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

IN THE HOUSE OF REPRESENTATIVES
JUNE 30, 1995

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

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

1. Be it enacted by the Senate and House of Representa-
2. tives of the United States of America in Congress assembled,
3. That the following sums are appropriated, out of any
4. money in the Treasury not otherwise appropriated, for the
5. Department of the Interior and related agencies for the
6. fiscal year ending September 30, 1996, and for other pur-
7. poses, namely:
TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau $570,017,000, to remain available until expended, of which not more than $599,999 shall be available to the Needles Resources Area for the management of the East Mojave National Scenic Area, as defined by the Bureau of Land Management prior to October 1, 1994, in the California Desert District of the Bureau of Land Management, and of which $4,000,000 shall be derived from the special receipt account established by section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–6a(i)): Provided, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors; and in addition, $27,650,000 for Mining Law Administration program operations, to remain available until expended,
to be reduced by amounts collected by the Bureau of Land
Management and credited to this appropriation from an-
nual mining claim fees so as to result in a final appropria-
tion estimated at not more than $570,017,000: Provided

further, That in addition to funds otherwise available, and
to remain available until expended, not to exceed
$5,000,000 from annual mining claim fees shall be cred-
ited to this account for the costs of administering the min-
ing claim fee program, and $2,000,000 from communica-
tion site rental fees established by the Bureau.

WILDLAND FIRE MANAGEMENT
For necessary expenses for fire use and management,
fire preparedness, emergency presuppression, suppression
operations, emergency rehabilitation, and renovation or
construction of fire facilities in the Department of the In-
terior, $235,924,000, to remain available until expended,
of which not to exceed $5,025,000, shall be available for
the renovation or construction of fire facilities: Provided,

That notwithstanding any other provision of law, persons
hired pursuant to 43 U.S.C. 1469 may be furnished sub-
sistence and lodging without cost from funds available
from this appropriation: Provided further, That such funds
are also available for repayment of advances to other ap-
propriation accounts from which funds were previously
transferred for such purposes: Provided further, That un-
obligated balances of amounts previously appropriated to
the Fire Protection and Emergency Department of the Interior Firefighting Fund may be transferred or merged with this appropriation.

CENTRAL HAZARDOUS MATERIALS FUND

For expenses necessary for use by the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. 9601 et seq.), $10,000,000, to remain available until expended: Provided, That, notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to sections 107 or 113(f) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. 9607 or 9613(f)), shall be credited to this account and shall be available without further appropriation and shall remain available until expended: Provided further, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary of the Interior and which shall be credited to this account.

HR 1977 RH
CONSTRUCTION AND ACCESS

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

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901–07), $111,409,000, of which not to exceed $400,000 shall be available for administrative expenses.

LAND ACQUISITION

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

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or
adjacent to such grant lands; $91,387,000, to remain available until expended: Provided, That 25 per centum of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the provisions of the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 per centum of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $9,113,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.
SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under sections 209(b), 304(a), 304(b), 305(a), and 504(g) of the Act approved October 21, 1976 (43 U.S.C. 1701), and sections 101 and 203 of Public Law 93–153, to be immediately available until expended:

Provided, That notwithstanding any provision to the contrary of section 305(a) of the Act of October 21, 1976 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this or subsequent appropriations Acts by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all mon-
eyes collected from each such forfeiture, compromise, or settlement are used on the exact lands damage to which led to the forfeiture, compromise, or settlement: Provided further, That such moneys are in excess of amounts needed to repair damage to the exact land for which collected.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing law, there is hereby appropriated such amounts as may be contributed under section 307 of the Act of October 21, 1976 (43 U.S.C. 1701), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau of Land Management; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed $10,000: Provided, That
notwithstanding 44 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 jointly-produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCES MANAGEMENT

For expenses necessary for scientific and economic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, and for the performance of other authorized functions related to such resources; for the general administration of the United States Fish and Wildlife Service; and for maintenance of the herd of longhorned cattle on the Wichita Mountains Wildlife Refuge; and not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408, $498,035,000, to remain available for obligation until September 30, 1997, of which $11,557,000 shall be for operation and maintenance of fishery mitigation facilities constructed by the Corps of Engineers under

CONSTRUCTION

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; $26,355,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601, et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), the Oil Pollution Act of 1990 (Public Law 101–380), and the Act of July 27, 1990 (Public Law 101–337);
$6,019,000, to remain available until expended: Provided,
That sums provided by any party in fiscal year 1996 and
thereafter are not limited to monetary payments and may
include stocks, bonds or other personal or real property,
which may be retained, liquidated or otherwise disposed
of by the Secretary and such sums or properties shall be
utilized for the restoration of injured resources, and to
conduct new damage assessment activities.

Land Acquisition
For expenses necessary to carry out the provisions
of the Land and Water Conservation Fund Act of 1965,
as amended (16 U.S.C. 460l–4–11), including administra-
tive expenses, and for acquisition of land or waters, or in-
terest therein, in accordance with statutory authority ap-
plicable to the United States Fish and Wildlife Service,
$14,100,000, to be derived from the Land and Water Con-
servation Fund, to remain available until expended.

Cooperative Endangered Species Conservation

Fund
For expenses necessary to carry out the provisions
1543), as amended by Public Law 100–478, $8,085,000
for grants to States, to be derived from the Cooperative
Endangered Species Conservation Fund, and to remain
available until expended.
For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $10,779,000.

REWARDS AND OPERATIONS

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

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101-233, $4,500,000, to remain available until expended.

LAHONTAN VALLEY AND PYRAMID LAKE FISH AND WILDLIFE FUND

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

RHINOCEROS AND TIGER CONSERVATION FUND

For deposit to the Rhinoceros and Tiger Conservation Fund, $200,000, to remain available until expended, to be available to carry out the provisions of the Rhinoceros and Tiger Conservation Act of 1994 (P.L. 103-391).
WILDLIFE CONSERVATION AND APPRECIATION FUND

For deposit to the Wildlife Conservation and Appreciation Fund, $998,000, to remain available until expended, to be available for carrying out the Partnerships for Wildlife Act only to the extent such funds are matched as provided in section 7105 of said Act.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 113 passenger motor vehicles, of which 59 are for police-type use and 88 are for replacement only; not to exceed $400,000 for payment, at the discretion of the Secretary, for information, rewards, or evidence concerning violations of laws administered by the United States Fish and Wildlife Service, and miscellaneous and emergency expenses of enforcement activities, authorized or approved by the Secretary and to be accounted for solely on his certificate; repair of damage to public roads within and adjacent to reservation areas caused by operations of the United States Fish and Wildlife Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the United States Fish and Wildlife Service and
to which the United States has title, and which are utilized pursuant to law in connection with management and investigation of fish and wildlife resources: Provided, That the United States Fish and Wildlife Service may accept donated aircraft as replacements for existing aircraft: Provided further, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: Provided further, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 103–551: Provided further, That none of the funds made available in this Act may be used by the U.S. Fish and Wildlife Service to impede or delay the issuance of a wetlands permit by the U.S. Army Corps of Engineers to the City of Lake Jack-
son, Texas, for the development of a public golf course west of Buffalo Camp Bayou between the Brazos River and Highway 332: Provided further, That section 201 of the Emergency Wetlands Resources Act of 1986 (16 U.S.C. 3911) is amended—

(1) in subsection (a)(1)(B), by striking “distributed” and inserting “used”; and

(2) in subsection (c)—

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

(B) by striking “shall be distributed as follows:” and all that follows through “such amount—” and inserting “shall be used by the Secretary—”; and

(C) by striking subparagraph (B).

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not to exceed $1,593,000 for the Volunteers-in-Parks program, and not less than
$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408, $1,088,249,000, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), of which not to exceed $72,000,000, to remain available until expended is to be derived from the special fee account established pursuant to title V, section 5201, of Public Law 100–203, and of which not more than $1 shall be available for activities of the National Park Service at the Mojave National Preserve.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $35,725,000:

Provided, That $248,000 of the funds provided herein are for the William O. Douglas Outdoor Education Center, subject to authorization.

HISTORIC PRESERVATION FUND

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

CONSTRUCTION

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

LAND AND WATER CONSERVATION FUND

(RESCISSION)

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

LAND ACQUISITION AND STATE ASSISTANCE

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

Appropriations for the National Park Service shall be available for the purchase of not to exceed 518 passenger motor vehicles, of which 323 shall be for replacement only, including not to exceed 411 for police-type use, 12 buses, and 5 ambulances: Provided, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided further, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, and the mineral and water resources of the United States, its Territories and possessions, and other areas as authorized by law (43 U.S.C. 31, 1332 and 1340); classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; $686,944,000, of
which $62,130,000 shall be available for cooperation with
States or municipalities for water resources investigations,
and of which $112,888,000 for resource research and the
operations of Cooperative Research Units shall remain
available until September 30, 1997: Provided, That no
part of this appropriation shall be used to pay more than
one-half the cost of any topographic mapping or water re-
sources investigations carried on in cooperation with any
State or municipality: Provided further, That funds avail-
able herein for resource research may be used for the pur-
chase of not to exceed 61 passenger motor vehicles, of
which 55 are for replacement only: Provided further, That
none of the funds available under this head for resource
research shall be used to conduct new surveys on private
property: Provided further, That none of the funds pro-
vided herein for resource research may be used to admin-
ister a volunteer program: Provided further, That no later
than April 1, 1996, the Director of the United States Geo-
logical Survey shall issue agency guidelines for resource
research that ensure that scientific and technical peer re-
view is utilized as fully as possible in selection of projects
for funding and ensure the validity and reliability of re-
search and data collection on Federal lands: Provided fur-
ther, That no funds available for resource research may
be used for any activity that was not authorized prior to
the establishment of the National Biological Survey: Provided further, That once every five years the National Academy of Sciences shall review and report on the resource research activities of the Survey: Provided further, That if specific authorizing legislation is enacted during or before the start of fiscal year 1996, the resource research component of the Survey should comply with the provisions of that legislation: Provided further, That unobligated and unexpended balances in the National Biological Survey, Research, inventories and surveys account at the end of fiscal year 1995, shall be merged with and made a part of the United States Geological Survey, Surveys, investigations, and research account and shall remain available for obligation until September 30, 1996.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for purchase of not to exceed 22 passenger motor vehicles, for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States
21

1 National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the United States Geological Survey appointed, as authorized by law, to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302, et seq.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only; $186,556,000, of which not less than $70,105,000 shall be available for royalty management activities; and an amount not to exceed $12,400,000 for the Technical Information Management System of Outer Continental Shelf (OCS) Lands Activity, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases
to fee collections for OCS administrative activities per-
formed by the Minerals Management Service over and
above the rates in effect on September 30, 1993, and from
additional fees for OCS administrative activities estab-
lished after September 30, 1993: Provided, That begin-
ing in fiscal year 1996 and thereafter, fees for royalty
rate relief applications shall be established (and revised
as needed) in Notices to Lessees, and shall be credited
to this account in the program areas performing the func-
tion, and remain available until expended for the costs of
administering the royalty rate relief authorized by 43
U.S.C. 1337(a)(3): Provided further, That $1,500,000 for
computer acquisitions shall remain available until Septem-
ber 30, 1997: Provided further, That funds appropriated
under this Act shall be available for the payment of inter-
est in accordance with 30 U.S.C. 1721 (b) and (d): Pro-
vided further, That not to exceed $3,000 shall be available
for reasonable expenses related to promoting volunteer
beach and marine cleanup activities: Provided further,
That notwithstanding any other provision of law, $15,000
under this head shall be available for refunds of overpay-
ments in connection with certain Indian leases in which
the Director of the Minerals Management Service con-
curred with the claimed refund due, to pay amounts owed
to Indian allottees or Tribes, or to correct prior unrecover-
able erroneous payments: Provided further, That beginning in fiscal year 1996 and thereafter, the Secretary shall take appropriate action to collect unpaid and underpaid royalties and late payment interest owed by Federal and Indian mineral lessees and other royalty payors on amounts received in settlement or other resolution of disputes under, and for partial or complete termination of, sales agreements for minerals from Federal and Indian leases.

OIL SPILL RESEARCH

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

BUREAU OF MINES

MINES AND MINERALS

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

ADMINISTRATIVE PROVISIONS

The Secretary is authorized to accept lands, buildings, equipment, other contributions, and fees from public and private sources, and to prosecute projects using such contributions and fees in cooperation with other Federal, State or private agencies: Provided, That the Bureau of Mines is authorized, during the current fiscal year, to sell
directly or through any Government agency, including cor-
porations, any metal or mineral products that may be
manufactured in pilot plants operated by the Bureau of
Mines, and the proceeds of such sales shall be covered into
the Treasury as miscellaneous receipts: Provided further,
That notwithstanding any other provision of law, the Sec-
retary is authorized to convey, without reimbursement,
title and all interest of the United States in property and
facilities of the United States Bureau of Mines in Juneau,
Alaska to the City and Borough of Juneau, Alaska; in
Tuscaloosa, Alabama, to The University of Alabama; in
Rolla, Missouri, to the University of Missouri-Rolla; and
in other localities to such university or government entities
as the Secretary deems appropriate.

OFFICE OF SURFACE MINING RECLAMATION AND
ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions
of the Surface Mining Control and Reclamation Act of
1977, Public Law 95–87, as amended, including the pur-
chase of not to exceed 15 passenger motor vehicles for re-
placement only; $92,751,000, and notwithstanding 31
U.S.C. 3302, an additional amount shall be credited to
this account, to remain available until expended, from per-
formance bond forfeitures in fiscal year 1996: Provided,
That notwithstanding any other provision of law, the Secretary of the Interior, pursuant to regulations, may utilize directly or through grants to States, moneys collected in fiscal year 1996 pursuant to the assessment of civil penalties under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: Provided further, That notwithstanding any other provision of law, appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out the provisions of title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not more than 22 passenger motor vehicles for replacement only, $176,327,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended, of which $5,000,000 shall be used for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines through the Appalachian Clean Streams Initiative: Provided, That grants to minimum
program States will be $1,500,000 per State in fiscal year 1996: Provided further, That of the funds herein provided up to $18,000,000 may be used for the emergency pro-
gram authorized by section 410 of Public Law 95–87, as amended, of which no more than 25 per centum shall be used for emergency reclamation projects in any one State and funds for Federally-administered emergency reclamation projects under this proviso shall not exceed $11,000,000: Provided further, That donations credited to the Abandoned Mine Reclamation Fund, pursuant to sec-
tion 401(b)(3) of Public Law 95–87, are hereby appro-
priated and shall be available until expended to support projects under the Appalachian Clean Streams Initiative, directly, through agreements with other Federal agencies, as otherwise authorized, or through grants to States or local governments, or tax-exempt private entities: Provided further, That prior year unobligated funds appropriated for the emergency reclamation program shall not be sub-
ject to the 25 per centum limitation per State and may be used without fiscal year limitation for emergency projects: Provided further, That pursuant to Public Law 97–365, the Department of the Interior is authorized to utilize up to 20 per centum from the recovery of the delin-
quent debt owed to the United States Government to pay for contracts to collect these debts.
BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment of care, tuition, assistance, and other expenses of Indians in boarding homes, or institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; for the general administration of the Bureau of Indian Affairs, including such expenses in field offices; maintaining of Indian reservation roads as defined in section 101 of title 23, United States Code; and construction, repair, and improvement of Indian housing, $1,508,777,000, of which not to exceed $106,126,000 shall be for payments to tribes and tribal organizations for contract support costs associated with
ongoing contracts or grants or compacts entered into with the Bureau of Indian Affairs prior to fiscal year 1996, as authorized by the Indian Self-Determination Act of 1975, as amended, and $5,000,000 shall be for the Indian Self-Determination Fund, which shall be available for the transitional cost of initial or expanded tribal contracts, grants, compacts, or cooperative agreements with the Bureau of Indian Affairs under the provisions of the Indian Self-Determination Act; and of which not to exceed $330,711,000 for school operations costs of Bureau-funded schools and other education programs shall become available for obligation on July 1, 1996, and shall remain available for obligation until September 30, 1997; and of which not to exceed $67,338,000 for higher education scholarships, adult vocational training, and assistance to public schools under the Johnson O’Malley Act shall remain available for obligation until September 30, 1997; and of which not to exceed $74,814,000 shall remain available until expended for trust funds management, housing improvement, road maintenance, attorney fees, litigation support, self-governance grants, the Indian Self-Determination Fund, and the Navajo-Hopi Settlement Program: Provided, That tribes and tribal contractors may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants or compact agreements: Pro-
vided further, That funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1996, as authorized by the Indian Self-Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.), or grants authorized by the Indian Education Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall remain available until expended by the contractor or grantee: Provided further, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with the accounting of such funds from which the beneficiary can determine whether there has been a loss: Provided further, That notwithstanding any other provision of law, the reconciliation report to be submitted pursuant to Public Law 103–412 shall be submitted by November 30, 1997: Provided further, That to provide funding uniformity within a Self-Governance Compact, any funds provided in this Act with availability for more than one year may be reprogrammed to one year availability but shall remain available within the Compact until expended: Provided further, That notwithstanding any other provision of law, Indian tribal governments may, by appropriate changes in eligibility cri-
teria or by other means, change eligibility for general as-
sistances or change the amount of general assistance pay-
ments for individuals within the service area of such tribe
who are otherwise deemed eligible for general assistance
payments so long as such changes are applied in a consist-
ent manner to individuals similarly situated: Provided fur-
ther, That any savings realized by such changes shall be
available for use in meeting other priorities of the tribes:
Provided further, That any net increase in costs to the
Federal Government which result solely from tribally in-
creased payment levels for general assistance shall be met
exclusively from funds available to the tribe from within
its tribal priority allocation: Provided further, That any
forestry funds allocated to a tribe which remain unobli-
gated as of September 30, 1996, may be transferred dur-
ing fiscal year 1997 to an Indian forest land assistance
account established for the benefit of such tribe within the
tribe's trust fund account: Provided further, That any such
unobligated balances not so transferred shall expire on
September 30, 1997: Provided further, That notwithstanding
any other provision of law, no funds available to the
Bureau of Indian Affairs, other than the amounts pro-
vided herein for assistance to public schools under the Act
452 et seq.), shall be available to support the operation
of any elementary or secondary school in the State of Alas-
ka in fiscal year 1996: *Provided further*, That funds made
available in this or any other Act for expenditure through
September 30, 1997 for schools funded by the Bureau of
Indian Affairs shall be available only to the schools which
are in the Bureau of Indian Affairs school system as of
September 1, 1995: *Provided further*, That no funds avail-
able to the Bureau of Indian Affairs shall be used to sup-
port expanded grades for any school beyond the grade
structure in place at each school in the Bureau of Indian
Affairs school system as of October 1, 1995: *Provided fur-
ther*, That notwithstanding the provisions of 25 U.S.C.
2011(h)(1)(B) and (c), upon the recommendation of a
local school board for a Bureau of Indian Affairs operated
school, the Secretary shall establish rates of basic com-
pensation or annual salary rates for the positions of teach-
ers and counselors (including dormitory and homeliving
counselors) at the school at a level not less than that for
comparable positions in public school districts in the same
geographic area.

CONSTRUCTION

For construction, major repair, and improvement of
irrigation and power systems, buildings, utilities, and
other facilities, including architectural and engineering
services by contract; acquisition of lands and interests in
lands; and preparation of lands for farming, $98,033,000,
to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project and for other water resource development activities related to the Southern Arizona Water Rights Settlement Act may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 per centum of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau of Indian Affairs: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a non-reimbursable basis: *Provided further*, That for the fiscal year ending September 30, 1996, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to tribally controlled grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering applications, the
Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: Provided further, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): Provided further, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2508(e).

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, $67,145,000, to remain available until expended; of which $65,100,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 87–483, 97–293, 101–618, 102–374, 102–441, 102–575, and 103–116, and for implementation of other enacted water rights settlements, including not to exceed $8,000,000, which shall be for the Federal share of the Catawba Indian Tribe of South Carolina Claims Settlement, as authorized by section 5(a) of Public Law 103–116; and of which $1,045,000 shall be available pur-
suant to Public Laws 98–500, 99–264, and 100–580; and
of which $1,000,000 shall be available (1) to liquidate obli-
gations owed tribal and individual Indian payees of any
checks canceled pursuant to section 1003 of the Competi-
tive Equality Banking Act of 1987 (Public Law 100–86
(101 Stat. 659)), 31 U.S.C. 3334(b), (2) to restore to In-
dividual Indian Monies trust funds, Indian Irrigation Sys-
tems, and Indian Power Systems accounts amounts in-
vested in credit unions or defaulted savings and loan asso-
ciations and which were not Federally insured, and (3)
to reimburse Indian trust fund account holders for losses
to their respective accounts where the claim for said
loss(es) has been reduced to a judgment or settlement
agreement approved by the Department of Justice.
ADMINISTRATIVE PROVISIONS
Appropriations for the Bureau of Indian Affairs shall
be available for expenses of exhibits, and purchase of not
to exceed 275 passenger carrying motor vehicles, of which
not to exceed 215 shall be for replacement only.
TERRITORIAL AND INTERNATIONAL AFFAIRS
ASSISTANCE TO TERRITORIES
For expenses necessary for assistance to territories
under the jurisdiction of the Department of the Interior,
$69,232,000, of which (1) $65,705,000 shall be available
until expended for technical assistance, including mainte-
nance assistance, disaster assistance, insular management
controls, and brown tree snake control and research;
grants to the judiciary in American Samoa for compen-
sation and expenses, as authorized by law (48 U.S.C.
1661(c)); grants to the Government of American Samoa,
in addition to current local revenues, for construction and
support of governmental functions; grants to the Govern-
ment of the Virgin Islands as authorized by law; grants
to the Government of Guam, as authorized by law; and
grants to the Government of the Northern Mariana Is-
lands as authorized by law (Public Law 94–241; 90 Stat.
272); and (2) $3,527,000 shall be available for salaries
and expenses of the Office of Insular Affairs: Provided,
That all financial transactions of the territorial and local
governments herein provided for, including such trans-
actions of all agencies or instrumentalities established or
utilized by such governments, may be audited by the Gen-
eral 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 Unit-
ed States Financial Assistance for the Northern Mariana
Islands approved by Public Law 99–396, or any subse-
quent legislation related to Commonwealth of the North-
ern Mariana Islands Covenant grant funding: Provided
1 further, That of the amounts provided for technical assist-
2 ance, sufficient funding shall be made available for a grant
3 to the Close Up Foundation: Provided further, That the
4 funds for the program of operations and maintenance im-
5 provement are appropriated to institutionalize routine op-
6 erations and maintenance of capital infrastructure in
7 American Samoa, Guam, the Virgin Islands, the Common-
8 wealth of the Northern Mariana Islands, the Republic of
9 Palau, the Republic of the Marshall Islands, and the Fed-
10 erated States of Micronesia through assessments of long-
11 range operations and maintenance needs, improved capa-
12 bility of local operations and maintenance institutions and
13 agencies (including management and vocational education
14 training), and project-specific maintenance (with terri-
15 torial participation and cost sharing to be determined by
16 the Secretary based on the individual territory’s commit-
17 ment to timely maintenance of its capital assets): Provided
18 further, That any appropriation for disaster assistance
19 under this head in this Act or previous appropriations Acts
20 may be used as non-Federal matching funds for the pur-
21 pose of hazard mitigation grants provided pursuant to sec-
22 tion 404 of the Robert T. Stafford Disaster Relief and
23 Emergency Assistance Act (42 U.S.C. 5170c).
24
25 COMPACT OF FREE ASSOCIATION
26
27 For economic assistance and necessary expenses for
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, $24,938,000, to remain available until expended, as authorized by Public Law 99-239 and Public Law 99-658:

Provided, That notwithstanding section 112 of Public Law 101-219 (103 Stat. 1873), the Secretary of the Interior may agree to technical changes in the specifications for the project described in the subsidiary agreement negotiated under section 212(a) of the Compact of Free Association, Public Law 99-658, or its annex, if the changes do not result in increased costs to the United States.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary of the Interior, $55,982,000, of which not to exceed $7,500 may be for official reception and representation expenses.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $34,608,000.
Office of Inspector General

Salaries and Expenses

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

National Indian Gaming Commission

Salaries and Expenses

For necessary expenses of the National Indian Gaming Commission, pursuant to Public Law 100-497, $1,000,000.

Administrative Provisions

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: Provided, That notwithstanding any other provision of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft: Provided further, That no programs funded with appropriated funds in the "Office of the Secretary", "Office of the Solicitor", and "Office of Inspector General" may be augmented through the Working Capital Fund or the Consolidated Working Fund.
1 GENERAL PROVISIONS, DEPARTMENT OF THE

2 INTERIOR

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

19 Sec. 102. The Secretary may authorize the expendi-
20 ture or transfer of any no year appropriation in this title,
21 in addition to the amounts included in the budget pro-
22 grams of the several agencies, for the suppression or emer-
23 gency prevention of forest or range fires on or threatening
24 lands under the jurisdiction of the Department of the Inte-
25 rior; for the emergency rehabilitation of burned-over lands
under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oilspills; response and natural resource damage assessment activities related to actual oilspills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99–198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: Provided, that appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided further, That for emergency rehabilitation and wildfire suppression activi-
ties, no funds shall be made available under this authority until funds appropriated to the “Emergency Department of the Interior Firefighting Fund” shall have been ex-
hausted: Provided further, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 and must be replenished by a supplemental appropriation which must be requested as promptly as possible: Provided further, That such replen-ishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were trans-ferred.

Sec. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sec-
tions 1535 and 1536 of title 31, U.S.C.: Provided, That reimbursements for costs and supplies, materials, equip-ment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.
SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

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

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

SEC. 107. Appropriations made in this title from the Land and Water Conservation Fund for acquisition of lands and waters, or interests therein, shall be available for transfer, with the approval of the Secretary, between the following accounts: Bureau of Land Management,
1 Land acquisition, United States Fish and Wildlife Service,
2 Land acquisition, and National Park Service, Land acquis-
3 tion and State assistance. Use of such funds are subject
4 to the reprogramming guidelines of the House and Senate
5 Committees on Appropriations.

Sec. 108. Amounts appropriated in this Act for the
7 Presidio which are not obligated as of the date on which
8 the Presidio Trust is established by an Act of Congress
9 shall be transferred to and available only for the Presidio
10 Trust.

Sec. 109. Section 6003 of Public Law 101–380 is
12 hereby repealed.

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

Sec. 111. No funds provided in this title may be ex-
20 pended by the Department of the Interior for the conduct
21 of offshore leasing and related activities placed under re-
22 striction in the President’s moratorium statement of June
23 26, 1990, in the areas of Northern, Central, and Southern
24 California; the North Atlantic; Washington and Oregon;
and the Eastern Gulf of Mexico south of 26 degrees north
latitude and east of 86 degrees west longitude.

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

Sec. 113. No funds provided in this title may be ex-
pended by the Department of the Interior for the conduct
of preleasing and leasing activities in the Eastern Gulf of
Mexico for Outer Continental Shelf Lease Sale 151 in the
Outer Continental Shelf Natural Gas and Oil Resource

Sec. 114. No funds provided in this title may be
expended by the Department of the Interior for the con-
duct of preleasing and leasing activities in the Atlantic for
Outer Continental Shelf Lease Sale 164 in the Outer Con-
tinental Shelf Natural Gas and Oil Resource Management
For necessary expenses of forest research as authorized by law, $182,000,000, to remain available until September 30, 1997.

For necessary expenses of cooperating with, and providing technical and financial assistance to States, Territories, possessions, and others and for forest pest management activities, cooperative forestry and education and land conservation activities, $129,551,000, to remain available until expended, as authorized by law.

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, for ecosystem planning, inventory, and monitoring, and for administrative expenses associated with the management of funds provided under the heads "Forest Research", "State and Private Forestry", "National Forest System", "Construction", "Fire Protection and Emergency Suppression", and "Land Acquisition", $1,276,688,000, to remain available for obligation until September 30, 1997,
and including 65 per centum of all monies received during the prior fiscal year as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 4601-6a(i)): Provided, That unobligated and unexpended balances in the National Forest System account at the end of fiscal year 1995, shall be merged with and made a part of the fiscal year 1996 National Forest System appropriation, and shall remain available for obligation until September 30, 1997: Provided further, That up to $5,000,000 of the funds provided herein for road maintenance shall be available for the planned obliteration of roads which are no longer needed.

FIRE PROTECTION AND EMERGENCY SUPPRESSION

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to National Forest System lands or other lands under fire protection agreement, and for emergency rehabilitation of burned over National Forest System lands, $385,485,000, to remain available until expended: Provided, That unexpended balances of amounts previously appropriated under any other headings for Forest Service fire activities may be transferred to and merged with this appropriation: Provided further, That such funds are available for repayment of advances
CONSTRUCTION

For necessary expenses of the Forest Service, not otherwise provided for, $120,000,000, to remain available until expended, for construction and acquisition of buildings and other facilities, and for construction and repair of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205:

Provided, That funds becoming available in fiscal year 1996 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury of the United States: Provided further, That not to exceed $50,000,000, to remain available until expended, may be obligated for the construction of forest roads by timber purchasers.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4–11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $14,600,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.
ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $1,069,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

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

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 per centum of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the sixteen Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 per centum shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.
GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND Rangeland Research

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

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (a) purchase of not to exceed 183 passenger motor vehicles of which 32 will be used primarily for law enforcement purposes and of which 151 shall be for replacement; acquisition of 22 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed two for replacement only, and acquisition of 20 aircraft from excess sources; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (b) services pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $100,000 for employment under 5 U.S.C. 3109; (c) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (d) acquisition of land, waters, and interests therein, pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); (e) for expenses pur-
suant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, 558a note); and (f) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to change the boundaries of any region, to abolish any region, to move or close any regional office for research, State and private forestry, or National Forest System administration of the Forest Service, Department of Agriculture, without the consent of the House and Senate Committees on Appropriations and the Committee on Agriculture, Nutrition, and Forestry in the United States Senate and the Committee on Agriculture in the United States House of Representatives.

Any appropriations or funds available to the Forest Service may be advanced to the Fire and Emergency Suppression appropriation and may be used for forest firefighting and the emergency rehabilitation of burned-over lands under its jurisdiction: Provided, That no funds shall be made available under this authority until funds appropriated to the "Emergency Forest Service Firefighting Fund" shall have been exhausted.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, tech-
technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 103-551.

No funds appropriated to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture without the approval of the Chief of the Forest Service.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service may be used to disseminate program information to private and public individuals and organizations through the use of nonmonetary items of nominal value and to provide nonmonetary awards of nominal value and to incur necessary expenses for the nonmonetary recognition of private
individuals and organizations that make contributions to Forest Service programs. Notwithstanding any other provision of law, money collected, in advance or otherwise, by the Forest Service under authority of section 101 of Public Law 93–153 (30 U.S.C. 185(1)) as reimbursement of administrative and other costs incurred in processing pipeline right-of-way or permit applications and for costs incurred in monitoring the construction, operation, maintenance, and termination of any pipeline and related facilities, may be used to reimburse the applicable appropriation to which such costs were originally charged.

Funds available to the Forest Service shall be available to conduct a program of not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93–408.

None of the funds available in this Act shall be used for timber sale preparation using clearcutting in hardwood stands in excess of 25 percent of the fiscal year 1989 harvested volume in the Wayne National Forest, Ohio: Provided, That this limitation shall not apply to hardwood stands damaged by natural disaster: Provided further,
That landscape architects shall be used to maintain a visually pleasing forest.

Any money collected from the States for fire suppression assistance rendered by the Forest Service on non-Federal lands not in the vicinity of National Forest System lands shall be used to reimburse the applicable appropriation and shall remain available until expended as the Secretary may direct in conducting activities authorized by 16 U.S.C. 2101 (note), 2101–2110, 1606, and 2111.

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

Notwithstanding any other provision of law, the Forest Service is authorized to employ or otherwise contract with persons at regular rates of pay, as determined by the Service, to perform work occasioned by emergencies such as fires, storms, floods, earthquakes or any other unavoidable cause without regard to Sundays, Federal holidays, and the regular workweek.

To the greatest extent possible, and in accordance with the Final Amendment to the Shawnee National Forest Plan, none of the funds available in this Act shall be used for preparation of timber sales using clearcutting or other forms of even aged management in hardwood stands in the Shawnee National Forest, Illinois.
Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Notwithstanding any other provision of law, eighty percent of the funds appropriated to the Forest Service in the National Forest System and Construction accounts and planned to be allocated to activities under the "Jobs in the Woods" program for projects on National Forest land in the State of Washington may be granted directly to the Washington State Department of Fish and Wildlife for accomplishment of planned projects. Twenty percent of said funds shall be retained by the Forest Service for planning and administering projects. Project selection and prioritization shall be accomplished by the Forest Service with such consultation with the State of Washington as the Forest Service deems appropriate.

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

DEPARTMENT OF ENERGY

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority
of the Department of Energy Organization Act (Public
Law 95-91), including the acquisition of interest, includ-
ing defeasible and equitable interests in any real property
or any facility or for plant or facility acquisition or expan-
sion, $384,504,000, to remain available until expended:
Provided, That no part of the sum herein made available
shall be used for the field testing of nuclear explosives in
the recovery of oil and gas.

ALTERNATIVE FUELS PRODUCTION
(INCLUDING TRANSFER OF FUNDS)
Monies received as investment income on the prin-
cipal amount in the Great Plains Project Trust at the
Norwest Bank of North Dakota, in such sums as are
earned as of October 1, 1995, shall be deposited in this
account and immediately transferred to the General Fund
of the Treasury. Monies received as revenue sharing from
the operation of the Great Plains Gasification Plant shall
be immediately transferred to the General Fund of the
Treasury.

NAVAL PETROLEUM AND OIL SHALE RESERVES
For necessary expenses in carrying out naval petro-
leum and oil shale reserve activities, $151,028,000, to re-
main available until expended: Provided, That the require-
ments of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal
year 1996.
ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, $552,871,000, to remain available until expended, including, notwithstanding any other provision of law, the excess amount for fiscal year 1996 determined under the provisions of section 3003(d) of Public Law 99–509 (15 U.S.C. 4502), and of which $16,000,000 shall be derived from available unobligated balances in the Biomass Energy Development account: Provided, That $133,946,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507) and shall not be available until excess amounts are determined under the provisions of section 3003(d) of Public Law 99–509 (15 U.S.C. 4502): Provided further, That notwithstanding section 3003(d)(2) of Public Law 99–509 such sums shall be allocated to the eligible programs as follows: $107,446,000 for the weatherization assistance program and $26,500,000 for the State energy conservation program.

ECONOMIC REGULATION

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

HR 1977 RH
For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $287,000,000, to remain available until expended, of which $187,000,000 shall be derived by transfer of unobligated balances from the “SPR petroleum account” and $100,000,000 shall be derived by transfer from the “SPR Decommissioning Fund”: Provided, That notwithstanding section 161 of the Energy Policy and Conservation Act, the Secretary shall draw down and sell up to seven million barrels of oil from the Strategic Petroleum Reserve: Provided further, That the proceeds from the sale shall be deposited into a special account in the Treasury, to be established and known as the “SPR Decommissioning Fund”, and shall be available for the purpose of removal of oil from and decommissioning of the Weeks Island site and for other purposes related to the operations of the Strategic Petroleum Reserve: Provided further, That, notwithstanding any other provision of law, $100,000,000 in proceeds from the sale shall be included in the budget baseline required by the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be counted as an offset to
discretionary budget authority and outlays for the purposes of section 251(a)(7) of that Act.

SPR PETROLEUM ACCOUNT

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

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $79,766,000, to remain available until expended: Provided, That notwithstanding Section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d)) or any other provision of law, funds appropriated under this heading hereafter may be used to enter into a contract for end use consumption surveys for a term not to exceed eight years: Provided further, That notwithstanding any other provision of law, hereafter the Manufacturing Energy Consumption Survey shall be conducted on a triennial basis.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

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

The Secretary is authorized to accept lands, build-
ings, equipment, and other contributions from public and
private sources and to prosecute projects in cooperation
with other agencies, Federal, State, private, or foreign:

Provided, That revenues and other moneys received by or
for the account of the Department of Energy or otherwise
generated by sale of products in connection with projects
of the Department appropriated under this Act may be
retained by the Secretary of Energy, to be available until
expended, and used only for plant construction, operation,
costs, and payments to cost-sharing entities as provided
in appropriate cost-sharing contracts or agreements: Pro-
vided further, That the remainder of revenues after the
making of such payments shall be covered into the Treasury as miscellaneous receipts: *Provided further,* That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

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

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**INDIAN HEALTH SERVICE**

**INDIAN HEALTH SERVICES**

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $1,725,792,000 to-
gether with payments received during the fiscal year pursuant to 42 U.S.C. 300aaa–2 for services furnished by the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That $12,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: Provided further, That $351,258,000 for contract medical care shall remain available for obligation until September 30, 1997: Provided further, That of the funds provided, not less than $11,306,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act, as amended: Provided further, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the In-
dian Health Care Improvement Act shall be available for two fiscal years after the fiscal year in which they were collected, for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): Provided further, That of the funds provided, $7,500,000 shall remain available until expended, for the Indian Self-Determination Fund, which shall be available for the transitional costs of initial or expanded tribal contracts, grants or cooperative agreements with the Indian Health Service under the provisions of the Indian Self-Determination Act: Provided further, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 1997: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act, as amended, shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans,
specifications, and drawings; acquisition of sites, purchase
and erection of modular buildings, and purchases of trail-
ers; and for provision of domestic and community sanita-
tion facilities for Indians, as authorized by section 7 of
the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
Self-Determination Act and the Indian Health Care Im-
provement Act, and for expenses necessary to carry out
the Act of August 5, 1954 (68 Stat. 674), the Indian Self-
Determination Act, the Indian Health Care Improvement
Act, and titles II and III of the Public Health Service Act
with respect to environmental health and facilities support
activities of the Indian Health Service, $236,975,000, to
remain available until expended: Provided, That notwith-
standing any other provision of law, funds appropriated
for the planning, design, construction or renovation of
health facilities for the benefit of an Indian tribe or tribes
may be used to purchase land for sites to construct, im-
prove, or enlarge health or related facilities.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Serv-
ice shall be available for services as authorized by 5 U.S.C.
3109 but at rates not to exceed the per diem rate equiva-
lent to the maximum rate payable for senior-level positions
under 5 U.S.C. 5376; hire of passenger motor vehicles and
aircraft; purchase of medical equipment; purchase of re-
prints; purchase, renovation and erection of modular
buildings and renovation of existing facilities; payments
for telephone service in private residences in the field,
when authorized under regulations approved by the Sec-
retary; and for uniforms or allowances therefor as author-
ized by law (5 U.S.C. 5901–5902); and for expenses of
attendance at meetings which are concerned with the func-
tions or activities for which the appropriation is made or
which will contribute to improved conduct, supervision, or
management of those functions or activities: Provided,
That in accordance with the provisions of the Indian
Health Care Improvement Act, non-Indian patients may
be extended health care at all tribally administered or In-
dian Health Service facilities, subject to charges, and the
proceeds along with funds recovered under the Federal
Medical Care Recovery Act (42 U.S.C. 2651–53) shall be
credited to the account of the facility providing the service
and shall be available without fiscal year limitation: Pro-
vided further, That notwithstanding any other law or regu-
lation, funds transferred from the Department of Housing
and Urban Development to the Indian Health Service
shall be administered under Public Law 86–121 (the In-
dian Sanitation Facilities Act) and Public Law 93–638,
as amended: Provided further, That funds appropriated to
the Indian Health Service in this Act, except those used
for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: Provided further, That the Indian Health Service shall neither bill nor charge those Indians who may have the economic means to pay unless and until such time as Congress has agreed upon a specific policy to do so and has directed the Indian Health Service to implement such a policy: Provided further, That, notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant or agreement authorized by Title I of the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), may be deobligated and reobligated to a self-governance funding agreement under Title III of the Indian Self-Determination and Education Assistance Act of 1975 and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased
costs associated with the proposed final rule, and such re-
quest has been included in an appropriations Act and en-
acted into law: Provided further, That funds made avail-
able in this Act are to be apportioned to the Indian Health
Service as appropriated in this Act, and accounted for in
the appropriation structure set forth in this Act: Provided
further, That the appropriation structure for the Indian
Health Service may not be altered without advance ap-
proval of the House and Senate Committees on Appropria-
tions.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

For necessary expenses for the orderly closure of the
Office of Indian Education, $1,000,000.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and
Hopi Indian Relocation as authorized by Public Law 93–
531, $21,345,000, to remain available until expended:
Provided, That funds provided in this or any other appro-
priations Act are to be used to relocate eligible individuals
and groups including evictees from District 6, Hopi-parti-
tioned lands residents, those in significantly substandard
1 housing, and all others certified as eligible and not in-
2 cluded in the preceding categories: Provided further, That
3 none of the funds contained in this or any other Act may
4 be used by the Office of Navajo and Hopi Indian Reloca-
5 tion to evict any single Navajo or Navajo family who, as
6 of November 30, 1985, was physically domiciled on the
7 lands partitioned to the Hopi Tribe unless a new or re-
8 placement home is provided for such household: Provided
9 further, That no relocatee will be provided with more than
10 one new or replacement home: Provided further, That the
11 Office shall relocate any certified eligible relocatees who
12 have selected and received an approved homesite on the
13 Navajo reservation or selected a replacement residence off
14 the Navajo reservation or on the land acquired pursuant
16 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
17 CULTURE AND ARTS DEVELOPMENT
18 PAYMENT TO THE INSTITUTE
19 For payment to the Institute of American Indian and
20 Alaska Native Culture and Arts Development, as author-
21 ized by title XV of Public Law 99-498 (20 U.S.C. 4401
22 et seq.), $5,500,000.
SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed thirty years), and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; up to 5 replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees; $309,471,000, of which not to exceed $32,000,000 for the instrumentation program, collections acquisition, Museum Support Center equipment and move, exhibition reinstallation, the National Museum of the American Indian, the repatriation of skeletal remains program, research equipment, information management, and Latino programming shall remain available until expended and, including such funds as may be necessary to support American overseas research centers and a total of $125,000 for the Council of American Overseas Research
Centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, by contract or otherwise, $3,000,000, to remain available until expended.

REPAIR AND RESTORATION OF BUILDINGS

For necessary expenses of repair and restoration of buildings owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $10,000 for services as authorized by 5 U.S.C. 3109, $24,954,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or restoration of buildings of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

CONSTRUCTION

For necessary expenses for construction, $12,950,000, to remain available until expended: Pro-
vided, That notwithstanding any other provision of law, a single procurement for the construction of the National Museum of the American Indian Cultural Resources Center may be issued which includes the full scope of the project: Provided further, That the solicitation and the contract shall contain the clause "availability of funds" found at 48 CFR 52.232.18.

NATIONAL GALLERY OF ART
SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alter-
ation, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $51,315,000, of which not to exceed $3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized $5,500,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $9,800,000.
CONSTRUCTION

For necessary expenses of capital repair and rehabilitation of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $8,983,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $6,152,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and Humanities Act of 1965, as amended, $82,259,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups and individuals pursuant to section 5(c) of the Act, and for administering the functions of the Act, to remain available until September 30, 1997.
MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $17,235,000, to remain available until September 30, 1997, to the National Endowment for the Arts, of which $7,500,000 shall be available for purposes of section 5(p)(1): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

NATIONAL ENDOWMENT FOR THE HUMANITIES GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $82,469,000 shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(e) of the Act, and for administering the functions of the Act, to remain available until September 30, 1997.
MATCHING GRANTS

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

INSTITUTE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

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

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none
of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

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

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

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

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For expenses necessary for the orderly closure of the Advisory Council on Historic Preservation, $1,000,000: Provided, That none of these funds shall be available for the compensation of Executive Level V or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 3109, $5,090,000: Provided, That all appointed members will be compensated at a rate equivalent to the rate for Executive Schedule Level IV.
FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92-332 (86 Stat. 401), $48,000, to remain available until September 30, 1997.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

SALARIES AND EXPENSES

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

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96-388, as amended, $28,707,000; of which $1,575,000 for the Museum’s repair and rehabilitation program and $1,264,000 for the Museum’s exhibition program shall remain available until expended.

TITLE III—GENERAL PROVISIONS

Sec. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter
of public record and available for public inspection, except
where otherwise provided under existing law, or under ex-
sting Executive order issued pursuant to existing law.

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

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

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

SEC. 305. None of the funds provided in this Act to
any department or agency shall be obligated or expended
to provide a personal cook, chauffeur, or other personal
servants to any officer or employee of such department
or agency except as otherwise provided by law.
SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such Committees.

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

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

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

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance
a notice describing the statement made in paragraph (1) by the Congress.

(c) Prohibition of Contracts With Persons Falsey Labeling Products as Made in America.—

If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

Sec. 308. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscasal year 1995.

Sec. 309. None of the funds made available by this Act may be obligated or expended by the National Park Service to enter into or implement a concession contract which permits or requires the removal of the underground lunchroom at the Carlsbad Caverns National Park.
Sec. 310. Where the actual costs of construction projects under self-determination contracts, compacts, or grants, pursuant to Public Laws 93–638, 100–413, or 100–297, are less than the estimated costs thereof, use of the resulting excess funds shall be determined by the appropriate Secretary after consultation with the tribes.

Sec. 311. Notwithstanding Public Law 103–413, quarterly payments of funds to tribes and tribal organizations under annual funding agreements pursuant to section 108 of Public Law 93–638, as amended, may be made on the first business day following the first day of a fiscal quarter.

Sec. 312. None of funds in this Act may be used for the Americorps program.

Sec. 313. (a) On or before April 1, 1996, the Pennsylvania Avenue Development Corporation shall—

(1) transfer and assign in accordance with this section all of its rights, title, and interest in and to all of the leases, covenants, agreements, and easements it has executed or will execute by March 31, 1996, in carrying out its powers and duties under the Pennsylvania Avenue Development Corporation Act (40 U.S.C. 871–885) and the Federal Triangle Development Act (40 U.S.C. 1101–1109) to the General Services Administration, National Capital
Planning Commission, or the National Park Service; and
(2) except as provided by subsection (d), transfer all rights, title, and interest in and to all property, both real and personal, held in the name of the Pennsylvania Avenue Development Corporation to the General Services Administration.
(b) The responsibilities of the Pennsylvania Avenue Development Corporation transferred to the General Services Administration under subsection (a) include, but are not limited to, the following:
(1) Collection of revenue owed the Federal Government as a result of real estate sales or lease agreements entered into by the Pennsylvania Avenue Development Corporation and private parties, including, at a minimum, with respect to the following projects:
(A) The Willard Hotel property on Square 225.
(B) The Gallery Row project on Square 457.
(C) The Lansburgh’s project on Square 431.
(D) The Market Square North project on Square 407.
(2) Collection of sale or lease revenue owed the Federal Government (if any) in the event two undeveloped sites owned by the Pennsylvania Avenue Development Corporation on Squares 457 and 406 are sold or leased prior to April 1, 1996.

(3) Application of collected revenue to repay United States Treasury debt incurred by the Pennsylvania Avenue Development Corporation in the course of acquiring real estate.

(4) Performing financial audits for projects in which the Pennsylvania Avenue Development Corporation has actual or potential revenue expectation, as identified in paragraphs (1) and (2), in accordance with procedures describe in applicable sale or lease agreements.

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

(6) Payment of benefits in accordance with the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 to which persons in the project area squares are entitled as a result of the Pennsylvania Avenue Development Corporation’s acquisition of real estate.
(7) Carrying out the responsibilities of the Pennsylvania Avenue Development Corporation under the Federal Triangle Development Act (40 U.S.C. 1101–1109), including responsibilities for managing assets and liabilities of the Corporation under such Act.

(c) In carrying out the responsibilities of the Pennsylvania Avenue Development Corporation transferred under this section, the Administrator of the General Services Administration shall have the following powers:

(1) To acquire lands, improvements, and properties by purchase, lease or exchange, and to sell, lease, or otherwise dispose of real or personal property as necessary to complete the development plan developed under section 5 of the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 874) if a notice of intention to carry out such acquisition or disposal is first transmitted to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and at least 60 days elapse after the date of such transmission.
(2) To modify from time to time the plan referred to in paragraph (1) if such modification is first transmitted to the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and at least 60 days elapse after the date of such transmission.

(3) To maintain any existing Pennsylvania Avenue Development Corporation insurance programs.

(4) To enter into and perform such leases, contracts, or other transactions with any agency or instrumentality of the United States, the several States, or the District of Columbia or with any person, firm, association, or corporation as may be necessary to carry out the responsibilities of the Pennsylvania Avenue Development Corporation under the Federal Triangle Development Act (40 U.S.C. 1101–1109).

(5) To request the Council of the District of Columbia to close any alleys necessary for the completion of development in Square 457.

(6) To use all of the funds transferred from the Pennsylvania Avenue Development Corporation or
income earned on Pennsylvania Avenue Development
Corporation property to complete any pending develop-
ment projects.
(d)(1)(A) On or before April 1, 1996, the Pennsylva-
nia Avenue Development Corporation shall transfer all its
right, title, and interest in and to the property described
in subparagraph (B) to the National Park Service, De-
partment of the Interior.
(B) The property referred to in subparagraph (A) is
the property located within the Pennsylvania Avenue Na-
tional Historic Site depicted on a map entitled "Penn-
sylvania Avenue National Historic Park", dated June 1,
1995, and numbered 840–82441, which shall be on file
and available for public inspection in the offices of the Na-
tional Park Service, Department of the Interior. The
Pennsylvania Avenue National Historic Site includes the
parks, plazas, sidewalks, special lighting, trees, sculpture,
and memorials.
(2) Jurisdiction of Pennsylvania Avenue and all other
roadways from curb to curb shall remain with the District
of Columbia but vendors shall not be permitted to occupy
street space except during temporary special events.
(3) The National Park Service shall be responsible
for management, administration, maintenance, law en-
fforcement, visitor services, resource protection, interprcta-
tion, and historic preservation at the Pennsylvania Avenue
National Historic Site.

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

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

(f) SAVINGS PROVISIONS.—

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

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

(3) Continuation of suits.—No action or
other proceeding commenced by or against the Cor-
poration in connection with administration of the
Pennsylvania Avenue Development Corporation Act
of 1972 (40 U.S.C. 871–885) and the Federal Tri-
gle Development Act (40 U.S.C. 1101–1109) shall
abate by reason of enactment and implementation of
this Act, except that the General Services Adminis-
tration shall be substituted for the Corporation as a
party to any such action or proceeding.

(g) Section 3(b) of the Pennsylvania Avenue Develop-
ment Corporation Act of 1972 (40 U.S.C. 872(b)) is
amended as follows:
“(b) The Corporation shall be dissolved on April 1, 1996. Upon dissolution, assets, obligations, and indebtedness of the Corporation shall be transferred in accordance with the Department of the Interior and Related Agencies Appropriations Act, 1996.”.

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

(b) From the funds appropriated to the Forest Service and the Bureau of Land Management, $600,000 is made available to publish by January 1, 1996, for peer review and public comment, the scientific information collected, and analysis undertaken, by the Project prior to the date of enactment of this Act concerning forest health conditions and forest management needs related to those conditions.

(c)(1) From the funds appropriated to the Forest Service, the Secretary of Agriculture (hereinafter “Secretary”) shall—

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

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

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

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

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

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

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

Sec. 315. (a) The Secretary of the Interior (acting
through the Bureau of Land Management, the National
Park Service and the United States Fish and Wildlife
Service) and the Secretary of Agriculture (acting through
the Forest Service) shall each implement a fee program
to demonstrate the feasibility of user-generated cost recov-
ery for the operation and maintenance of recreation sites
and habitat enhancement projects on Federal lands.
(b) In carrying out the pilot program established pur-
suant to this section, the appropriate Secretary shall select
from areas under the jurisdiction of each of the four agen-
cies referred to in subsection (a) no fewer than 10, but
as many as 30, sites or projects for fee demonstration.
For each such demonstration, the Secretary, notwith-
standing any other provision of law—
(1) shall charge and collect fees for admission
to the area or for the use of outdoor recreation sites,
facilities, visitor centers, equipment, and services by
individuals and groups, or any combination thereof;
(2) shall establish fees under this section based
upon a variety of cost recovery and fair market valu-
ation methods to provide a broad basis for feasibility
testing;
(3) may contract with any public or private en-
tity to provide visitor services, including reservations
and information, and may accept services of volun-
teers to collect fees charged pursuant to paragraph
(1); and
(4) may encourage private investment and partner-
ships to enhance the delivery of quality customer services
and resource enhancement, and provide appropriate rec-
ognition to such partners or investors.

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

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

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

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

(3) Expenditures from the special funds shall be ac-
counted for separately.
(4) In order to increase the quality of the visitor experience at public recreational areas and enhance the protection of resources, amounts available for expenditure under paragraph (1) may only be used for the site or project concerned, for backlogged repair and maintenance projects (including projects relating to health and safety) and for interpretation, signage, habitat or facility enhancement, resource preservation, annual operation, maintenance, and law enforcement relating to public use. The agencywide accounts may be used for the same purposes set forth in the preceding sentence, but for sites or projects selected at the discretion of the respective agency head.


(2) Fees charged pursuant to this section shall be in lieu of fees charged under any other provision of law.
(e) The Secretary of the Interior and the Secretary of Agriculture shall carry out this section without promulgating regulations.

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

Sec. 316. The Forest Service and Bureau of Land Management may offer for sale salvageable timber in the Pacific Northwest in fiscal year 1996: Provided, That for public lands known to contain the Northern spotted owl, such salvage sales may be offered as long as the offering of such sale will not render the area unsuitable as habitat for the Northern spotted owl: Provided further, That timber salvage activity in spotted owl habitat is to be done in full compliance with all existing environmental and forest management laws.

Sec. 317. None of the funds made available in this Act may be used for any program, project, or activity when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any applicable Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.
This Act may be cited as the "Department of the Interior and Related Agencies Appropriations Act, 1996".
A BILL

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

JUNE 30, 1995

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