AN ACT

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

1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

2. That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1997, and for other purposes, 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, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), $566,514,000 to remain available until expended, of which $2,000,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487 (16 U.S.C. 3150); and of which $3,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–6a(i)); and of which $1,000,000 shall be available in fiscal year 1997 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation, to such Foundation for challenge cost share projects supporting fish and wildlife conservation affecting Bureau lands; in addition,
$27,300,000 for Mining Law Administration program operations, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than $566,514,000; and in addition, not to exceed $5,000,000, to remain available until expended, from annual mining claim fees; which shall be credited to this account for the costs of administering the mining claim fee program, and $2,000,000 from communication site rental fees established by the Bureau for the cost of administering communication site activities: 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: Provided further, That in fiscal year 1997 and thereafter, all fees, excluding mining claim fees, in excess of the fiscal year 1996 collections established by the Secretary of the Interior under the authority of 43 U.S.C. 1734 for processing, recording, or documenting authorizations to use public lands or public land natural resources (including cultural, historical, and mineral) and for providing specific services to public land users, and which are not presently being covered into any Bureau of Land Management appropriation accounts, and not otherwise dedicated by law for a specific
distribution, shall be made immediately available for pro-
gram operations in this account and remain available until
expended.

WILDLAND FIRE MANAGEMENT

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

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the In-
terior and any of its component offices and bureaus for
the remedial action, including associated activities, of haz-
ardous waste substances, pollutants, or contaminants pur-
suant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. 9601 et seq.), $12,000,000, 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 such Act, shall be credited to this account to be available until expended without further appropriation; 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 and which shall be credited to this account.

CONSTRUCTION
For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, $3,103,000 $4,333,000, 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), $113,500,000 $115,000,000, of which not to exceed $400,000 shall be available for administrative expenses.
LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94-579 including administrative expenses and acquisition of lands or waters, or interests therein, $10,000,000 $14,060,000, 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; $98,265,000 $102,656,000, 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 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 Public Law 94–579, as amended, and Public Law 93–153, to remain available until expen-
provided: Provided, That notwithstanding any provision to
the contrary of section 305(a) of Public Law 94–579 (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 Act by the Secretary to im-
prove, protect, or rehabilitate any public lands adminis-
tered 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 moneys collected from each such ac-
tion are used on the exact lands damaged which led to
the action: Provided further, That any such moneys that
are in excess of amounts needed to repair damage to the
exact land for which funds were collected may be used to
repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended
under existing laws, 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, sur-
veys, appraisals, and costs of making conveyances of omit-
ted 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; 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

RESOURCE MANAGEMENT

For expenses necessary for scientific and economic studies, conservation, management, investigations, protec-
1 tion, and utilization of fishery and wildlife resources, ex-
2 cept whales, seals, and sea lions, and for the performance
3 of other authorized functions related to such resources; for
4 the general administration of the United States Fish and
5 Wildlife Service; for maintenance of the herd of long-
6 horned cattle on the Wichita Mountains Wildlife Refuge;
7 and not less than $1,000,000 for high priority projects
8 within the scope of the approved budget which shall be
9 carried out by the Youth Conservation Corps as author-
10 ized by the Act of August 13, 1970, as amended,
11 $520,519,000 $529,527,000, to remain available until Sep-
12 tember 30, 1998, of which $11,557,000 shall remain avail-
13 able until expended for operation and maintenance of fish-
14 ery mitigation facilities constructed by the Corps of Engi-
15 neers under the Lower Snake River Compensation Plan,
16 authorized by the Water Resources Development Act of
17 1976, to compensate for loss of fishery resources from
18 water development projects on the Lower Snake River, of
19 which not more than $500,000 shall be used only to prepare
20 and publish withdrawal notices under section 4(b)(6)
21 (A)(i)(IV) and (B)(ii) of the Endangered Species Act and
22 to prepare and publish proposed or final rules to remove
23 species from either of the lists published under section 4(c)
24 of the Endangered Species Act or to change the status of
25 species from endangered to threatened in accordance with
the provisions of subsections (a) and (b) of section 4 of the *Endangered Species Act*, and of which $1,000,000 not to exceed $1,500,000 shall be provided to the National Fish and Wildlife Foundation for implementation of the Natural Communities Conservation Plan, and shall be available only to the extent matched by at least an equal amount from the Foundation and shall remain available until expended.—*Provided, That pursuant to* 31 U.S.C. 9701, the Secretary shall charge reasonable fees for the full costs of providing training by the National Education and Training Center, to be credited to this account, notwithstanding 31 U.S.C. 3302, of which not to exceed $2,000,000 shall be available for the direct costs of providing such training. *Provided, That hereafter, pursuant to* 31 U.S.C. 9701, the Secretary shall charge reasonable fees for the full costs of providing training by the National Education and Training Center, to be credited to this account, notwithstanding 31 U.S.C. 3302, for the direct costs of providing such training.—*Provided further, That not to exceed $1,000,000 of the funds provided herein may be used for contaminant sample analysis.

CONSTRUCTION

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and
1 wildlife resources, and the acquisition of lands and inter-
2 ests therein; $38,298,000 $45,306,000, to remain available
3 until expended.

4 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

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

14 LAND ACQUISITION

15 For expenses necessary to carry out the Land and
16 Water Conservation Fund Act of 1965, as amended (16
17 U.S.C. 460l-4-11), including administrative expenses,
18 and for acquisition of land or waters, or interest therein,
19 in accordance with statutory authority applicable to the
20 United States Fish and Wildlife Service, $30,000,000
21 $50,802,000, of which $3,000,000 is authorized to be appro-
22 priated and shall be used to establish the Clarks River Na-
23 tional Wildlife Refuge in Kentucky, to be derived from the
24 Land and Water Conservation Fund, to remain available
25 until expended.
COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543), as amended, $12,085,000 (increased by $1,000,000) $14,085,000, for grants to States, to be derived from the Cooperative Endangered Species Conservation Fund, and to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

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), $1,000,000 $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, $7,750,000 $10,750,000, to remain available until expended.

RHINOCEROS AND TIGER CONSERVATION FUND

For deposit to the Rhinoceros and Tiger Conservation Fund, $400,000 $200,000, to remain available until
expended, to carry out the Rhinoceros and Tiger Conservation Act of 1994 (Public Law 103–391).

WILDLIFE CONSERVATION AND APPRECIATION FUND

For deposit to the Wildlife Conservation and Appreciation Fund, $800,000, to remain available until expended, 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 83 passenger motor vehicles of which 73 are for replacement only (including 43 for police-type use); 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 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 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 aquar-
ia, buildings, and other facilities under the jurisdiction of
the Service and to which the United States has title, and
which are utilized pursuant to law in connection with man-
agement and investigation of fish and wildlife resources:
Provided, That notwithstanding 44 U.S.C. 501, the Serv-
ice may, under cooperative cost sharing and partnership
arrangements authorized by law, procure printing services
from cooperators in connection with jointly-produced pub-
llications for which the cooperators share at least one-half
the cost of printing either in cash or services and the Serv-
ice determines the cooperator is capable of meeting accept-
ed quality standards: Provided further, That the Service
may accept donated aircraft as replacements for existing
aircraft: 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 con-
tained in House Report 103-551: 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 16 U.S.C. 1706, $1,135,139,000 $1,156,784,000, without regard to 16 U.S.C. 451, of which $12,800,000 $4,000,000 for re-
search, planning and interagency coordination in support of land acquisition for Everglades restoration shall remain available until expended, and 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.

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, $36,476,000

HISTORIC PRESERVATION FUND

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

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $119,745,000 $165,418,000, to remain available until expended. --- Pro
vided, That funds provided under this head, derived from the Historic Preservation Fund, established by the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), may be available until expended to render sites safe for visitors and for building stabilization: Provided, That funds previously provided under this heading that had been made available to the City of Hot Springs, Arkansas, to be used for a flood protection feasibility study, are now made available to the City of Hot Springs for the rehabilitation of the Federally-constructed Hot Springs Creek Arch, including the portion within Hot Springs National Park.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 1997 by 16 U.S.C. 460l-10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out 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 lands or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, $20,000,000 $48,415,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which $1,000,000 is to administer the State assistance program: Provided,
That any funds made available for the purpose of acquisition of the Elwha and Glines dams shall be used solely for acquisition, and shall not be expended until the full purchase amount has been appropriated by the Congress;

Provided further, That of the funds provided herein, $2,500,000 is available for acquisition of the Sterling Forest, subject to authorization.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 404 passenger motor vehicles, of which 287 shall be for replacement only, including not to exceed 320 for police-type use, 13 buses, and 6 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 of the funds provided to the National Park Service in this or any other Act not more than $1,700,000 is to be used for the Office of the Director; not more than $2,000,000 is to be used for the Office of Public Affairs; and not more than $951,000 is to be used for the Office of Congressional Affairs: 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 until such agreement has been
submitted to the Congress and shall not be implemented 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 and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may in fiscal year 1997 and thereafter enter into cooperative agreements that involve the transfer of National Park Service appropriated funds to State, local and tribal governments, other public entities, educational institutions, and private nonprofit organizations for the public purpose of carrying out National Park Service programs pursuant to 31 U.S.C. 6305 to carry out public purposes of National Park Service programs.
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 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; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; $730,163,000 $737,040,000, of which $62,130,000 $65,809,000 shall be available only for cooperation with States or municipalities for water resources investigations; and of which $16,000,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; and of which $137,000,000 $137,750,000 shall be available until September 30, 1998 for the biological research activity and
the operation of the Cooperative Research Units; and of
which $16,000,000 shall remain available until expended
for conducting inquiries into the economic conditions af-
fecting mining and materials processing industries: Pro-
vided, That none of these funds provided for the biological
research activity shall be used to conduct new surveys on
private property, unless specifically authorized in writing
by the property owner: Provided further, That beginning
in fiscal year 1998 and once every five years thereafter,
the National Academy of Sciences shall review and report
on the biological research activity of the Survey: Provided
further, That no part of this appropriation shall be used
to pay more than one-half the cost of topographic mapping
or water resources data collection and investigations car-
rried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geo-
logical Survey shall be available for the purchase of not
to exceed 53 passenger motor vehicles, of which 48 are
for replacement only; reimbursement to the General Serv-
ces Administration for security guard services; contract-
ing 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; ex-
penses of the United States National Committee on Geol-
ogy; and payment of compensation and expenses of per-
sons on the rolls of the Survey duly appointed 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 envi-
ronmental studies, regulation of industry operations, and
collection of royalties, as authorized by law; for enforcing
laws and regulations applicable to oil, gas, and other min-
erals leases, permits, licenses and operating contracts; and
for matching grants or cooperative agreements; including
the purchase of not to exceed eight passenger motor vehi-
cles for replacement only; $182,555,000 $159,555,000, of
which not less than $74,063,000 $70,063,000 shall be
available for royalty management activities; and an
amount not to exceed $15,400,000 $41,000,000 for the
Technical Information Management System and Related
Activities activities of the 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 performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for OCS administrative activities established after September 30, 1993: Provided, That $1,500,000 for computer acquisitions shall remain available until September 30, 1998: Provided further, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721 (b) and (d): Provided 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 overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due, to pay amounts owed to Indian allottees or Tribes, or to correct prior unrecoverable erroneous payments.

OIL SPILL RESEARCH

For necessary expenses to carry out 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 MINEKALS

For expenses necessary for, and incidental to, the closure of the United States Bureau of Mines, including payments for workers compensation and unemployment compensation for former employees of the United States Bureau of Mines, $2,000,000, to remain available until expended.

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 purchase of not to exceed 10 passenger motor vehicles, for replacement only; $94,272,000 $94,172,000, and notwithstanding 31 U.S.C. 3302, an additional amount shall be credited to this account, to remain available until expended, from performance bond forfeitures in fiscal year 1997: Provided, That the Secretary of the Interior, pursuant to regulations, may utilize directly or through grants to States, moneys collected in fiscal year 1997 for civil penalties assessed under section 518 of the Surface Min-
ing 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 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 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 10 passenger motor vehicles for replacement only, $175,887,000 $179,085,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which $4,000,000 shall be 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 1997: Provided further, That of the funds herein provided up to $18,000,000 may be used for the emergency program 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 prior year unobligated funds appropriated for the emergency reclamation program shall not be subject 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 use up to 20 per centum from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available to States under title IV of Public Law 95–87 may be used, at their discretion, for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act.

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, 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, including such expenses in field offices; maintaining of Indian reservation roads as defined in 23 U.S.C. 101; and construction, repair, and improvement of Indian housing, $1,381,623,000 $1,413,606,000, of which not to exceed $90,829,000 $91,379,000 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 prior to fiscal year 1997, as authorized by the Indian Self-Determination Act of 1975, as amended, and up to $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 under such Act; and of which not to exceed $39,700,000 $344,711,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 1997, and shall remain available until September 30, 1998; and of which not to exceed $55,838,000 $53,805,000 for higher education scholarships, adult vocational training, and assistance to public schools under 25 U.S.C. 452 et seq., shall remain available until September 30, 1998; and of which not to exceed $55,608,000 $54,973,000 shall remain available until expended for 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: Provided further, That funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1997, as authorized by the Indian Self-Determination Act of 1975, 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: Pro-
vided 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 criteria or by other means, change eligibility for general assistance or change the amount of general assistance payments 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 consistent manner to individuals similarly situated: Provided further, 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 increased 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 unobligated as of September 30, 1997, may be transferred during fiscal year 1998 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, 1998: Provided further, That notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska in fiscal year 1997: Provided further, That funds made available in this or any other Act for expenditure through September 30, 1998 for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1995: Provided further, That no funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995: Provided further, That in fiscal year 1997 and thereafter, notwithstanding the provisions of 25 U.S.C. 2012(h)(1) (A) and (B), upon the recommendation of either (i) a local school board and school supervisor for an education position in a Bureau of Indian Affairs operated school, or (ii) an Agency school board and education line officer for an Agency education position, the Secretary shall establish adjustments to the rates of basic compensation or annual salary rates established under 25 U.S.C.
2012(h)(1) (A) and (B) for education positions at the school or the Agency, at a level not less than that for comparable positions in the nearest public school district, and the adjustment shall be deemed to be a change to basic pay and shall not be subject to collective bargaining. Provided further, That any reduction to rates of basic compensation or annual salary rates below the rates established under 25 U.S.C. 2012(h)(1) (A) and (B) shall apply only to educators appointed after June 30, 1997, and shall not affect the right of an individual employed on June 30, 1997, in an education position, to receive the compensation attached to such position under 25 U.S.C. 2012(h)(1) (A) and (B) so long as the individual remains in the same position at the same school: Provided further, That notwithstanding 25 U.S.C. 2012(h)(1)(B), when the rates of basic compensation for teachers and counselors at Bureau-operated schools are established at the rates of basic compensation applicable to comparable positions in overseas schools under the Defense Department Overseas Teachers Pay and Personnel Practices Act, such rates shall become effective with the start of the next academic year following the issuance of the Department of Defense salary schedule and shall not be effected retroactively.
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, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87-483, $85,831,000 $93,933,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project 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: 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 fiscal year 1997, 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, $65,241,000 $69,241,000, to remain available until expended; of which $56,400,000 $68,400,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 101–618, 102–
374, 102–575, 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 $841,000 shall be available pursuant to Public Laws 98–500, 99–264, and 100–580.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans, $4,500,000, as authorized by the Indian Financing Act of 1974, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $34,615,000.

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

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, the Technical Assistance of Indian Enterprises account, the Indian Direct Loan Program account, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase...
of not to exceed 229 passenger motor vehicles, of which not to exceed 187 shall be for replacement only.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $65,088,000 $65,388,000, of which (1) $61,239,000 $61,539,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation 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 Government 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 Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $3,849,000 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 transactions of all agencies or instrumental-
ities established or utilized by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: Provided further, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 99–396, or any subsequent legislation related to Commonwealth of the Northern Mariana Islands grant funding: Provided further, That section 703(a) of Public Law 94–241, as amended, is hereby amended by striking "of the Government of the Northern Mariana Islands": Provided further, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations maintenance needs, improved capability of local operations and maintenance in-
stitutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory’s commitment to timely maintenance of its capital assets): Provided further, That any appropriation for disaster assistance under this head in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170e).

COMPACT OF FREE ASSOCIATION

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

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, $52,691,000, $58,991,000, 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,

$35,208,000 $35,443,000.

**Office of Inspector General**

**Salaries and Expenses**

For necessary expenses of the Office of Inspector General, $24,439,000, together with any funds or property transferred to the Office of Inspector General through forfeiture proceedings or from the Department of Justice Assets Forfeiture Fund or the Department of the Treasury Assets Forfeiture Fund, that represent an equitable share from the forfeiture of property in investigations in which the Office of Inspector General participated, with such transferred funds to remain available until expended.

**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.
Office of Special Trustee for American Indians

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $19,126,000 $36,338,000, to remain available until expended for trust funds management: Provided,

That funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1997, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), 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 an accounting of such funds from which the beneficiary can determine whether there has been a loss: Provided further, That unobligated balances previously made available (1) to liquidate obligations owed tribal and individual Indian payees of any checks canceled pursuant to section 1003 of the Competitive Equality Banking Act of 1987 (Public Law 100–86; 31 U.S.C. 3334(b)), (2) to restore Individual Indian Monies trust funds, Indian Irrigation Systems, and Indian Power Sys-
tems accounts amounts invested in credit unions or de-
faulted savings and loan associations and which where not
Federally insured, including any interest on these amounts
that may have been earned, but was not because of the
default, and (3) to reimburse Indian trust fund account
holders for losses to their respective accounts where the
claim for said loss has been reduced to a judgement or
settlement agreement approved by the Department of Jus-
tice, under the heading “Indian Land and Water Claim
Settlements and Miscellaneous Payments to Indians”, Bu-
reau of Indian Affairs in fiscal years 1995 and 1996, are
hereby transferred to and merged with this appropriation
and may only be used for the operation of trust programs,
in accordance with this appropriation.

Administrative Provisions

There is hereby authorized for acquisition from avail-
able resources within the Working Capital Fund, 15 air-
craft, 10 of which shall be for replacement and which may
be obtained by donation, purchase or through available ex-
cess 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: Pro-
vided further, That no programs funded with appropriated
funds in “Departmental Management”, “Office of the So-
licitor”, and “Office of Inspector General” may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: 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.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emer-
gency prevention of forest or range fires on or threatening
lands under the jurisdiction of the Department of the Inte-
rior; for the emergency rehabilitation of burned-over lands
under its jurisdiction; for emergency actions related to po-
tential or actual earthquakes, floods, volcanoes, storms, or
other unavoidable causes; for contingency planning subse-
quent to actual oilspills; response and natural resource
damage assessment activities related to actual oilspills; for
the prevention, suppression, and control of actual or po-
tential 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 Min-
ing 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 regu-
latory 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 reim-
bursement to other Federal agencies for destruction of ve-
hicles, aircraft, or other equipment in connection with
their use for fire suppression purposes, such reimburse-
ment to be credited to appropriations currently available at the time of receipt thereof: *Provided further,* That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to “Wildland Fire Management” shall have been exhausted: *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 replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

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 sections 1535 and 1536 of title 31, United States Code: *Provided,* That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credi-
 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.

 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).

 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.

 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; Land acquisition; United States Fish and Wildlife Service; Land acquisition; and National Park Service; Land acquisition and State assistance. Use of such funds are subject to the reprogramming guidelines of the House and Senate Committees on Appropriations.

SEC. 108. Prior to the transfer of Presidio properties to the Presidio Trust, when authorized, the Secretary may not obligate in any calendar month more than $1/12 of the fiscal year 1997 appropriation for operation of the Presidio: Provided, That prior to the transfer of any Presidio property to the Presidio Trust, the Secretary shall transfer such funds as the Trust deems necessary to initiate leasing and other authorized activities of the Trust: Provided further, That this section shall expire on September 30, 1997 December 31, 1996.

SEC. 109. None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Secretary of the Interior for developing, promulgating, and thereafter implementing a rule concerning rights-of-way under section 2477 of the Revised Statutes:

SEC. 109. No final rule or regulation of any agency of the Federal Government pertaining to the recognition,
management, or validity of a right-of-way pursuant to Revised Statute 2477 (43 U.S.C. 932) shall take effect unless expressly authorized by an Act of Congress subsequent to the date of enactment of this Act.

SEC. 110. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore leasing and related activities placed under restriction in the President's moratorium statement of June 26, 1990, in the areas of Northern, Central, and Southern 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. 111. No funds provided in this title may be expended by the Department of the Interior for the conduct of leasing, or the approval or permitting of any drilling or other exploration activity, on lands within the North Aleutian Basin planning area.

SEC. 112. No funds provided in this title may be expended 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 Management Comprehensive Program, 1992–1997.

SEC. 113. No funds provided in this title may be expended by the Department of the Interior for the conduct
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

SEC. 114. There is hereby established in the Treasury
a franchise fund pilot, as authorized by section 403 of
Public Law 103–356, to be available as provided in such
section for costs of capitalizing and operating administra-
tive services as the Secretary determines may be per-
formed more advantageously as central services: Provided,
That any inventories, equipment, and other assets pertain-
ing to the services to be provided by such fund, either on
hand or on order, less the related liabilities or unpaid obli-
gations, and any appropriations made prior to the current
year for the purpose of providing capital shall be used to
capitalize such fund: Provided further, That such fund
shall be paid in advance from funds available to the De-
partment and other Federal agencies for which such cen-
tralized services are performed, at rates which will return
in full all expenses of operation, including accrued leave,
depreciation of fund plant and equipment, amortization of
automatic data processing (ADP) software and systems
(either acquired or donated) and an amount necessary to
maintain a reasonable operating reserve, as determined by
the Secretary: Provided further, That such fund shall pro-
vide services on a competitive basis: Provided further, That an amount not to exceed four percent of the total annual income to such fund may be retained in the fund for fiscal year 1997 and each fiscal year thereafter, to remain available until expended, to be used for the acquisition of capital equipment, and for the improvement and implementation of Department financial management, ADP, and other support systems: Provided further, That no later than thirty days after the end of each fiscal year amounts in excess of this reserve limitation shall be transferred to the Treasury: Provided further, That such franchise fund pilot shall terminate pursuant to section 403(f) of Public Law 103–356.

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

Sec. 115. Public Law 102–495 is amended by adding the following new section:

"SEC. 10. WASHINGTON STATE REMOVAL OPTION.

"(a) Upon appropriation of $29,500,000 for the Federal Government to acquire the Elwha and Glines dams in Washington State pursuant to this Act, the State of Washington may, upon the submission to Congress of a binding
agreement to remove the two dams within a reasonable per-

iod of time, purchase the two dams from the Federal Gov-
ernment for $2.

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

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

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

“SEC. 7. TERMINATION OF COMMISSION.

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

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

SEC. 118. (a) No later than February 28, 1997, the Secretary of the Interior, upon negotiation with the committee established pursuant to subsection (c), and with the Office of Management and Budget, Special Trustee for American Indians, the Chief Financial Officer for the Department of the Interior, the Assistant Secretary—Indian Affairs, and the Solicitor of the Department of the Interior, shall transmit to the Committee on Appropriations and the Committee on Indian Affairs of the United States Senate and to the Committee on Appropriations and the Committee on Resources of the House of Representatives a report which (1) proposes a formula to distribute the funds appropriated for the "Operation of Indian Programs" account for direct payments to Indian tribes except those in Alaska and (2) identifies the amount of funds set aside to provide services to Indian tribes in Alaska.

(b) The formula and the allocation to Alaska shall be deemed approved if within 30 calendar days of receipt of the report from the Secretary, no one of the Committees have taken action to disapprove the formula or the allocation to Alaska. Notification to the Secretary of any such disapproval shall be accomplished by a letter signed by the chairman and ranking minority member of any one of the
four committees identified in subsection (a) with copies provided to the chairmen and ranking minority members of the other committees identified in subsection (a).

c) The negotiating committee referenced in subsection (a) shall be comprised of (1) Federal representatives as deemed necessary by the Secretary of the Interior and (2) tribal representatives, 12 of which shall be tribal representatives chosen by the tribes from each of the 12 existing BIA Areas (3) one representative from each of the four Committees identified in subsection (a). Agreement by a two-thirds majority of tribal representatives is necessary for any formula developed by the negotiating committee.

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

e) In developing the fiscal year 1998 budget request, the Secretary shall propose separate appropriations accounts for the amounts proposed for direct payments to tribes; and for amounts proposed to be provided for services to Indian tribes in Alaska.

(f) For purposes of this section, the term "Indian tribe" means any Indian tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native
Claims Settlement Act, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, as further defined in the Indian Self-Determination and Education Assistance Act of 1975, as amended.

(g) No funds shall be distributed under the formula proposed pursuant to subsection (a) until the formula is approved under the procedures set forth in subsection (b).

Not to exceed one-half of the funding to be included in the tribal formula within the "Operation of Indian Programs" account shall be available prior to implementation of the formula.

(h) The determination of what funds from the Operation of Indian Programs account, excluding funds for education and reimbursable funds, are withhold from being made available for distribution under the formula shall include a determination negotiated with the negotiating committee described in subsection (c) of the amount, if any, of residual Federal funds to be retained by the Secretary that are minimally necessary to carry out trustee and other functions of the Federal Government that are not delegable by law to the Indian tribes.

(i) Upon approval of the formula, the Secretary shall provide for the immediate and direct transfer, to any Indian tribe choosing to receive all those funds in lieu of direct
services, the share of funds identified for that Indian tribe under the formula. Upon allocation of those funds to an Indian tribe, those funds will not be subject the oversight authority of the Bureau of Indian Affairs.

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

(k) Section 402(b)(1) of The Indian Self-Determination and Education Assistance Act (25 U.S.C. 458bb) is amended to read as follows: "(1) In addition to those Indian tribes participating in self-governance under subsection (a) of this section, the Secretary, acting through the Director of the Office of Self-Governance, may select up to 50 new
1 tribes per year from the applicant pool described in sub-
section (c) of this section to participate in self-governance.”.

SEC. 119. In fiscal year 1997 and thereafter, the In-
dian Arts and Crafts Board may charge admission fees at
its museums; charge rent and/or franchise fees for shops lo-
cated in its museums; publish and sell publications; sell or
rent or license use of photographs or other images in hard
copy or other forms; license the use of designs, in whole or
in part, by others; charge for consulting services provided
to others; and may accept the services of volunteers to carry
out its mission: Provided, That all revenue derived from
such activities is covered into the special fund established

SEC. 120. TRANSFER OF CERTAIN BUREAU OF LAND
MANAGEMENT FACILITIES.—

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

(b) WINNEMUCCA, NEVADA.—
(1) **TRANSFER.**—Not later than 30 days after the date of enactment of this Act, the Secretary of the Interior, acting through the Director of the Bureau of Land Management, shall transfer to the State of Nevada, without consideration, title to the surplus Bureau of Land Management District Office building in Winnemucca, Nevada.

(2) **USE.**—The transfer under paragraph (1) is made with the intent that the building shall be available to meet the needs of the Department of Conservation and Natural Resources of the State of Nevada.

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

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

(b) The Bureau of Indian Affairs shall specifically include Cook Inlet Region, Inc. on any list that designates federally recognized Indian tribes or Indian tribal entities for use in administration of any Federal program.
(c)(1) The tribe of a Native village located within the Cook Inlet region shall serve as the tribal authority for the purpose of receiving funding and administering Federal assistance and social service programs within the settled area associated with the village, provided that Cook Inlet Region, Inc. shall serve as the tribal authority for such purposes for all other areas within the region and for the Municipality of Anchorage. These village tribes and Cook Inlet Region, Inc. may delegate their or its tribal authority to another tribe or tribal organization in the region. For purposes of this subsection, "settled area" shall mean that area containing the cluster of houses, buildings, roads, and trails of the improved village site.

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

Sec. 122. ALASKA AVIATION HERITAGE.—

(a) FINDINGS.—The Congress finds that—

(1) the Department of the Interior’s Grumman Goose G21–A aircraft number N789 is to be retired from several decades of active service in the State of Alaska in 1996; and
(2) the aircraft is of significant historic value to the people of the State of Alaska.

(b) DONATION OF AIRCRAFT.—The Secretary of the Interior shall transfer the Grumman Goose G21-A aircraft number N789 to the Alaska Aviation Heritage Museum in Anchorage, Alaska, at no cost to the museum, for permanent display.

Sec. 123. The Mesquite Lands Act of 1988 is amended by adding the following at the end of section 3:

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

“(2) For a period of twelve years after the date of enactment of this Act, the city shall have exclusive right to purchase the following parcels of public lands:

"Parcel A—East 1/2 Sec. 6, T. 13 S., R. 71 E.,
Mount Diablo Meridian; Sec. 5, T. 13 S., R. 71 E.,
Mount Diablo Meridian; West 1/2 Sec. 4, T. 13 S., R.
71 E, Mount Diablo Meridian; East 1/2, West 1/2 Sec.
4, T. 13 S., R. 71 E., Mount Diablo Meridian.

"Parcel B—North 1/2 Sec. 7, T. 13 S., R. 71 E.,
Mount Diablo Meridian; South East 1/4 Sec. 12, T. 13
S., R. 70 E., Mount Diablo Meridian; East 1/2 North
1 East ¼ Sec. 12, T. 13 S., R. 70 E., Mount Diablo
2 Meridian; East ½, West ½ North East ¼ Sec. 12,
3 T. 13 S., R. 70 E., Mount Diablo Meridian.
4 “Parcel C—West ½ Sec. 6, T. 13 S., R. 71 E.,
5 Mount Diablo Meridian; Sec. 1, T. 13 S., R. 70 E.,
6 Mount Diablo Meridian; West ½, West ½, North
7 East ¼ Sec. 12, T. 13 S., R. 70 E., Mount Diablo
8 Meridian; North West ¼ Sec. 13, S., R. 70 E., Mount
9 Diablo Meridian; West ½ Sec. 12, T. 13 S., R. 70 E.,
10 Mount Diablo Meridian; East ½, South East ¼, Sec.
11 11, T. 13 S., R. 70 E., Mount Diablo Meridian; East
12 ½ North East ¼, Sec. 14, T. 13 S., R. 70 E., Mount
13 Diablo Meridian.
14 “Parcel D—South ½ Sec. 14, T. 13 S., R. 70 E.,
15 Mount Diablo Meridian; South West ¼, Sec. 13, T.
16 13 S., R. 70 E., Mount Diablo Meridian; Portion of
17 section 23, North of Interstate 15, T. 13 S., R. 70 E.,
18 Mount Diablo Meridian; Portion of section 24, North
19 of Interstate 15, T. 13 S., R. 70 E., Mount Diablo
20 Meridian; Portion of section 26, North of Interstate
21 15, T. 13 S., R. 70 E., Mount Diablo Meridian.”
22 SEC. 124. FATHER AULL SITE TRANSFER.
23 (a) This section may be cited as the “Father Aull Site
24 Transfer Act of 1996”.
25 (b) FINDINGS.—Congress finds that—
(1) the buildings and grounds developed by Father Roger Aull located on public domain land near Silver City, New Mexico, are historically significant to the citizens of the community;

(2) vandalism at the site has become increasingly destructive and frequent in recent years;

(3) because of the isolated location and the distance from other significant resources and agency facilities, the Bureau of Land Management has been unable to devote sufficient resources to restore and protect the site from further damage; and

(4) St. Vincent DePaul Parish in Silver City, New Mexico, has indicated an interest in, and developed a sound proposal for the restoration of, the site, such that the site could be permanently occupied and used by the community.

(c) CONVEYANCE OF PROPERTY.—Subject to valid existing rights, all right, title and interest of the United States in and to the land (including improvements on the land), consisting of approximately 43.06 acres, located approximately 10 miles east of Silver City, New Mexico, and described as follows: T. 17 S., R. 12 W., Section 30: Lot 13, and Section 31: Lot 27 (as generally depicted on the map dated July 1995) is hereby conveyed by operation of law.
to St. Vincent DePaul Parish in Silver City, New Mexico, without consideration.

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

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

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

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

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $179,000,000 $180,200,000, to remain available until September 30, 1998. Provided, That unobligated and unexpended balances remaining in this account at the end of fiscal year 1996 shall be merged with and made a part of the fiscal year 1997 Forest and Rangeland Research appropriation expended.
STATE AND PRIVATE FORESTRY

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, $148,881,000 $156,811,000 to remain available until expended, as authorized by law.

NATIONAL FOREST SYSTEM

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 and Rangeland Research," "State and Private Forestry," "National Forest System," "Wildland Fire Management," "Reconstruction and Construction," and "Land Acquisition," $1,259,057,000 (reduced by $1,000,000) $1,285,881,000 to remain available for obligation until September 30, 1998 expended, and including 50 60 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 1996, shall be merged
with and made a part of the fiscal year 1997 National
Forest System appropriation, and shall remain available
for obligation until September 20, 1998: Provided further,
That up to $5,000,000 of the funds provided herein for
road maintenance shall be available for the planned obliter-
ation of roads which are no longer needed.

WILDLAND FIRE MANAGEMENT

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

For an additional amount to cover necessary expenses
for emergency rehabilitation, presuppression due to emer-
gencies, and wildfire suppression activities of the Forest
Service, $250,000,000, to remain available until expended:
Provided, That such funds are available for repayment of advances from other accounts previously transferred for such purposes.

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

RECONSTRUCTION AND CONSTRUCTION

For necessary expenses of the Forest Service, not otherwise provided for, $164,100,000 $172,167,000, to remain available until expended for construction, reconstruction and acquisition of buildings and other facilities, and for construction, reconstruction 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,
1 That not to exceed $50,000,000, to remain available until
2 expended, may be obligated for the construction of forest
3 roads by timber purchasers.—Provided further, That funds
4 appropriated under this head for the construction of the
5 Wayne National Forest Supervisor's Office may be grant-
6 ed to the Ohio State Highway Patrol, Ohio State Depart-
7 ment of Transportation, as the Federal share of the cost
8 of construction of a new facility to be jointly occupied by
9 the Forest Service and the Ohio State Highway Patrol.
10 Provided further, That an agreed upon lease of space in
11 the new facility shall be provided to the Forest Service
12 without charge for the life of the building.

LAND ACQUISITION

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

HR 3662 RS -- 5
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, such sums, 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 159 passenger motor vehicles of which 14 will be used primarily for law enforcement purposes and of which 149 shall be for replacement; acquisition of 10 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 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 7 U.S.C. 428a;
(e) for expenses pursuant to the Volunteers in the Na-
tional 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(e).

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, Depart-
ment of Agriculture, or to implement any reorganization,
"reinvention" or other type of organizational restructuring
of the Forest Service, other than the relocation of the Re-
gional Office for Region 5 of the Forest Service from San
Francisco to excess military property at Mare Island,
Vallejo, California, without the consent of the House and
Senate Committees on Appropriations.

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

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

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in ac-
cordance with the 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 the 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.

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

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

Pursuant to section 402(b) of Public Law 101-593, up to $1,000,000 of the funds available to the Forest Service shall be available for matching funds, as authorized in 16
U.S.C. 583j–3, on a one-for-one basis to match private contributions for projects on National Forest System lands or related to Forest Service programs.

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, 80 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.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to sections 14(e)(1) and (2), and section 16(a)(2) of Public Law 99–663.
None of the funds provided in this or any other Act may be spent to implement the Tongass Land Management Plan (TLMP) revision until the General Accounting Office certifies that the process used to develop the TLMP complies with the National Forest Management Act of 1976 (90 Stat. 2949; Public Law 94-588) and the Tongass Timber Reform Act of 1990 (104 Stat. 4426; Public Law 101-626), as amended.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(RESCISSION)

Of the funds made available under this heading for obligation in fiscal year 1997 or prior years, $150,000,000 are rescinded: Provided, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

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, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing,
use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), performed under the minerals and materials science programs at the Albany Research Center in Oregon, $354,754,000 $367,504,000, 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 AND RECISSION OF FUNDS)

Monies received as investment income on the principal amount in the Great Plains Project Trust at the Norwest Bank of North Dakota, in such sums as are earned as of October 1, 1996, 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. Funds are hereby rescinded in the amount of $2,500,000 from unobligated balances under this head.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For necessary expenses in carrying out naval petroleum and oil shale reserve activities, $143,786,000 (reduced by $11,764,000) $133,000,000, to remain available
until expended: Provided, That the requirements of 10

ENERGY CONSERVATION

For necessary expenses in carrying out energy con-
servation activities, $507,680,000 (increased by
$11,764,000) (increased by $4,000,000) $570,452,000, to
remain available until expended, including, notwithstand-
ing any other provision of law, the excess amount for fiscal
year 1997 determined under the provisions of section
3003(d) of Public Law 99–509 (15 U.S.C. 4502): Pro-
vided, That $126,000,000 (increased by $11,764,000)
$158,900,000 shall be for use in energy conservation pro-
grams as defined in section 3008(3) of Public Law 99–
509 (15 U.S.C. 4507) and shall not be available until ex-
cess amounts are determined under the provisions of sec-
Provided further, That notwithstanding section 3003(d)(2)
of Public Law 99–509 such sums shall be allocated to the
eligible programs as follows: $100,000,000 (increased by
$11,764,000) $131,500,000 for weatherization assistance
grants and $25,000,000 $27,400,000 for State energy con-
servation grants.
ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Office of Hearing and Appeals, $2,725,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE

(INCLUDING TRANSFER OF FUNDS)

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.), $220,000,000, to remain available until expended, of which $220,000,000 shall be repaid from the "SPR Operating Fund" from amounts made available from the sale of oil from the Reserve of which $220,000,000 shall be repaid from the "SPR Operating Fund" from amounts made available from the sale of oil from the Reserve: Provided, That notwithstanding section 161 of the Energy Policy and Conservation Act, the Secretary shall draw down and sell in fiscal year 1997 $220,000,000 worth 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 Operating Fund", and shall, upon receipt, be transferred to the Strategic Petroleum Reserve account for operations of the Strategic Petroleum Reserve.
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 1997 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, $66,120,000 to remain available until expended.

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, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

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 Treas-
ury as miscellaneous receipts: Provided further, That any
contract, agreement, or provision thereof entered into by
the Secretary pursuant to this authority shall not be exe-
cuted prior to the expiration of 30 calendar days (not in-
cluding any day in which either House of Congress is not
in session because of adjournment of more than three cal-
endar days to a day certain) from the receipt by the
Speaker of the House of Representatives and the Presi-
dent 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.

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

DEPARTMENT OF HEALTH AND HUMAN
SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of Au-
gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
tion Act, the Indian Health Care Improvement Act, and
titles II and III of the Public Health Service Act with re-
spect to the Indian Health Service, $1,779,561,000
$1,800,836,000, together with payments received during
the fiscal year pursuant to 42 U.S.C. 238(b) 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 (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 $353,125,000 for contract medical care shall remain available for obligation until September 30, 1998: Provided further, That of the funds provided, not less than $11,206,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: 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 Indian Health Care Improvement Act shall remain available until expended 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 of the funds provided, $7,500,000 shall remain available until expended, for the Indian Self-Determination Fund, which shall be available for the nonrecurring transitional costs of initial or expanded tribal contracts, compacts, 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, 1998: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended.
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 trailers; and for provision of domestic and community sanitation 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 Improvement Act, and for expenses necessary to carry out such Acts 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, $227,701,000 \$251,957,000, to remain available until expended: Provided, That notwithstanding 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, improve, or enlarge health or related facilities.

Appropriations in this Act to the Indian Health Service 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 reprints; 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 Secretary; and for uniforms or allowances therefore as authorized by 5 U.S.C. 5901-5902; and for expenses of attendance at meetings which are concerned with the functions 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 Indian 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: Provided further, That notwithstanding any other law or regulation, 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-
Indian 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 or title III of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title III of such Act 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 the 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 request has been included in an appropriations Act and enacted into law: Provided further, That funds made available 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 funds received from any source, including tribal contractors and compacters for previously transferred functions which tribal contractors and compacters no longer wish to retain, for services, goods, or training and technical assistance, shall be retained by the Indian Health Service and shall remain available until expended by the Indian Health Service: Provided further, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: Provided further, That the appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.
DEPARTMENT OF EDUCATION

Office of Elementary and Secondary Education

Indian Education

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

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, $20,345,000 $19,345,000, to remain available until expended: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new
or replacement home is provided for such household: **Provided further**, That no relocatee will be provided with more than one new or replacement home: **Provided further**, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d-10.

**INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT**

**PAYMENT TO THE INSTITUTE**

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99-498, as amended (20 U.S.C. 56, part A), $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; $317,188,000 $317,582,000, of which not to exceed $31,664,000 $30,665,000 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,
$3,250,000 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, $39,954,000 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, $7,000,000 to remain available until expended.

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, alteration, 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, $53,899,000, 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, $5,942,000, to remain available
until expended: Provided, That contracts awarded for envi-
ronmental 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, mainte-
nance and security of the John F. Kennedy Center for
the Performing Arts, $10,875,000.

CONSTRUCTION

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

WOODROW WILSON INTERNATIONAL CENTER FOR
SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions
1356) including hire of passenger vehicles and services as
authorized by 5 U.S.C. 3109, $5,840,000.
For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $82,734,000, shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to section 5(e) of the Act, and for administering the functions of the Act, to remain available until expended.

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, $16,760,000, to remain available until expended, to the National Endowment for the Arts:

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, $92,994,000 $87,994,000 shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

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, $11,500,000, to remain available until expended, of which $7,500,000 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 expended.

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), $867,000.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

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

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), $2,500,000: Provided, That none of these funds shall be
available for the compensation of Executive Level V or higher position.

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, $5,390,000: Provided, That all appointed members will be compensated at a rate not to exceed 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), $125,000 $500,000 to remain available until expended.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96–388 (36 U.S.C. 1401), as amended, $29,707,000 $30,707,000, of which $1,575,000 for the Museum’s repair and rehabilitation program and $1,264,000 for the Museum’s exhibitions 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 existing 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 natural gas by noncompetitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest, 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 publication 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 advance 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 ex-
pending 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 agen-
cy 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
FALSELY 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 bear-
ing a “Made in America” inscription, or any inscrip-
tion 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 con-
tract or subcontract made with funds made available in
this Act, pursuant to the debarment, suspension, and ineli-
gibility procedures described in sections 9.400 through

SEC. 308. None of the funds in this Act may be used
to plan, prepare, or offer for sale timber from trees classi-
fied 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 fiscal 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, 103–413, 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 the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: Provided, That if no funds are provided for the AmeriCorps program by the
1 VA-HUD and Independent Agencies fiscal year 1997 ap-
2 propriations bill, then none of the funds appropriated or
3 otherwise made available by this Act may be used for the
4 AmeriCorps programs.

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

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

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

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

(1) Within three months of the enactment of this Act, file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a plan which details how the Department of the Interior will make a final determination as to whether or not an applicant is entitled to a patent under the general mining laws on at least 90 percent of such applications within five years of the enactment of this Act and file reports annually thereafter with the same committees detailing actions taken by the Department of the Interior to carry out such plan; and

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

(d) **MINERAL EXAMINATIONS.**—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of
the Interior shall allow the applicant to fund a qualified
third-party contractor to be selected by the Bureau of
Land Management to conduct a mineral examination of
the mining claims or mill sites contained in a patent appli-
cation as set forth in subsection (b). The Bureau of Land
Management shall have the sole responsibility to choose
and pay the third-party contractor in accordance with the
standard procedures employed by the Bureau of Land
Management in the retention of third-party contractors.

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

SEC. 316. Of the funds provided to the National En-
dowments for the Arts:

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

(b) The Chairperson shall establish procedures
to ensure that no funding provided through a grant,
except a grant made to a State, regional or local
group, State or local arts agency, or regional group,
may be used to make a grant to any other organiza-
tion or individual to conduct activity independent of
the direct grant recipient. Nothing in this subsection
shall prohibit payments made in exchange for goods
and services.

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

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

Sec. 318. None of the funds made available to the
Department of the Interior or the Department of Agri-
culture by this or any other Act may be used to issue or
implement final regulations, rules, or policies pursuant to
title VIII of the Alaska National Interest Lands Conserva-
tion Act to assert jurisdiction, management, or control
over navigable waters transferred to the State of Alaska
pursuant to the Submerged Lands Act of 1953 or the

Sec. 319. No funds appropriated under this or any
other Act shall be used to review or modify sourcing areas
previously approved under section 490(c)(3) of the Forest 
Resources Conservation and Shortage Relief Act of 1990 
(Public Law 101–382) or to enforce or implement Federal 
regulations 36 CFR part 223 promulgated on September 
8, 1995. The regulations and interim rules in effect prior 
to September 8, 1995 (36 CFR 223.48, 36 CFR 223.87, 
36 CFR 223 subpart D, 36 CFR 223 subpart F, and 36 
CFR 261.6) shall remain in effect. The Secretary of Agri-
culture or the Secretary of the Interior shall not adopt 
any policies concerning Public Law 101–382 or existing 
regulations that would restrain domestic transportation or 
processing of timber from private lands or impose addi-
tional accountability requirements on any timber. The Sec-
retary of Commerce shall extend until September 30, 
1997, the order issued under section 491(b)(2)(A) of Pub-
lic Law 101–382 and shall issue an order under section 
491(b)(2)(B) of such law that will be effective October 1, 
1997.

Sec. 320. Section 101(e) of Public Law 104–134 is 
amended as follows: Under the heading "Title III—Gen-
eral Provisions" amend section 315(f) by striking "Sep-
tember 30, 1998" and inserting in lieu thereof "September 
30, 1999" and by striking "September 30, 2001" and 
inserting in lieu thereof "September 30, 2002".
SEC. 320. Section 101(c) of Public Law 104–134 is amended as follows: Under the heading “Title III—General Provisions” amend section 315(b) by striking “50, areas,” and inserting in lieu thereof “100, areas,” and amend section 315(f) by striking “September 30, 1998” and inserting in lieu thereof “September 30, 1999” and by striking “September 30, 2001” and inserting in lieu thereof “September 30, 2002”.

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

SEC. 322. None of the funds made available in this Act may be used by the Bureau of Indian Affairs to transfer any land into trust under section 5 of the Indian Reorganization Act (25 U.S.C. 465), or any other Federal statute that does not explicitly denominate and identify a specific tribe or specific property, except when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) a binding agreement is in place between the tribe that will have jurisdiction over the land to be taken into trust and the appropriate State and local officials; and
(2) such agreement provides, for as long as the
land is held in trust, for the collection and payment,
by any retail establishment located on the land to be
taken into trust, of State and local sales and excise
taxes, including any special tax on motor fuel, to-
bacco, or alcohol, on any retail item sold to any non-
member of the tribe for which the land is held in
trust, or an agreed upon payment in lieu of such
taxes.

**Sec. 322. Land transfer, Bend Silviculture Lab,**
**Deschutes National Forest, Oregon.—**

(a) **Transfers of real property and all im-
provements located thereon.**—Notwithstanding
any other provisions of law, there is hereby trans-
ferred, without consideration and subject to existing
valid rights, all right, title and interest of the United
States in and to approximately 5.73 acres of land as
described by plat dated July 7, 1977, (which is on file
and available for public inspection in the Office of the
Chief, USDA Forest Service, Washington, D.C.), as
well as all improvements, including the Bend
Silviculture Lab located thereon, to the Central Or-
egon Community College, Bend, Oregon; this being a
portion of the same tract acquired by donation from
the City of Bend on August 10, 1960, through a Bar-
gain and Sale deed to the USDA Forest Service for use as a research lab, and recorded in volume 125, page 508 of the Deschutes County, Oregon, Deed Records.

(b) CONDITIONS OF TRANSFER.—The transfer effected by subsection (a) is made subject to no special terms or conditions.

SEC. 323. Upon the date of enactment of this Act, no part of any appropriation contained in this Act or any other Act shall be expended or obligated to fund the activities of the Office of Forestry and Economic Assistance, or any successor office.

SEC. 324. (a) The Secretary of the Interior is authorized to accept title to approximately 84 acres of land located in Prince Georges County, Maryland, adjacent to Oxon Cove Park, and bordered generally by the Potomac River, Interstate 295 and the Woodrow Wilson Bridge, or any interest therein, and in exchange therefor may convey to the Corrections Corporation of America approximately 50 acres of land located in Oxon Cove Park in the District of Columbia and bordered generally by Oxon Cove, Interstate 295 and the District of Columbia Impound Lot, or any interest therein.

(b) Before proceeding with an exchange, the Secretary shall determine if the federal property is suitable for ex-
change under the criteria normally used by the National Park Service. The exchange shall comply with applicable regulations and National Park Service policies for land exchanges.

(c)(1) The Secretary shall not acquire any lands under this section if the Secretary determines that the lands or any portion thereof have become contaminated with hazardous substances (as defined in the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601)).

(2) Notwithstanding any other provision of law, the United States shall have no responsibility or liability with respect to any hazardous wastes or other substances placed on any of the lands covered by this section after their transfer to the ownership of any party, but nothing in this section shall be construed as either diminishing or increasing any responsibility or liability of the United States based on the condition of such lands on the date of their transfer to the ownership of another party: Provided, That the Corrections Corporation of America shall indemnify the United States for liabilities arising under the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601) and the Resource Conservation Recovery Act (42 U.S.C. 6901, et seq.).
(d) The properties so exchanged either shall be approximately equal in fair market value or if they are not approximately equal, shall be equalized by the payment of cash to the Corporation or to the Secretary as required or in the event the value of the Corporation's lands is greater, the acreage may be reduced so that the fair market value is approximately equal: Provided, That the Secretary shall order appraisals made of the fair market value for improvements thereon: Provided further, That any such cash payment received by the Secretary shall be deposited to "Miscellaneous Trust Funds, National Park Service" and shall be available without further appropriation until expended for the acquisition of land within the National Park System.

(e) Costs of conducting necessary land surveys, preparing the legal descriptions of the lands to be conveyed, performing the appraisals, and administrative costs incurred in completing the exchange shall be borne by the Corporation.

(f) Following any exchange authorized by this provision, the boundaries of Oxon Cove Park shall be expanded to include the land acquired by the United States.

Sec. 325. None of the funds provided by this Act or any other Act available to the National Park Service, Fish and Wildlife Service, Bureau of Land Management, or For-
est Service may be obligated for the costs of employee reloca-
tion or transfer of duty at a level that exceeds ninety per-
cent of the average amounts spent for this purpose in fiscal

SEC. 326. SECTION 1. LAND EXCHANGE.—

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

(b) DESCRIPTION OF LANDS.—

(1) NATIONAL FOREST SYSTEM LANDS.—

The National Forest System lands referred to in
subsection (a) are 122 acres, more or less, that
are partially occupied by a wastewater treat-
ment facility referred to in subsection (c)(4)(A)
with the following legal description:
(A) The NE¼ of SW¼ of section 27 of township 27 north, range 17 east, Wilamette Meridian, Chelan County, Washington.

(B) The N½ of SE¼ of SW¼ of such section 27.

(C) The W½ of NW¼ of SE¼ of such section 27.

(D) The NW¼ of SW¼ of SE¼ of such section 27.

(E) The E½ of NW¼ of the SE¼ of such section 27.

(F) That portion of the S½ of SE¼ of SW¼ lying north of the northerly edge of Highway 209 right-of-way of such section 27.

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

(A) S½ of SW¼ of section 35 of township 26 north, range 17 east, Wilamette Meridian, Chelan County, Washington.

(B) The area specified by Public Utility District No. 1 as Government Lot 5 in such section 35.
(c) REQUIREMENTS FOR EXCHANGE.—

(1) TITLE ACCEPTANCE AND CONVEYANCE.—Upon offer by the Public Utility District of all right, title and interest in and to the lands described in subsection (b)(2), if the title is found acceptable by the Secretary, the Secretary shall accept title to such lands and interests therein and shall convey to the Public Utility District all right, title, and interest of the United States in and to the lands described in subsection (b)(1).

(2) APPRAISALS REQUIRED.—Before making an exchange pursuant to subsection (a), the Secretary shall conduct appraisals of the lands that are subject to the exchange to determine the fair market value of the lands. Such appraisals shall not include the value of the wastewater treatment facility referred to in paragraph (4)(A).

(3) ADDITIONAL CONSIDERATION.—If, on the basis of the appraisals made under paragraph (1), the Secretary determines that the fair market value of the lands to be conveyed by one party under subsection (a) is less than the fair market value of the lands to be conveyed by the
other party under subsection (a), then, as a condition of making the exchange under subsection (a), the party conveying the lands with the lesser value shall pay the other party the amount by which the fair market value of the lands of greater value exceeds the fair market value of the lands of lesser value.

(4) CONVEYANCE OF WASTEWATER TREATMENT FACILITY.—(A) As part of an exchange made under subsection (a), the Secretary shall convey to the Public Utility District of Chelan County, Washington, all right, title and interest of the United States in and to the wastewater treatment facility (including the wastewater treatment plant and associated lagoons) located on the lands described in subsection (b)(1) that is in existence on the date of the exchange.

(B) As a condition for the exchange under subsection (a), the Public Utility District shall provide for a credit equal to the fair market value of the wastewater treatment facility conveyed pursuant to subparagraph (A) (determined as of November 4, 1991), that shall be applied to the United States' share of any new wastewater
treatment facility constructed by the Public Utility District after such date.

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


(a) IN GENERAL.—The Secretary of Agriculture is hereby directed to modify the boundary of the Snoqualmie National Forest to include and encompass 10,589.47 acres, more or less, as generally depicted on a map entitled “Snoqualmie National Forest Proposed 1996 Boundary Modification” dated July, 1996. Such map, together with a legal description of all lands included in the boundary adjustment, shall be on file and available for public inspection in the Office of the Chief of the Forest Service in Washington, District of Columbia.

(b) RULE FOR LAND AND WATER CONSERVATION FUND.—For the purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9), the boundary of the Snoqualmie National Forest, as modified pursuant to subsection (a), shall
be considered to be the boundary of that National
Forest as of January 1, 1965.


(a) Exchange or sale of land.—

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

(2) Federal land to be exchanged.—
The Federal land to be exchanged is approxi-
mately 57 acres of federally owned land in the
Green Mountain National Forest depicted on the
map entitled “Green Mountain National Forest,

(3) Lands acquired from Sugarbush Resort
Holdings, Inc.—Any land conveyed to the Unit-
ed States in an exchange under subsection (a)(1) shall be subject to such valid existing rights of record as may be acceptable to the Secretary, and the title to the parcel shall conform with the title approval standards applicable to federal land acquisitions.

(b) ADMINISTRATION OF LAND.—

(1) ADDITION TO GREEN MOUNTAIN NATIONAL FOREST.—On approval and acceptance of title by the Secretary, the land acquired by the United States through an exchange or with proceeds from a sale under subsection (a) shall become part of the Green Mountain National Forest, and the boundaries of the National Forest shall be adjusted to include the land.

(2) ADMINISTRATION.—Land acquired under this Act shall be administered by the Secretary in accordance with the laws (including regulations) pertaining to the National Forest System.

(3) AUTHORITY OF THE SECRETARY.—This section does not limit the authority of the Secretary to adjust the boundaries of the Green Mountain National Forest pursuant to section 11 of the Act of March 1, 1911 (36 Stat. 963,

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

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 1997”. Passed the House of Representatives June 20, 1996.

Attest: ROBIN H. CARLE, Clerk.

By LINDA NAVE, Deputy Clerk.
AN ACT

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

JUNE 21, 1996

Received; read twice and referred to the Committee on Appropriations

JULY (legislative day, JULY 1), 1996

Reported with amendments