out the National  
4 Foundation on the Arts and the Humanities Act of 1965,  
5 as amended, ~~\$92,994,000~~ \$87,994,000 shall be available  
6 to the National Endowment for the Humanities for sup-  
7 port of activities in the humanities, pursuant to section  
8 7(c) of the Act, and for administering the functions of the  
9 Act, to remain available until expended.

10 MATCHING GRANTS

11 To carry out the provisions of section 10(a)(2) of the  
12 National Foundation on the Arts and the Humanities Act  
13 of 1965, as amended, \$11,500,000, to remain available  
14 until expended, of which \$7,500,000 shall be available to  
15 the National Endowment for the Humanities for the pur-  
16 poses of section 7(h): *Provided*, That this appropriation  
17 shall be available for obligation only in such amounts as  
18 may be equal to the total amounts of gifts, bequests, and  
19 devises of money, and other property accepted by the  
20 Chairman or by grantees of the Endowment under the  
21 provisions of subsections 11(a)(2)(B) and 11(a)(3)(B)  
22 during the current and preceding fiscal years for which  
23 equal amounts have not previously been appropriated.

## 1 INSTITUTE OF MUSEUM SERVICES

## 2 GRANTS AND ADMINISTRATION

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

## 6 ADMINISTRATIVE PROVISIONS

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

## 14 COMMISSION OF FINE ARTS

## 15 SALARIES AND EXPENSES

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

## 18 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

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

## 21 ADVISORY COUNCIL ON HISTORIC PRESERVATION

## 22 SALARIES AND EXPENSES

23 For necessary expenses of the Advisory Council on  
24 Historic Preservation (Public Law 89–665, as amended),  
25 \$2,500,000: *Provided*, That none of these funds shall be

1 available for the compensation of Executive Level V or  
2 higher position.

3 NATIONAL CAPITAL PLANNING COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses, as authorized by the Na-  
6 tional Capital Planning Act of 1952 (40 U.S.C 71–71i),  
7 including services as authorized by 5 U.S.C. 3109,  
8 \$5,390,000: *Provided*, That all appointed members will be  
9 compensated at a rate not to exceed the rate for Executive  
10 Schedule Level IV.

11 FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Franklin Delano Roo-  
14 sevelt Memorial Commission, established by the Act of Au-  
15 gust 11, 1955 (69 Stat. 694), as amended by Public Law  
16 92–332 (86 Stat. 401), ~~\$125,000~~ \$500,000 to remain  
17 available until expended.

18 UNITED STATES HOLOCAUST MEMORIAL COUNCIL

19 HOLOCAUST MEMORIAL COUNCIL

20 For expenses of the Holocaust Memorial Council, as  
21 authorized by Public Law 96–388 (36 U.S.C. 1401), as  
22 amended, ~~\$29,707,000~~ \$30,707,000, of which \$1,575,000  
23 for the Museum’s repair and rehabilitation program and  
24 \$1,264,000 for the Museum’s exhibitions program shall  
25 remain available until expended.

## 1 TITLE III—GENERAL PROVISIONS

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

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

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

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

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

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

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

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

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

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

3 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—

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

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

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

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

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

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

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

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

20 SEC. 312. None of the funds appropriated or other-  
21 wise made available by this Act may be used for the  
22 AmeriCorps program, unless the relevant agencies of the  
23 Department of the Interior and/or Agriculture follow ap-  
24 propriate reprogramming guidelines: *Provided*, That if no  
25 funds are provided for the AmeriCorps program by the

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

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

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

17       (b) The provisions of subsection (a) shall not apply  
18 if the Secretary of the Interior determines that, for the  
19 claim concerned: (1) a patent application was filed with  
20 the Secretary on or before September 30, 1994, and (2)  
21 all requirements established under sections 2325 and 2326  
22 of the Revised Statutes (30 U.S.C. 29 and 30) for vein  
23 or lode claims and sections 2329, 2330, 2331, and 2333  
24 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for  
25 placer claims, and section 2337 of the Revised Statutes

1 (30 U.S.C. 42) for mill site claims, as the case may be,  
2 were fully complied with by the applicant by that date.

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

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

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

23 (d) MINERAL EXAMINATIONS.—In order to process  
24 patent applications in a timely and responsible manner,  
25 upon the request of a patent applicant, the Secretary of

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

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

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

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

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

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

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

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

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

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

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

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

1        *SEC. 320. Section 101(c) of Public Law 104–134 is*  
2 *amended as follows: Under the heading “Title III—General*  
3 *Provisions” amend section 315(b) by striking “50, areas,”*  
4 *and inserting in lieu thereof “100, areas,” and amend sec-*  
5 *tion 315(f) by striking “September 30, 1998” and inserting*  
6 *in lieu thereof “September 30, 1999” and by striking “Sep-*  
7 *tember 30, 2001” and inserting in lieu thereof “September*  
8 *30, 2002”.*

9        SEC. 321. None of the amounts made available by  
10 this Act may be used for design, planning, implementa-  
11 tion, engineering, construction, or any other activity in  
12 connection with a scenic shoreline drive in Pictured Rocks  
13 National Lakeshore.

14        ~~SEC. 322. None of the funds made available in this~~  
15 ~~Act may be used by the Bureau of Indian Affairs to trans-~~  
16 ~~fer any land into trust under section 5 of the Indian Reor-~~  
17 ~~ganization Act (25 U.S.C. 465), or any other Federal stat-~~  
18 ~~ute that does not explicitly denominate and identify a spe-~~  
19 ~~cific tribe or specific property, except when it is made~~  
20 ~~known to the Federal official having authority to obligate~~  
21 ~~or expend such funds that—~~

22            (1) a binding agreement is in place between the  
23            tribe that will have jurisdiction over the land to be  
24            taken into trust and the appropriate State and local  
25            officials; and

1           ~~(2) such agreement provides, for as long as the~~  
2           ~~land is held in trust, for the collection and payment,~~  
3           ~~by any retail establishment located on the land to be~~  
4           ~~taken into trust, of State and local sales and excise~~  
5           ~~taxes, including any special tax on motor fuel, to-~~  
6           ~~bacco, or alcohol, on any retail item sold to any non-~~  
7           ~~member of the tribe for which the land is held in~~  
8           ~~trust, or an agreed upon payment in lieu of such~~  
9           ~~taxes.~~

10           *SEC. 322. LAND TRANSFER, BEND SILVICULTURE LAB,*  
11           *DESCHUTES NATIONAL FOREST, OREGON.—*

12           *(a) TRANSFER OF REAL PROPERTY AND ALL IM-*  
13           *PROVEMENTS LOCATED THEREON.—Notwithstanding*  
14           *any other provisions of law, there is hereby trans-*  
15           *ferred, without consideration and subject to existing*  
16           *valid rights, all right, title and interest of the United*  
17           *States in and to approximately 5.73 acres of land as*  
18           *described by plat dated July 7, 1977, (which is on file*  
19           *and available for public inspection in the Office of the*  
20           *Chief, USDA Forest Service, Washington, D.C.), as*  
21           *well as all improvements, including the Bend*  
22           *Silviculture Lab located thereon, to the Central Or-*  
23           *egon Community College, Bend, Oregon; this being a*  
24           *portion of the same tract acquired by donation from*  
25           *the City of Bend on August 10, 1960, through a Bar-*

1        *gain and Sale deed to the USDA Forest Service for*  
2        *use as a research lab, and recorded in volume 125,*  
3        *page 508 of the Deschutes County, Oregon, Deed*  
4        *Records.*

5                (b) *CONDITIONS OF TRANSFER.—The transfer ef-*  
6        *fectured by subsection (a) is made subject to no special*  
7        *terms or conditions.*

8        *SEC. 323. Upon the date of enactment of this Act, no*  
9        *part of any appropriation contained in this Act or any*  
10       *other Act shall be expended or obligated to fund the activi-*  
11       *ties of the Office of Forestry and Economic Assistance, or*  
12       *any successor office.*

13        *SEC. 324. (a) The Secretary of the Interior is author-*  
14       *ized to accept title to approximately 84 acres of land located*  
15       *in Prince Georges County, Maryland, adjacent to Oxon*  
16       *Cove Park, and bordered generally by the Potomac River,*  
17       *Interstate 295 and the Woodrow Wilson Bridge, or any in-*  
18       *terest therein, and in exchange therefor may convey to the*  
19       *Corrections Corporation of America approximately 50 acres*  
20       *of land located in Oxon Cove Park in the District of Colum-*  
21       *bia and bordered generally by Oxon Cove, Interstate 295*  
22       *and the District of Columbia Impound Lot, or any interest*  
23       *therein.*

24                (b) *Before proceeding with an exchange, the Secretary*  
25       *shall determine if the federal property is suitable for ex-*

1 *change under the criteria normally used by the National*  
2 *Park Service. The exchange shall comply with applicable*  
3 *regulations and National Park Service policies for land ex-*  
4 *changes.*

5 *(c)(1) The Secretary shall not acquire any lands under*  
6 *this section if the Secretary determines that the lands or*  
7 *any portion thereof have become contaminated with hazard-*  
8 *ous substances (as defined in the Comprehensive Environ-*  
9 *mental Response, Compensation, and Liability Act (42*  
10 *U.S.C. 960l)).*

11 *(2) Notwithstanding any other provision of law, the*  
12 *United States shall have no responsibility or liability with*  
13 *respect to any hazardous wastes or other substances placed*  
14 *on any of the lands covered by this section after their trans-*  
15 *fer to the ownership of any party, but nothing in this sec-*  
16 *tion shall be construed as either diminishing or increasing*  
17 *any responsibility or liability of the United States based*  
18 *on the condition of such lands on the date of their transfer*  
19 *to the ownership of another party: Provided, That the Cor-*  
20 *rections Corporation of America shall indemnify the United*  
21 *States for liabilities arising under the Comprehensive Envi-*  
22 *ronmental Response, Compensation, and Liability Act (42*  
23 *U.S.C. 960l) and the Resource Conservation Recovery Act*  
24 *(42 U.S.C. 690l, et seq.).*

1       (d) *The properties so exchanged either shall be ap-*  
2 *proximately equal in fair market value or if they are not*  
3 *approximately equal, shall be equalized by the payment of*  
4 *cash to the Corporation or to the Secretary as required or*  
5 *in the event the value of the Corporation's lands is greater,*  
6 *the acreage may be reduced so that the fair market value*  
7 *is approximately equal: Provided, That the Secretary shall*  
8 *order appraisals made of the fair market value for improve-*  
9 *ments thereon: Provided further, That any such cash pay-*  
10 *ment received by the Secretary shall be deposited to "Mis-*  
11 *cellaneous Trust Funds, National Park Service" and shall*  
12 *be available without further appropriation until expended*  
13 *for the acquisition of land within the National Park Sys-*  
14 *tem.*

15       (e) *Costs of conducting necessary land surveys, prepar-*  
16 *ing the legal descriptions of the lands to be conveyed, per-*  
17 *forming the appraisals, and administrative costs incurred*  
18 *in completing the exchange shall be borne by the Corpora-*  
19 *tion.*

20       (f) *Following any exchange authorized by this provi-*  
21 *sion, the boundaries of Oxon Cove Park shall be expanded*  
22 *to include the land acquired by the United States.*

23       *SEC. 325. None of the funds provided by this Act or*  
24 *any other Act available to the National Park Service, Fish*  
25 *and Wildlife Service, Bureau of Land Management, or For-*

1 *est Service may be obligated for the costs of employee reloca-*  
2 *tion or transfer of duty at a level that exceeds ninety per-*  
3 *cent of the average amounts spent for this purpose in fiscal*  
4 *year 1994 and 1995.*

5 *SEC. 326. SECTION 1. LAND EXCHANGE.—*

6 *(a) EXCHANGE.—Subject to subsection (c), the*  
7 *Secretary of Agriculture (referred to in this section as*  
8 *the “Secretary”) shall convey all right, title, and in-*  
9 *terest of the United States in and to the National*  
10 *Forest System lands described in subsection (b)(1) to*  
11 *Public Utility District No. 1 of Chelan County,*  
12 *Washington (referred to in this section as the “Public*  
13 *Utility District”), in exchange for the conveyance to*  
14 *the Department of Agriculture by the Public Utility*  
15 *District of all right, title, and interest of the Public*  
16 *Utility District in and to the lands described in sub-*  
17 *section (b)(2).*

18 *(b) DESCRIPTION OF LANDS.—*

19 *(1) NATIONAL FOREST SYSTEM LANDS.—*  
20 *The National Forest System lands referred to in*  
21 *subsection (a) are 122 acres, more or less, that*  
22 *are partially occupied by a wastewater treat-*  
23 *ment facility referred to in subsection (c)(4)(A)*  
24 *with the following legal description:*

1                   (A) *The NE<sup>1/4</sup> of SW<sup>1/4</sup> of section 27 of*  
2                   *township 27 north, range 17 east, Wilamette*  
3                   *Meridian, Chelan County, Washington.*

4                   (B) *The N<sup>1/2</sup> of SE<sup>1/4</sup> of SW<sup>1/4</sup> of such*  
5                   *section 27.*

6                   (C) *The W<sup>1/2</sup> of NW<sup>1/4</sup> of SE<sup>1/4</sup> of such*  
7                   *section 27.*

8                   (D) *The NW<sup>1/4</sup> of SW<sup>1/4</sup> of SE<sup>1/4</sup> of*  
9                   *such section 27.*

10                  (E) *The E<sup>1/2</sup> of NW<sup>1/4</sup> of the SE<sup>1/4</sup> of*  
11                  *such section 27.*

12                  (F) *That portion of the S<sup>1/2</sup> of SE<sup>1/4</sup> of*  
13                  *SW<sup>1/4</sup> lying north of the northerly edge of*  
14                  *Highway 209 right-of-way of such section*  
15                  *27.*

16                  (2) *PUBLIC UTILITY DISTRICT LANDS.—The*  
17                  *lands owned by the Public Utility District are*  
18                  *109.15 acres, more or less, with the following*  
19                  *legal description:*

20                         (A) *S<sup>1/2</sup> of SW<sup>1/4</sup> of section 35 of town-*  
21                         *ship 26 north, range 17 east, Wilamette Me-*  
22                         *ridian, Chelan County, Washington.*

23                         (B) *The area specified by Public Util-*  
24                         *ity District No. 1 as Government Lot 5 in*  
25                         *such section 35.*

1           (c) *REQUIREMENTS FOR EXCHANGE.*—

2           (1) *TITLE ACCEPTANCE AND CONVEY-*  
3 *ANCE.*—*Upon offer by the Public Utility District*  
4 *of all right, title and interest in and to the lands*  
5 *described in subsection (b)(2), if the title is found*  
6 *acceptable by the Secretary, the Secretary shall*  
7 *accept title to such lands and interests therein*  
8 *and shall convey to the Public Utility District*  
9 *all right, title, and interest of the United States*  
10 *in and to the lands described in subsection*  
11 *(b)(1).*

12           (2) *APPRAISALS REQUIRED.*—*Before mak-*  
13 *ing an exchange pursuant to subsection (a), the*  
14 *Secretary shall conduct appraisals of the lands*  
15 *that are subject to the exchange to determine the*  
16 *fair market value of the lands. Such appraisals*  
17 *shall not include the value of the wastewater*  
18 *treatment facility referred to in paragraph*  
19 *(4)(A).*

20           (3) *ADDITIONAL CONSIDERATION.*—*If, on*  
21 *the basis of the appraisals made under para-*  
22 *graph (1), the Secretary determines that the fair*  
23 *market value of the lands to be conveyed by one*  
24 *party under subsection (a) is less than the fair*  
25 *market value of the lands to be conveyed by the*

1           *other party under subsection (a), then, as a con-*  
2           *dition of making the exchange under subsection*  
3           *(a), the party conveying the lands with the lesser*  
4           *value shall pay the other party the amount by*  
5           *which the fair market value of the lands of great-*  
6           *er value exceeds the fair market value of the*  
7           *lands of lesser value.*

8           (4) *CONVEYANCE OF WASTEWATER TREAT-*  
9           *MENT FACILITY.—(A) As part of an exchange*  
10           *made under subsection (a), the Secretary shall*  
11           *convey to the Public Utility District of Chelan*  
12           *County, Washington, all right, title and interest*  
13           *of the United States in and to the wastewater*  
14           *treatment facility (including the wastewater*  
15           *treatment plant and associated lagoons) located*  
16           *on the lands described in subsection (b)(1) that*  
17           *is in existence on the date of the exchange.*

18           *(B) As a condition for the exchange under*  
19           *subsection (a), the Public Utility District shall*  
20           *provide for a credit equal to the fair market*  
21           *value of the wastewater treatment facility con-*  
22           *veyed pursuant to subparagraph (A) (determined*  
23           *as of November 4, 1991), that shall be applied to*  
24           *the United States' share of any new wastewater*

1           *treatment facility constructed by the Public Util-*  
2           *ity District after such date.*

3           (d) *ADDITIONAL TERMS AND CONDITIONS.—The*  
4           *Secretary may require such additional terms and*  
5           *conditions in connection with the exchange under this*  
6           *section as the Secretary determines appropriate to*  
7           *protect the interests of the United States.*

8           *SEC. 327. “Snoqualmie National Forest Boundary Ad-*  
9           *justment Act of 1996.”*

10           (a) *IN GENERAL.—The Secretary of Agriculture*  
11           *is hereby directed to modify the boundary of the*  
12           *Snoqualmie National Forest to include and encom-*  
13           *pass 10,589.47 acres, more or less, as generally de-*  
14           *scribed on a map entitled “Snoqualmie National For-*  
15           *est Proposed 1996 Boundary Modification” dated*  
16           *July, 1996. Such map, together with a legal descrip-*  
17           *tion of all lands included in the boundary adjust-*  
18           *ment, shall be on file and available for public inspec-*  
19           *tion in the Office of the Chief of the Forest Service*  
20           *in Washington, District of Columbia.*

21           (b) *RULE FOR LAND AND WATER CONSERVATION*  
22           *FUND.—For the purposes of section 7 of the Land and*  
23           *Water Conservation Fund Act of 1965 (16 U.S.C.*  
24           *460l–9), the boundary of the Snoqualmie National*  
25           *Forest, as modified pursuant to subsection (a), shall*

1 *be considered to be the boundary of that National*  
2 *Forest as of January 1, 1965.*

3 *SEC. 328. Sugarbush Land Exchange Act of 1996.*

4 *(a) EXCHANGE OR SALE OF LAND.—*

5 *(1) If Sugarbush Resort Holdings, Inc. con-*  
6 *veys to the United States land acceptable to the*  
7 *Secretary of Agriculture that is at least equal in*  
8 *value to the value of the land described in sub-*  
9 *section (a)(2), makes a payment of cash at least*  
10 *equal to that value, or conveys land and makes*  
11 *a payment of cash that in combination are at*  
12 *least equal to that value, the Secretary, subject to*  
13 *valid existing rights, shall, under such terms and*  
14 *conditions as the Secretary may prescribe, con-*  
15 *vey all right, title, and interest of the United*  
16 *States in and to the land described in subsection*  
17 *(a)(2).*

18 *(2) FEDERAL LAND TO BE EXCHANGED.—*

19 *The Federal land to be exchanged is approxi-*  
20 *mately 57 acres of federally owned land in the*  
21 *Green Mountain National Forest depicted on the*  
22 *map entitled “Green Mountain National Forest,*  
23 *Sugarbush Exchange,” dated December 1995.*

24 *(3) Lands acquired from Sugarbush Resort*  
25 *Holdings, Inc.—Any land conveyed to the Unit-*

1 *ed States in an exchange under subsection (a)(1)*  
2 *shall be subject to such valid existing rights of*  
3 *record as may be acceptable to the Secretary,*  
4 *and the title to the parcel shall conform with the*  
5 *title approval standards applicable to federal*  
6 *land acquisitions.*

7 *(b) ADMINISTRATION OF LAND.—*

8 *(1) ADDITION TO GREEN MOUNTAIN NA-*  
9 *TIONAL FOREST.—On approval and acceptance*  
10 *of title by the Secretary, the land acquired by the*  
11 *United States through an exchange or with pro-*  
12 *ceeds from a sale under subsection (a) shall be-*  
13 *come part of the Green Mountain National For-*  
14 *est, and the boundaries of the National Forest*  
15 *shall be adjusted to include the land.*

16 *(2) ADMINISTRATION.—Land acquired*  
17 *under this Act shall be administered by the Sec-*  
18 *retary in accordance with the laws (including*  
19 *regulations) pertaining to the National Forest*  
20 *System.*

21 *(3) AUTHORITY OF THE SECRETARY.—This*  
22 *section does not limit the authority of the Sec-*  
23 *retary to adjust the boundaries of the Green*  
24 *Mountain National Forest pursuant to section*  
25 *11 of the Act of March 1, 1911 (36 Stat. 963,*

1           *chapter 186; 16 U.S.C. 521) (commonly known*  
2           *as the “Weeks Law”).*

3                     *(4) For the purposes of section 7 of the*  
4           *Land and Water Conservation Fund Act of 1965*  
5           *(16 U.S.C. 460l–9), the boundaries of the Green*  
6           *Mountain National Forest, as adjusted under*  
7           *this Act, shall be considered to be the boundaries*  
8           *of the Green Mountain National Forest as of*  
9           *January 1, 1965.*

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

          Passed the House of Representatives June 20, 1996.

Attest:

ROBIN H. CARLE,

*Clerk.*

By LINDA NAVE,

*Deputy Clerk.*



Calendar No. 495

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 3662**

[Report No. 104-319]

---

---

## **AN ACT**

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

---

---

JUNE 21, 1996

Received; read twice and referred to the Committee on Appropriations

JULY (legislative day, JULY ), 1996

Reported with amendments