

**Union Calendar No. 98**

105TH CONGRESS  
1ST SESSION

**H. R. 2107**

[Report No. 105-163]

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

JULY 1, 1997

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

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**A BILL**

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That the following sums are appropriated, out of any  
4 money in the Treasury not otherwise appropriated, for the  
5 fiscal year ending September 30, 1998, and for other pur-  
6 poses, namely:

## 1 TITLE I—DEPARTMENT OF THE INTERIOR

## 2 BUREAU OF LAND MANAGEMENT

## 3 MANAGEMENT OF LANDS AND RESOURCES

4 For expenses necessary for protection, use, improve-  
5 ment, development, disposal, cadastral surveying, classi-  
6 fication, acquisition of easements and other interests in  
7 lands, and performance of other functions, including main-  
8 tenance of facilities, as authorized by law, in the manage-  
9 ment of lands and their resources under the jurisdiction  
10 of the Bureau of Land Management, including the general  
11 administration of the Bureau, and assessment of mineral  
12 potential of public lands pursuant to Public Law 96-487  
13 (16 U.S.C. 3150(a)), \$581,591,000, to remain available  
14 until expended, of which \$2,043,000 shall be available for  
15 assessment of the mineral potential of public lands in  
16 Alaska pursuant to section 1010 of Public Law 96-487  
17 (16 U.S.C. 3150); and of which \$3,000,000 shall be de-  
18 rived from the special receipt account established by the  
19 Land and Water Conservation Act of 1965, as amended  
20 (16 U.S.C. 4601-6a(i)); and of which \$1,500,000 shall be  
21 available in fiscal year 1998 subject to a match by at least  
22 an equal amount by the National Fish and Wildlife Foun-  
23 dation, to such Foundation for challenge cost share  
24 projects supporting fish and wildlife conservation affecting  
25 Bureau lands; in addition, \$27,300,000 for Mining Law

1 Administration program operations, to remain available  
2 until expended, to be reduced by amounts collected by the  
3 Bureau and credited to this appropriation from annual  
4 mining claim fees so as to result in a final appropriation  
5 estimated at not more than \$581,591,000; and in addi-  
6 tion, not to exceed \$5,000,000, to remain available until  
7 expended, from annual mining claim fees; which shall be  
8 credited to this account for the costs of administering the  
9 mining claim fee program, and \$2,000,000 from commu-  
10 nication site rental fees established by the Bureau for the  
11 cost of administering communication site activities: *Pro-*  
12 *vided*, That appropriations herein made shall not be avail-  
13 able for the destruction of healthy, unadopted, wild horses  
14 and burros in the care of the Bureau or its contractors.

#### 15 WILDLAND FIRE MANAGEMENT

16 For necessary expenses for fire use and management,  
17 fire preparedness, suppression operations, and emergency  
18 rehabilitation by the Department of the Interior,  
19 \$280,103,000, to remain available until expended, of  
20 which not to exceed \$5,025,000 shall be for the renovation  
21 or construction of fire facilities: *Provided*, That such funds  
22 are also available for repayment of advances to other ap-  
23 propriation accounts from which funds were previously  
24 transferred for such purposes: *Provided further*, That per-  
25 sons hired pursuant to 43 U.S.C. 1469 may be furnished

1 subsistence and lodging without cost from funds available  
2 from this appropriation.

3 CENTRAL HAZARDOUS MATERIALS FUND

4 For necessary expenses of the Department of the In-  
5 terior and any of its component offices and bureaus for  
6 the remedial action, including associated activities, of haz-  
7 ardous waste substances, pollutants, or contaminants pur-  
8 suant to the Comprehensive Environmental Response,  
9 Compensation and Liability Act, as amended (42 U.S.C.  
10 section 9601 et seq.), \$12,000,000, to remain available  
11 until expended: *Provided*, That notwithstanding 31 U.S.C.  
12 3302, sums recovered from or paid by a party in advance  
13 of or as reimbursement for remedial action or response  
14 activities conducted by the Department pursuant to sec-  
15 tion 107 or 113(f) of such Act, shall be credited to this  
16 account to be available until expended without further ap-  
17 propriation: *Provided further*, That such sums recovered  
18 from or paid by any party are not limited to monetary  
19 payments and may include stocks, bonds or other personal  
20 or real property, which may be retained, liquidated, or oth-  
21 erwise disposed of by the Secretary and which shall be  
22 credited to this account.

23 CONSTRUCTION

24 For construction of buildings, recreation facilities,  
25 roads, trails, and appurtenant facilities, \$3,254,000, to re-  
26 main available until expended.

## 1 PAYMENTS IN LIEU OF TAXES

2 For expenses necessary to implement the Act of Octo-  
3 ber 20, 1976, as amended, (31 U.S.C. 6901-07),  
4 \$113,500,000, of which not to exceed \$400,000 shall be  
5 available for administrative expenses: *Provided*, That no  
6 payment shall be made to otherwise eligible units of local  
7 government if the computed amount of the payment is less  
8 than \$100.

## 9 LAND ACQUISITION

10 For expenses necessary to carry out sections 205,  
11 206, and 318(d) of Public Law 94-579, including admin-  
12 istrative expenses and acquisition of lands or waters, or  
13 interests therein, \$12,000,000, to be derived from the  
14 Land and Water Conservation Fund, to remain available  
15 until expended.

## 16 OREGON AND CALIFORNIA GRANT LANDS

17 For expenses necessary for management, protection,  
18 and development of resources and for construction, oper-  
19 ation, and maintenance of access roads, reforestation, and  
20 other improvements on the revested Oregon and California  
21 Railroad grant lands, on other Federal lands in the Or-  
22 egon and California land-grant counties of Oregon, and  
23 on adjacent rights-of-way; and acquisition of lands or in-  
24 terests therein including existing connecting roads on or  
25 adjacent to such grant lands; \$101,406,000, to remain  
26 available until expended: *Provided*, That 25 per centum

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

#### 8 RANGE IMPROVEMENTS

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

#### 23 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

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

1 for costs of providing copies of official public land docu-  
2 ments, for monitoring construction, operation, and termi-  
3 nation of facilities in conjunction with use authorizations,  
4 and for rehabilitation of damaged property, such amounts  
5 as may be collected under Public Law 94-579, as amend-  
6 ed, and Public Law 93-153, to remain available until ex-  
7 pended: *Provided*, That notwithstanding any provision to  
8 the contrary of section 305(a) of Public Law 94-579 (43  
9 U.S.C. 1735(a)), any moneys that have been or will be  
10 received pursuant to that section, whether as a result of  
11 forfeiture, compromise, or settlement, if not appropriate  
12 for refund pursuant to section 305(c) of that Act (43  
13 U.S.C. 1735(c)), shall be available and may be expended  
14 under the authority of this Act by the Secretary to im-  
15 prove, protect, or rehabilitate any public lands adminis-  
16 tered through the Bureau of Land Management which  
17 have been damaged by the action of a resource developer,  
18 purchaser, permittee, or any unauthorized person, without  
19 regard to whether all moneys collected from each such ac-  
20 tion are used on the exact lands damaged which led to  
21 the action: *Provided further*, That any such moneys that  
22 are in excess of amounts needed to repair damage to the  
23 exact land for which funds were collected may be used to  
24 repair other damaged public lands.

## 1 MISCELLANEOUS TRUST FUNDS

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

## 10 ADMINISTRATIVE PROVISIONS

11 Appropriations for the Bureau of Land Management  
12 shall be available for purchase, erection, and dismantling  
13 of temporary structures, and alteration and maintenance  
14 of necessary buildings and appurtenant facilities to  
15 which the United States has title; up to \$100,000 for pay-  
16 ments, at the discretion of the Secretary, for information  
17 or evidence concerning violations of laws administered by  
18 the Bureau; miscellaneous and emergency expenses of en-  
19 forcement activities authorized or approved by the Sec-  
20 retary and to be accounted for solely on his certificate,  
21 not to exceed \$10,000: *Provided*, That notwithstanding 44  
22 U.S.C. 501, the Bureau may, under cooperative cost-shar-  
23 ing and partnership arrangements authorized by law, pro-  
24 cure printing services from cooperators in connection with  
25 jointly-produced publications for which the cooperators  
26 share the cost of printing either in cash or in services,



1 and the Bureau determines the cooperator is capable of  
2 meeting accepted quality standards.

3 UNITED STATES FISH AND WILDLIFE SERVICE

4 RESOURCE MANAGEMENT

5 For expenses necessary for scientific and economic  
6 studies, conservation, management, investigations, protec-  
7 tion, and utilization of fishery and wildlife resources, ex-  
8 cept whales, seals, and sea lions, and for the performance  
9 of other authorized functions related to such resources; for  
10 the general administration of the United States Fish and  
11 Wildlife Service; for maintenance of the herd of long-  
12 horned cattle on the Wichita Mountains Wildlife Refuge;  
13 and not less than \$1,000,000 for high priority projects  
14 within the scope of the approved budget which shall be  
15 carried out by the Youth Conservation Corps as author-  
16 ized by the Act of August 13, 1970, as amended,  
17 \$591,042,000, to remain available until September 30,  
18 1999, of which \$11,612,000 shall remain available until  
19 expended for operation and maintenance of fishery mitiga-  
20 tion facilities constructed by the Corps of Engineers under  
21 the Lower Snake River Compensation Plan, authorized by  
22 the Water Resources Development Act of 1976, to com-  
23 pensate for loss of fishery resources from water develop-  
24 ment projects on the Lower Snake River, and of which  
25 not less than \$2,000,000 shall be provided to local govern-

1 ments in southern California for planning associated with  
2 the Natural Communities Conservation Planning (NCCP)  
3 program and shall remain available until expended, and  
4 of which not to exceed \$5,190,000 shall be used for imple-  
5 menting subsections (a), (b), (c), and (e) of section 4 of  
6 the Endangered Species Act of 1973, as amended.

#### 7 CONSTRUCTION

8 For construction and acquisition of buildings and  
9 other facilities required in the conservation, management,  
10 investigation, protection, and utilization of fishery and  
11 wildlife resources, and the acquisition of lands and inter-  
12 ests therein; \$40,256,000, to remain available until ex-  
13 pended.

#### 14 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

15 To conduct natural resource damage assessment ac-  
16 tivities by the Department of the Interior necessary to  
17 carry out the provisions of the Comprehensive Environ-  
18 mental Response, Compensation, and Liability Act, as  
19 amended (42 U.S.C. 9601, et seq.), Federal Water Pollu-  
20 tion Control Act, as amended (33 U.S.C. 1251, et seq.),  
21 the Oil Pollution Act of 1990 (Public Law 101-380), and  
22 Public Law 101-337; \$4,128,000, to remain available  
23 until expended: *Provided*, That under this heading in Pub-  
24 lic Law 104-134, strike “in fiscal year 1996 and there-  
25 after” in the proviso and insert “heretofore and here-  
26 after”, and before the phrase, “or properties shall be uti-

1 lized” in such proviso, insert “, to remain available until  
2 expended,”.

3 LAND ACQUISITION

4 For expenses necessary to carry out the Land and  
5 Water Conservation Fund Act of 1965, as amended (16  
6 U.S.C. 4601-4-11), including administrative expenses,  
7 and for acquisition of land or waters, or interest therein,  
8 in accordance with statutory authority applicable to the  
9 United States Fish and Wildlife Service, \$53,000,000, to  
10 remain available until expended.

11 COOPERATIVE ENDANGERED SPECIES CONSERVATION

12 FUND

13 For expenses necessary to carry out the provisions  
14 of the Endangered Species Act of 1973 (16 U.S.C. 1531-  
15 1543), as amended, \$14,000,000, for grants to States, to  
16 be derived from the Cooperative Endangered Species Con-  
17 servation Fund, and to remain available until expended.

18 NATIONAL WILDLIFE REFUGE FUND

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

21 REWARDS AND OPERATIONS

22 For expenses necessary to carry out the provisions  
23 of the African Elephant Conservation Act (16 U.S.C.  
24 4201-4203, 4211-4213, 4221-4225, 4241-4245, and  
25 1538), \$1,000,000, to remain available until expended.

## 1 NORTH AMERICAN WETLANDS CONSERVATION FUND

2 For expenses necessary to carry out the provisions  
3 of the North American Wetlands Conservation Act, Public  
4 Law 101-233, as amended, \$10,500,000, to remain avail-  
5 able until expended.

## 6 RHINOCEROS AND TIGER CONSERVATION FUND

7 For deposit to the Rhinoceros and Tiger Conserva-  
8 tion Fund, \$400,000, to remain available until expended,  
9 to carry out the Rhinoceros and Tiger Conservation Act  
10 of 1994 (Public Law 103-391).

## 11 WILDLIFE CONSERVATION AND APPRECIATION FUND

12 For deposit to the Wildlife Conservation and Appre-  
13 ciation Fund, \$800,000, to remain available until ex-  
14 pended.

## 15 ADMINISTRATIVE PROVISIONS

16 Appropriations and funds available to the United  
17 States Fish and Wildlife Service shall be available for pur-  
18 chase of not to exceed 108 passenger motor vehicles, of  
19 which 92 are for replacement only (including 57 for police-  
20 type use); not to exceed \$400,000 for payment, at the dis-  
21 cretion of the Secretary, for information, rewards, or evi-  
22 dence concerning violations of laws administered by the  
23 Service, and miscellaneous and emergency expenses of en-  
24 forcement activities, authorized or approved by the Sec-  
25 retary and to be accounted for solely on his certificate;  
26 repair of damage to public roads within and adjacent to

1 reservation areas caused by operations of the Service; op-  
2 tions for the purchase of land at not to exceed \$1 for each  
3 option; facilities incident to such public recreational uses  
4 on conservation areas as are consistent with their primary  
5 purpose; and the maintenance and improvement of aquar-  
6 ia, buildings, and other facilities under the jurisdiction of  
7 the Service and to which the United States has title, and  
8 which are utilized pursuant to law in connection with man-  
9 agement and investigation of fish and wildlife resources:  
10 *Provided*, That notwithstanding 44 U.S.C. 501, the Serv-  
11 ice may, under cooperative cost sharing and partnership  
12 arrangements authorized by law, procure printing services  
13 from cooperators in connection with jointly-produced pub-  
14 lications for which the cooperators share at least one-half  
15 the cost of printing either in cash or services and the Serv-  
16 ice determines the cooperator is capable of meeting accept-  
17 ed quality standards: *Provided further*, That the Service  
18 may accept donated aircraft as replacements for existing  
19 aircraft: *Provided further*, That notwithstanding any other  
20 provision of law, the Secretary of the Interior may not  
21 spend any of the funds appropriated in this Act for the  
22 purchase of lands or interests in lands to be used in the  
23 establishment of any new unit of the National Wildlife  
24 Refuge System unless the purchase is approved in advance  
25 by the House and Senate Committees on Appropriations

1 in compliance with the reprogramming procedures con-  
2 tained in the report accompanying this bill: *Provided fur-*  
3 *ther,* That the Secretary may sell land and interests in  
4 land, other than water rights, acquired in conformance  
5 with subsections 206(a) and 207(c) of Public Law 101-  
6 816, the receipts of which shall be deposited to the  
7 Lahontan Valley and Pyramid Lake Fish and Wildlife  
8 Fund and used exclusively for the purposes of such sub-  
9 sections, without regard to the limitation on the distribu-  
10 tion of benefits in subsection 206(f)(2) of such law.

## 11 NATIONAL PARK SERVICE

### 12 OPERATION OF THE NATIONAL PARK SYSTEM

13 For expenses necessary for the management, oper-  
14 ation, and maintenance of areas and facilities adminis-  
15 tered by the National Park Service (including special road  
16 maintenance service to trucking permittees on a reimburs-  
17 able basis), and for the general administration of the Na-  
18 tional Park Service, including not to exceed \$2,500,000  
19 for the Volunteers-in-Parks program, and not less than  
20 \$1,000,000 for high priority projects within the scope of  
21 the approved budget which shall be carried out by the  
22 Youth Conservation Corps as authorized by 16 U.S.C.  
23 1706, \$1,232,325,000, of which \$12,800,000 for research,  
24 planning and interagency coordination in support of land  
25 acquisition for Everglades restoration shall remain avail-

1 able until expended, and of which not to exceed  
2 \$72,000,000, to remain available until expended, is to be  
3 derived from the special fee account established pursuant  
4 to title V, section 5201, Public Law 100-203.

#### 5 NATIONAL RECREATION AND PRESERVATION

6 For expenses necessary to carry out recreation pro-  
7 grams, natural programs, cultural programs, heritage  
8 partnership programs, environmental compliance and re-  
9 view, international park affairs, statutory or contractual  
10 aid for other activities, and grant administration, not oth-  
11 erwise provided for, \$43,934,000, of which \$4,500,000 is  
12 for grants to Heritage areas in accordance with Titles I-  
13 VI and VIII-IX, Division II of Public Law 104-333 and  
14 is to remain available until September 30, 1999.

#### 15 HISTORIC PRESERVATION FUND

16 For expenses necessary in carrying out the Historic  
17 Preservation Act of 1966, as amended (16 U.S.C. 470),  
18 and the Omnibus Parks and Public Lands Management  
19 Act of 1996 (Public Law 104-333), \$40,412,000, to be  
20 derived from the Historic Preservation Fund, to remain  
21 available until September 30, 1999.

#### 22 CONSTRUCTION

23 For construction, improvements, repair or replace-  
24 ment of physical facilities \$148,391,000, to remain avail-  
25 able until expended: *Provided*, That \$500,000 for the  
26 Rutherford B. Hayes Home and \$600,000 for the Sotterly

1 Plantation House shall be derived from the Historic Pres-  
2 ervation Fund pursuant to 16 U.S.C. 470A.

3 LAND AND WATER CONSERVATION FUND  
4 (RESCISSION)

5 The contract authority provided for fiscal year 1998  
6 by 16 U.S.C. 4601-10a is rescinded.

7 LAND ACQUISITION AND STATE ASSISTANCE

8 For expenses necessary to carry out the Land and  
9 Water Conservation Fund Act of 1965, as amended (16  
10 U.S.C. 4601-4-11), including administrative expenses,  
11 and for acquisition of lands or waters, or interest therein,  
12 in accordance with statutory authority applicable to the  
13 National Park Service, \$129,000,000, to be derived from  
14 the Land and Water Conservation Fund, to remain avail-  
15 able until expended, of which \$1,000,000 is to administer  
16 the State assistance program: *Provided*, That any funds  
17 made available for the purpose of acquisition of the Elwha  
18 and Glines dams shall be used solely for acquisition, and  
19 shall not be expended until the full purchase amount has  
20 been appropriated by the Congress: *Provided further*, That  
21 of the funds provided herein, \$8,500,000 is available for  
22 acquisition of the Sterling Forest.

23 ADMINISTRATIVE PROVISIONS

24 Appropriations for the National Park Service shall be  
25 available for the purchase of not to exceed 396 passenger  
26 motor vehicles, of which 302 shall be for replacement only,



1 including not to exceed 315 for police-type use, 13 buses,  
2 and 6 ambulances: *Provided*, That none of the funds ap-  
3 propriated to the National Park Service may be used to  
4 process any grant or contract documents which do not in-  
5 clude the text of 18 U.S.C. 1913: *Provided further*, That  
6 none of the funds appropriated to the National Park Serv-  
7 ice may be used to implement an agreement for the rede-  
8 velopment of the southern end of Ellis Island until such  
9 agreement has been submitted to the Congress and shall  
10 not be implemented prior to the expiration of 30 calendar  
11 days (not including any day in which either House of Con-  
12 gress is not in session because of adjournment of more  
13 than three calendar days to a day certain) from the receipt  
14 by the Speaker of the House of Representatives and the  
15 President of the Senate of a full and comprehensive report  
16 on the development of the southern end of Ellis Island,  
17 including the facts and circumstances relied upon in sup-  
18 port of the proposed project.

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

22       The National Park Service may distribute to operat-  
23 ing units based on the safety record of each unit the costs  
24 of programs designed to improve workplace and employee  
25 safety, and to encourage employees receiving workers'

1 compensation benefits pursuant to chapter 81 of title 5,  
2 United States Code, to return to appropriate positions for  
3 which they are medically able.

4 UNITED STATES GEOLOGICAL SURVEY  
5 SURVEYS, INVESTIGATIONS, AND RESEARCH

6 For expenses necessary for the United States Geo-  
7 logical Survey to perform surveys, investigations, and re-  
8 search covering topography, geology, hydrology, and the  
9 mineral and water resources of the United States, its Ter-  
10 ritories and possessions, and other areas as authorized by  
11 43 U.S.C. 31, 1332 and 1340; classify lands as to their  
12 mineral and water resources; give engineering supervision  
13 to power permittees and Federal Energy Regulatory Com-  
14 mission licensees; administer the minerals exploration pro-  
15 gram (30 U.S.C. 641); and publish and disseminate data  
16 relative to the foregoing activities; and to conduct inquiries  
17 into the economic conditions affecting mining and mate-  
18 rials processing industries (30 U.S.C. 3, 21a, and 1603;  
19 50 U.S.C. 98g(1)) and related purposes as authorized by  
20 law and to publish and disseminate data; \$755,795,000  
21 of which \$66,231,000 shall be available only for coopera-  
22 tion with States or municipalities for water resources in-  
23 vestigations; and of which \$16,400,000 shall remain avail-  
24 able until expended for conducting inquiries into the eco-  
25 nomic conditions affecting mining and materials process-

1 ing industries; and of which \$147,794,000 shall be avail-  
2 able until September 30, 1999 for the biological research  
3 activity and the operation of the Cooperative Research  
4 Units: *Provided*, That none of these funds provided for  
5 the biological research activity shall be used to conduct  
6 new surveys on private property, unless specifically au-  
7 thorized in writing by the property owner: *Provided fur-*  
8 *ther*, That no part of this appropriation shall be used to  
9 pay more than one-half the cost of topographic mapping  
10 or water resources data collection and investigations car-  
11 ried on in cooperation with States and municipalities.

#### 12 ADMINISTRATIVE PROVISIONS

13 The amount appropriated for the United States Geo-  
14 logical Survey shall be available for the purchase of not  
15 to exceed 53 passenger motor vehicles, of which 48 are  
16 for replacement only; reimbursement to the General Serv-  
17 ices Administration for security guard services; contract-  
18 ing for the furnishing of topographic maps and for the  
19 making of geophysical or other specialized surveys when  
20 it is administratively determined that such procedures are  
21 in the public interest; construction and maintenance of  
22 necessary buildings and appurtenant facilities; acquisition  
23 of lands for gauging stations and observation wells; ex-  
24 penses of the United States National Committee on Geol-  
25 ogy; and payment of compensation and expenses of per-  
26 sons on the rolls of the Survey duly appointed to represent

1 the United States in the negotiation and administration  
2 of interstate compacts: *Provided*, That activities funded by  
3 appropriations herein made may be accomplished through  
4 the use of contracts, grants, or cooperative agreements as  
5 defined in 31 U.S.C. 6302, et seq.: *Provided further*, That  
6 the USGS may contract directly with individuals or indi-  
7 rectly with institutions or nonprofit organizations, without  
8 regard to section 41 U.S.C. 5, for the temporary or inter-  
9 mittent services of science students or recent graduates,  
10 who shall be considered employees for the purposes of  
11 chapter 81 of title 5, United States Code, relating to com-  
12 pensation for work injuries, and chapter 171 of title 28,  
13 United States Code, relating to tort claims, but shall not  
14 be considered to be Federal employees for any other pur-  
15 poses.

## 16 MINERALS MANAGEMENT SERVICE

### 17 ROYALTY AND OFFSHORE MINERALS MANAGEMENT

18 For expenses necessary for minerals leasing and envi-  
19 ronmental studies, regulation of industry operations, and  
20 collection of royalties, as authorized by law; for enforcing  
21 laws and regulations applicable to oil, gas, and other min-  
22 erals leases, permits, licenses and operating contracts; and  
23 for matching grants or cooperative agreements; including  
24 the purchase of not to exceed eight passenger motor vehi-  
25 cles for replacement only; \$139,621,000, of which not less

1 than \$70,874,000 shall be available for royalty manage-  
2 ment activities; and an amount not to exceed \$65,000,000  
3 for activities within the Outer Continental Shelf (OCS)  
4 Lands Program, to be credited to this appropriation and  
5 to remain available until expended, from additions to re-  
6 ceipts resulting from increases to rates in effect on August  
7 5, 1993, from rate increases to fee collections for OCS  
8 administrative activities performed by the Minerals Man-  
9 agement Service over and above the rates in effect on Sep-  
10 tember 30, 1993, and from additional fees for OCS admin-  
11 istrative activities established after September 30, 1993:  
12 *Provided*, That \$1,500,000 for computer acquisitions shall  
13 remain available until September 30, 1999: *Provided fur-*  
14 *ther*, That funds appropriated under this Act shall be  
15 available for the payment of interest in accordance with  
16 30 U.S.C. 1721 (b) and (d): *Provided further*, That not  
17 to exceed \$3,000 shall be available for reasonable expenses  
18 related to promoting volunteer beach and marine cleanup  
19 activities: *Provided further*, That notwithstanding any  
20 other provision of law, \$15,000 under this head shall be  
21 available for refunds of overpayments in connection with  
22 certain Indian leases in which the Director of the Minerals  
23 Management Service concurred with the claimed refund  
24 due, to pay amounts owed to Indian allottees or Tribes,  
25 or to correct prior unrecoverable erroneous payments.

## OIL SPILL RESEARCH

1  
2 For necessary expenses to carry out title I, section  
3 1016, title IV, sections 4202 and 4303, title VII, and title  
4 VIII, section 8201 of the Oil Pollution Act of 1990,  
5 \$6,118,000, which shall be derived from the Oil Spill Li-  
6 ability Trust Fund, to remain available until expended.

## OFFICE OF SURFACE MINING RECLAMATION AND

## ENFORCEMENT

## REGULATION AND TECHNOLOGY

7  
8  
9  
10 For necessary expenses to carry out the provisions  
11 of the Surface Mining Control and Reclamation Act of  
12 1977, Public Law 95-87, as amended, including the pur-  
13 chase of not to exceed 10 passenger motor vehicles, for  
14 replacement only; \$94,937,000, and notwithstanding 31  
15 U.S.C. 3302, an additional amount shall be credited to  
16 this account, to remain available until expended, from per-  
17 formance bond forfeitures in fiscal year 1998: *Provided*,  
18 That the Secretary of the Interior, pursuant to regula-  
19 tions, may utilize directly or through grants to States,  
20 moneys collected in fiscal year 1998 for civil penalties as-  
21 sessed under section 518 of the Surface Mining Control  
22 and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim  
23 lands adversely affected by coal mining practices after Au-  
24 gust 3, 1977, to remain available until expended: *Provided*  
25 *further*, That appropriations for the Office of Surface Min-

1 ing Reclamation and Enforcement may provide for the  
2 travel and per diem expenses of State and tribal personnel  
3 attending Office of Surface Mining Reclamation and En-  
4 forcement sponsored training.

5 ABANDONED MINE RECLAMATION FUND

6 For necessary expenses to carry out title IV of the  
7 Surface Mining Control and Reclamation Act of 1977,  
8 Public Law 95-87, as amended, including the purchase  
9 of not more than 10 passenger motor vehicles for replace-  
10 ment only, \$179,624,000, to be derived from receipts of  
11 the Abandoned Mine Reclamation Fund and to remain  
12 available until expended; of which up to \$5,000,000 shall  
13 be for supplemental grants to States for the reclamation  
14 of abandoned sites with acid mine rock drainage from coal  
15 mines through the Appalachian Clean Streams Initiative:  
16 *Provided*, That grants to minimum program States will  
17 be \$1,500,000 per State in fiscal year 1998: *Provided fur-*  
18 *ther*, That of the funds herein provided up to \$18,000,000  
19 may be used for the emergency program authorized by sec-  
20 tion 410 of Public Law 95-87, as amended, of which no  
21 more than 25 per centum shall be used for emergency rec-  
22 lamation projects in any one State and funds for federally-  
23 administered emergency reclamation projects under this  
24 proviso shall not exceed \$11,000,000: *Provided further*,  
25 That prior year unobligated funds appropriated for the  
26 emergency reclamation program shall not be subject to the

1 25 per centum limitation per State and may be used with-  
2 out fiscal year limitation for emergency projects: *Provided*  
3 *further*, That pursuant to Public Law 97-365, the Depart-  
4 ment of the Interior is authorized to use up to 20 per  
5 centum from the recovery of the delinquent debt owed to  
6 the United States Government to pay for contracts to col-  
7 lect these debts: *Provided further*, That funds made avail-  
8 able to States under title IV of Public Law 95-87 may  
9 be used, at their discretion, for any required non-Federal  
10 share of the cost of projects funded by the Federal Gov-  
11 ernment for the purpose of environmental restoration re-  
12 lated to treatment or abatement of acid mine drainage  
13 from abandoned mines: *Provided further*, That such  
14 projects must be consistent with the purposes and prior-  
15 ities of the Surface Mining Control and Reclamation Act:  
16 *Provided further*, That the State of Maryland may set  
17 aside the greater of \$1,000,000 or 10 percent of the total  
18 of the grants made available to the State under title IV  
19 of the Surface Mining Control and Reclamation Act of  
20 1977, as amended (30 U.S.C. 1231 et seq.), if the amount  
21 set aside is deposited in an acid mine drainage abatement  
22 and treatment fund established under a State law, pursu-  
23 ant to which law the amount (together with all interest  
24 earned on the amount) is expended by the State to under-  
25 take acid mine drainage abatement and treatment



1 projects, except that before any amounts greater than 10  
2 percent of its title IV grants are deposited in an acid mine  
3 drainage abatement and treatment fund, the State of  
4 Maryland must first complete all Surface Mining Control  
5 and Reclamation Act priority one projects.

## 6 BUREAU OF INDIAN AFFAIRS

### 7 OPERATION OF INDIAN PROGRAMS

8 For operation of Indian programs by direct expendi-  
9 ture, contracts, cooperative agreements, compacts, and  
10 grants including expenses necessary to provide education  
11 and welfare services for Indians, either directly or in co-  
12 operation with States and other organizations, including  
13 payment of care, tuition, assistance, and other expenses  
14 of Indians in boarding homes, or institutions, or schools;  
15 grants and other assistance to needy Indians; maintenance  
16 of law and order; management, development, improve-  
17 ment, and protection of resources and appurtenant facili-  
18 ties under the jurisdiction of the Bureau, including pay-  
19 ment of irrigation assessments and charges; acquisition of  
20 water rights; advances for Indian industrial and business  
21 enterprises; operation of Indian arts and crafts shops and  
22 museums; development of Indian arts and crafts, as au-  
23 thorized by law; for the general administration of the Bu-  
24 reau, including such expenses in field offices; maintaining  
25 of Indian reservation roads as defined in 23 U.S.C. 101;

1 and construction, repair, and improvement of Indian hous-  
2 ing, \$1,526,815,000, to remain available until September  
3 30, 1999 except as otherwise provided herein, of which  
4 not to exceed \$93,825,000 shall be for welfare assistance  
5 payments and not to exceed \$105,829,000 shall be for  
6 payments to tribes and tribal organizations for contract  
7 support costs associated with ongoing contracts or grants  
8 or compacts entered into with the Bureau prior to fiscal  
9 year 1998, as authorized by the Indian Self-Determination  
10 Act of 1975, as amended, and up to \$5,000,000 shall be  
11 for the Indian Self-Determination Fund, which shall be  
12 available for the transitional cost of initial or expanded  
13 tribal contracts, grants, compacts, or cooperative agree-  
14 ments with the Bureau under such Act; and of which not  
15 to exceed \$374,290,000 for school operations costs of Bu-  
16 reau-funded schools and other education programs shall  
17 become available on July 1, 1998, and shall remain avail-  
18 able until September 30, 1999; and of which not to exceed  
19 \$59,775,000 shall remain available until expended for  
20 housing improvement, road maintenance, attorney fees,  
21 litigation support, self-governance grants, the Indian Self-  
22 Determination Fund, land records improvements and the  
23 Navajo-Hopi Settlement Program: *Provided*, That tribes  
24 and tribal contractors may use their tribal priority alloca-  
25 tions for unmet indirect costs of ongoing contracts, grants

1 or compact agreements and for unmet welfare assistance  
2 costs: *Provided further*, That funds made available to  
3 tribes and tribal organizations through contracts, compact  
4 agreements, or grants obligated during fiscal years 1998  
5 and 1999, as authorized by the Indian Self-Determination  
6 Act of 1975, or grants authorized by the Indian Education  
7 Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall  
8 remain available until expended by the contractor or  
9 grantee: *Provided further*, That to provide funding uni-  
10 formity within a Self-Governance Compact, any funds pro-  
11 vided in this Act with availability for more than two years  
12 may be reprogrammed to two year availability but shall  
13 remain available within the Compact until expended: *Pro-*  
14 *vided further*, That notwithstanding any other provision of  
15 law, Indian tribal governments may, by appropriate  
16 changes in eligibility criteria or by other means, change  
17 eligibility for general assistance or change the amount of  
18 general assistance payments for individuals within the  
19 service area of such tribe who are otherwise deemed eligi-  
20 ble for general assistance payments so long as such  
21 changes are applied in a consistent manner to individuals  
22 similarly situated: *Provided further*, That any savings real-  
23 ized by such changes shall be available for use in meeting  
24 other priorities of the tribes: *Provided further*, That any  
25 net increase in costs to the Federal Government which re-

1 sult solely from tribally increased payment levels for gen-  
2 eral assistance shall be met exclusively from funds avail-  
3 able to the tribe from within its tribal priority allocation:  
4 *Provided further*, That any forestry funds allocated to a  
5 tribe which remain unobligated as of September 30, 1998,  
6 may be transferred during fiscal year 1999 to an Indian  
7 forest land assistance account established for the benefit  
8 of such tribe within the tribe's trust fund account: *Pro-*  
9 *vided further*, That any such unobligated balances not so  
10 transferred shall expire on September 30, 1999: *Provided*  
11 *further*, That notwithstanding any other provision of law,  
12 no funds available to the Bureau, other than the amounts  
13 provided herein for assistance to public schools under 25  
14 U.S.C. 452 et seq., shall be available to support the oper-  
15 ation of any elementary or secondary school in the State  
16 of Alaska in fiscal year 1998: *Provided further*, That funds  
17 made available in this or any other Act for expenditure  
18 through September 30, 1999 for schools funded by the  
19 Bureau shall be available only to the schools in the Bureau  
20 school system as of September 1, 1996: *Provided further*,  
21 That no funds available to the Bureau shall be used to  
22 support expanded grades for any school or dormitory be-  
23 yond the grade structure in place or approved by the Sec-  
24 retary of the Interior at each school in the Bureau school  
25 system as of October 1, 1995: *Provided further*, That be-

1 ginning in fiscal year 1998 and thereafter and notwith-  
2 standing 25 U.S.C. 2012(h)(1)(B), when the rates of basic  
3 compensation for teachers and counselors at Bureau-oper-  
4 ated schools are established at the rates of basic com-  
5 pensation applicable to comparable positions in overseas  
6 schools under the Defense Department Overseas Teachers  
7 Pay and Personnel Practices Act, such rates shall become  
8 effective with the start of the next academic year following  
9 the issuance of the Department of Defense salary schedule  
10 and shall not be effected retroactively: *Provided further,*  
11 That the Cibecue Community School may use prior year  
12 school operations funds for the construction of a new high  
13 school facility which is in compliance with 25 U.S.C.  
14 2005(a) provided that any additional construction costs  
15 for replacement of such facilities begun with prior year  
16 funds shall be completed exclusively with non-Federal  
17 funds.

18 CONSTRUCTION

19 For construction, major repair, and improvement of  
20 irrigation and power systems, buildings, utilities, and  
21 other facilities, including architectural and engineering  
22 services by contract; acquisition of lands, and interests in  
23 lands; and preparation of lands for farming, and for con-  
24 struction of the Navajo Indian Irrigation Project pursuant  
25 to Public Law 87-483, \$110,751,000, to remain available  
26 until expended: *Provided,* That such amounts as may be

1 available for the construction of the Navajo Indian Irriga-  
2 tion Project may be transferred to the Bureau of Reclama-  
3 tion: *Provided further*, That not to exceed 6 per centum  
4 of contract authority available to the Bureau of Indian  
5 Affairs from the Federal Highway Trust Fund may be  
6 used to cover the road program management costs of the  
7 Bureau: *Provided further*, That any funds provided for the  
8 Safety of Dams program pursuant to 25 U.S.C. 13 shall  
9 be made available on a non-reimbursable basis: *Provided*  
10 *further*, That for fiscal year 1998, in implementing new  
11 construction or facilities improvement and repair project  
12 grants in excess of \$100,000 that are provided to tribally  
13 controlled grant schools under Public Law 100-297, as  
14 amended, the Secretary of the Interior shall use the Ad-  
15 ministrative and Audit Requirements and Cost Principles  
16 for Assistance Programs contained in 43 CFR part 12 as  
17 the regulatory requirements: *Provided further*, That such  
18 grants shall not be subject to section 12.61 of 43 CFR;  
19 the Secretary and the grantee shall negotiate and deter-  
20 mine a schedule of payments for the work to be performed:  
21 *Provided further*, That in considering applications, the  
22 Secretary shall consider whether the Indian tribe or tribal  
23 organization would be deficient in assuring that the con-  
24 struction projects conform to applicable building stand-  
25 ards and codes and Federal, tribal, or State health and

1 safety standards as required by 25 U.S.C. 2005(a), with  
2 respect to organizational and financial management capa-  
3 bilities: *Provided further*, That if the Secretary declines an  
4 application, the Secretary shall follow the requirements  
5 contained in 25 U.S.C. 2505(f): *Provided further*, That  
6 any disputes between the Secretary and any grantee con-  
7 cerning a grant shall be subject to the disputes provision  
8 in 25 U.S.C. 2508(e).

9 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND  
10 MISCELLANEOUS PAYMENTS TO INDIANS

11 For miscellaneous payments to Indian tribes and in-  
12 dividuals and for necessary administrative expenses,  
13 \$41,352,000, to remain available until expended; of which  
14 \$40,500,000 shall be available for implementation of en-  
15 acted Indian land and water claim settlements pursuant  
16 to Public Laws 101-618, 102-374, 102-575, and for im-  
17 plementation of other enacted water rights settlements, in-  
18 cluding not to exceed \$8,000,000, which shall be for the  
19 Federal share of the Catawba Indian Tribe of South Caro-  
20 lina Claims Settlement, as authorized by section 5(a) of  
21 Public Law 103-116; and of which \$852,000 shall be  
22 available pursuant to Public Laws 99-264 and 100-580:  
23 *Provided*, That the Secretary is directed to sell land and  
24 interests in land, other than water rights, acquired in con-  
25 formance with section 2 of the Truckee River Water Qual-  
26 ity Settlement Agreement, the receipts of which shall be

1 deposited to the Lahontan Valley and Pyramid Lake Fish  
2 and Wildlife Fund, and be available for the purposes of  
3 section 2 of such Agreement, without regard to the limita-  
4 tion on the distribution of benefits in the second sentence  
5 of paragraph 206(f)(2) of Public Law 101-618.

6 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

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

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

17 ADMINISTRATIVE PROVISIONS

18 Appropriations for the Bureau of Indian Affairs (ex-  
19 cept the revolving fund for loans, the Indian loan guaran-  
20 tee and insurance fund, the Technical Assistance of Indian  
21 Enterprises account, the Indian Direct Loan Program ac-  
22 count, and the Indian Guaranteed Loan Program account)  
23 shall be available for expenses of exhibits, and purchase  
24 of not to exceed 229 passenger motor vehicles, of which  
25 not to exceed 187 shall be for replacement only.



1       Notwithstanding any other provision of law, no funds  
2 available to the Bureau of Indian Affairs for central office  
3 operations or pooled overhead general administration shall  
4 be available for tribal contracts, grants, compacts, or coop-  
5 erative agreements with the Bureau of Indian Affairs  
6 under the provisions of the Indian Self-Determination Act  
7 or the Tribal Self-Governance Act of 1994 (Public Law  
8 103-413).

9                               DEPARTMENTAL OFFICES

10                              INSULAR AFFAIRS

11                              ASSISTANCE TO TERRITORIES

12       For expenses necessary for assistance to territories  
13 under the jurisdiction of the Department of the Interior,  
14 \$68,214,000, of which (1) \$64,365,000 shall be available  
15 until expended for technical assistance, including mainte-  
16 nance assistance, disaster assistance, insular management  
17 controls, and brown tree snake control and research;  
18 grants to the judiciary in American Samoa for compensa-  
19 tion and expenses, as authorized by law (48 U.S.C.  
20 1661(c)); grants to the Government of American Samoa,  
21 in addition to current local revenues, for construction and  
22 support of governmental functions; grants to the Govern-  
23 ment of the Virgin Islands as authorized by law; grants  
24 to the Government of Guam, as authorized by law; and  
25 grants to the Government of the Northern Mariana Is-

1 lands as authorized by law (Public Law 94-241; 90 Stat.  
2 272); and (2) \$3,849,000 shall be available for salaries  
3 and expenses of the Office of Insular Affairs: *Provided*,  
4 That all financial transactions of the territorial and local  
5 governments herein provided for, including such trans-  
6 actions of all agencies or instrumentalities established or  
7 utilized by such governments, may be audited by the Gen-  
8 eral Accounting Office, at its discretion, in accordance  
9 with chapter 35 of title 31, United States Code: *Provided*  
10 *further*, That Northern Mariana Islands Covenant grant  
11 funding shall be provided according to those terms of the  
12 Agreement of the Special Representatives on Future Unit-  
13 ed States Financial Assistance for the Northern Mariana  
14 Islands approved by Public Law 99-396, or any subse-  
15 quent legislation related to Commonwealth of the North-  
16 ern Mariana Islands grant funding: *Provided further*, That  
17 of the amounts provided for technical assistance, sufficient  
18 funding shall be made available for a grant to the Close  
19 Up Foundation: *Provided further*, That the funds for the  
20 program of operations and maintenance improvement are  
21 appropriated to institutionalize routine operations and  
22 maintenance improvement of capital infrastructure in  
23 American Samoa, Guam, the Virgin Islands, the Common-  
24 wealth of the Northern Mariana Islands, the Republic of  
25 Palau, the Republic of the Marshall Islands, and the Fed-

1 erated States of Micronesia through assessments of long-  
2 range operations maintenance needs, improved capability  
3 of local operations and maintenance institutions and agen-  
4 cies (including management and vocational education  
5 training), and project-specific maintenance (with terri-  
6 torial participation and cost sharing to be determined by  
7 the Secretary based on the individual territory's commit-  
8 ment to timely maintenance of its capital assets): *Provided*  
9 *further*, That any appropriation for disaster assistance  
10 under this head in this Act or previous appropriations Acts  
11 may be used as non-Federal matching funds for the pur-  
12 pose of hazard mitigation grants provided pursuant to sec-  
13 tion 404 of the Robert T. Stafford Disaster Relief and  
14 Emergency Assistance Act (42 U.S.C. 5170c).

15 COMPACT OF FREE ASSOCIATION

16 For economic assistance and necessary expenses for  
17 the Federated States of Micronesia and the Republic of  
18 the Marshall Islands as provided for in sections 122, 221,  
19 223, 232, and 233 of the Compact of Free Association,  
20 and for economic assistance and necessary expenses for  
21 the Republic of Palau as provided for in sections 122, 221,  
22 223, 232, and 233 of the Compact of Free Association,  
23 \$20,445,000, to remain available until expended, as au-  
24 thorized by Public Law 99-239 and Public Law 99-658.

## 1 DEPARTMENTAL MANAGEMENT

## 2 SALARIES AND EXPENSES

3 For necessary expenses for management of the De-  
4 partment of the Interior, \$58,286,000, of which not to ex-  
5 ceed \$8,500 may be for official reception and representa-  
6 tion expenses, and of which up to \$1,200,000 shall be  
7 available for workers compensation payments and unem-  
8 ployment compensation payments associated with the or-  
9 derly closure of the United States Bureau of Mines.

## 10 OFFICE OF THE SOLICITOR

## 11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of the Solicitor,  
13 \$35,443,000.

## 14 OFFICE OF INSPECTOR GENERAL

## 15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of Inspector  
17 General, \$24,439,000.

## 18 NATIONAL INDIAN GAMING COMMISSION

## 19 SALARIES AND EXPENSES

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

## 1 OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

## 2 FEDERAL TRUST PROGRAMS

3 For operation of trust programs for Indians by direct  
4 expenditure, contracts, cooperative agreements, compacts,  
5 and grants, \$32,126,000, to remain available until ex-  
6 pended for trust funds management: *Provided*, That funds  
7 for trust management improvements may be transferred  
8 to the Bureau of Indian Affairs: *Provided further*, That  
9 funds made available to tribes and tribal organizations  
10 through contracts or grants obligated during fiscal year  
11 1998, as authorized by the Indian Self-Determination Act  
12 of 1975 (25 U.S.C. 450 et seq.), shall remain available  
13 until expended by the contractor or grantee: *Provided fur-*  
14 *ther*, That notwithstanding any other provision of law, the  
15 statute of limitations shall not commence to run on any  
16 claim, including any claim in litigation pending on the date  
17 of this Act, concerning losses to or mismanagement of  
18 trust funds, until the affected tribe or individual Indian  
19 has been furnished with an accounting of such funds from  
20 which the beneficiary can determine whether there has  
21 been a loss.

## 22 ADMINISTRATIVE PROVISIONS

23 There is hereby authorized for acquisition from avail-  
24 able resources within the Working Capital Fund, 15 air-  
25 craft, 10 of which shall be for replacement and which may

1 be obtained by donation, purchase or through available ex-  
2 cess surplus property: *Provided*, That notwithstanding any  
3 other provision of law, existing aircraft being replaced may  
4 be sold, with proceeds derived or trade-in value used to  
5 offset the purchase price for the replacement aircraft: *Pro-*  
6 *vided further*, That no programs funded with appropriated  
7 funds in the "Departmental Management", "Office of the  
8 Solicitor", and "Office of Inspector General" may be aug-  
9 mented through the Working Capital Fund or the Consoli-  
10 dated Working Fund.

11 GENERAL PROVISIONS, DEPARTMENT OF THE  
12 INTERIOR

13 SEC. 101. Appropriations made in this title shall be  
14 available for expenditure or transfer (within each bureau  
15 or office), with the approval of the Secretary, for the emer-  
16 gency reconstruction, replacement, or repair of aircraft,  
17 buildings, utilities, or other facilities or equipment dam-  
18 aged or destroyed by fire, flood, storm, or other unavoid-  
19 able causes: *Provided*, That no funds shall be made avail-  
20 able under this authority until funds specifically made  
21 available to the Department of the Interior for emer-  
22 gencies shall have been exhausted: *Provided further*, That  
23 all funds used pursuant to this section are hereby des-  
24 ignated by Congress to be "emergency requirements" pur-  
25 suant to section 251(b)(2)(D) of the Balanced Budget and

1 Emergency Deficit Control Act of 1985, and must be re-  
2 plenished by a supplemental appropriation which must be  
3 requested as promptly as possible.

4       SEC. 102. The Secretary may authorize the expendi-  
5 ture or transfer of any no year appropriation in this title,  
6 in addition to the amounts included in the budget pro-  
7 grams of the several agencies, for the suppression or emer-  
8 gency prevention of forest or range fires on or threatening  
9 lands under the jurisdiction of the Department of the Inte-  
10 rior; for the emergency rehabilitation of burned-over lands  
11 under its jurisdiction; for emergency actions related to po-  
12 tential or actual earthquakes, floods, volcanoes, storms, or  
13 other unavoidable causes; for contingency planning subse-  
14 quent to actual oilspills; response and natural resource  
15 damage assessment activities related to actual oilspills; for  
16 the prevention, suppression, and control of actual or po-  
17 tential grasshopper and Mormon cricket outbreaks on  
18 lands under the jurisdiction of the Secretary, pursuant to  
19 the authority in section 1773(b) of Public Law 99-198  
20 (99 Stat. 1658); for emergency reclamation projects under  
21 section 410 of Public Law 95-87; and shall transfer, from  
22 any no year funds available to the Office of Surface Min-  
23 ing Reclamation and Enforcement, such funds as may be  
24 necessary to permit assumption of regulatory authority in  
25 the event a primacy State is not carrying out the regu-

1 latory provisions of the Surface Mining Act: *Provided,*  
2 That appropriations made in this title for fire suppression  
3 purposes shall be available for the payment of obligations  
4 incurred during the preceding fiscal year, and for reim-  
5 bursement to other Federal agencies for destruction of ve-  
6 hicles, aircraft, or other equipment in connection with  
7 their use for fire suppression purposes, such reimburse-  
8 ment to be credited to appropriations currently available  
9 at the time of receipt thereof: *Provided further,* That for  
10 emergency rehabilitation and wildfire suppression activi-  
11 ties, no funds shall be made available under this authority  
12 until funds appropriated to "Wildland Fire Management"  
13 shall have been exhausted: *Provided further,* That all funds  
14 used pursuant to this section are hereby designated by  
15 Congress to be "emergency requirements" pursuant to  
16 section 251(b)(2)(D) of the Balanced Budget and Emer-  
17 gency Deficit Control Act of 1985, and must be replen-  
18 ished by a supplemental appropriation which must be re-  
19 quested as promptly as possible: *Provided further,* That  
20 such replenishment funds shall be used to reimburse, on  
21 a pro rata basis, accounts from which emergency funds  
22 were transferred.

23 SEC. 103. Appropriations made in this title shall be  
24 available for operation of warehouses, garages, shops, and  
25 similar facilities, wherever consolidation of activities will



1 contribute to efficiency or economy, and said appropria-  
2 tions shall be reimbursed for services rendered to any  
3 other activity in the same manner as authorized by sec-  
4 tions 1535 and 1536 of title 31, United States Code: *Pro-*  
5 *vided*, That reimbursements for costs and supplies, mate-  
6 rials, equipment, and for services rendered may be cred-  
7 ited to the appropriation current at the time such reim-  
8 bursements are received.

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

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

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

5       SEC. 107. No final rule or regulation of any agency  
6 of the Federal Government pertaining to the recognition,  
7 management, or validity of a right-of-way pursuant to Re-  
8 vised Statute 2477 (43 U.S.C. 932) shall take effect un-  
9 less expressly authorized by an Act of Congress subse-  
10 quent to the date of enactment of this Act.

11       SEC. 108. No funds provided in this title may be ex-  
12 pended by the Department of the Interior for the conduct  
13 of offshore leasing and related activities placed under re-  
14 striction in the President's moratorium statement of June  
15 26, 1990, in the areas of Northern, Central, and Southern  
16 California; the North Atlantic; Washington and Oregon;  
17 and the Eastern Gulf of Mexico south of 26 degrees north  
18 latitude and east of 86 degrees west longitude.

19       SEC. 109. No funds provided in this title may be ex-  
20 pended by the Department of the Interior for the conduct  
21 of leasing, or the approval or permitting of any drilling  
22 or other exploration activity, on lands within the North  
23 Aleutian Basin planning area.

24       SEC. 110. No funds provided in this title may be ex-  
25 pended by the Department of the Interior to conduct off-

1 shore oil and natural gas preleasing, leasing and related  
2 activities in the Eastern Gulf of Mexico planning area for  
3 any lands located outside Sale 181, as identified in the  
4 final Outer Continental Shelf 5-Year Oil and Gas Leasing  
5 Program, 1997–2002.

6 SEC. 111. No funds provided in this title may be ex-  
7 pended by the Department of the Interior to conduct oil  
8 and natural gas preleasing, leasing and related activities  
9 in the Mid-Atlantic and South Atlantic planning areas.

10 SEC. 112. Advance payments made under this title  
11 to Indian tribes, tribal organizations, and tribal consortia  
12 pursuant to the Indian Self-Determination and Education  
13 Assistance Act (25 U.S.C. 450, et seq.) may be invested  
14 by the Indian tribe, tribal organization, or consortium be-  
15 fore such funds are expended for the purposes of the  
16 grant, compact, or annual funding agreement so long as  
17 such funds are—

18 (a) invested by the Indian tribe, tribal organiza-  
19 tion, or consortium only in obligations of the United  
20 States or in obligations or securities that are guar-  
21 anteed or insured by the United States, or

22 (b) deposited only into accounts that are in-  
23 sured by an agency or instrumentality of the United  
24 States.

1 SEC. 113. (a) Employees of Helium Operations, Bu-  
2 reau of Land Management, entitled to severance pay  
3 under 5 U.S.C. 5595, may apply for, and the Secretary  
4 of the Interior may pay the total amount of the severance  
5 pay to the employee in a lump sum. Employees paid sever-  
6 ance pay in a lump sum and subsequently reemployed by  
7 the Federal government shall be subject to the repayment  
8 provisions of 5 U.S.C. 5595(i) (2) and (3), except that  
9 any repayment shall be made to the Helium Fund.

10 (b) Helium Operations employees who elect to con-  
11 tinue health benefits after separation shall be liable for  
12 not more than the required employee contribution under  
13 5 U.S.C. 8905a(d)(1)(A). The Helium Fund shall pay for  
14 18 months the remaining portion of required contribu-  
15 tions.

16 (c) Benefits under this section shall be available to  
17 Helium Operations employees who are or will be involun-  
18 tarily separated before October 1, 2002 because of the ces-  
19 sation of helium production and sales and other related  
20 activities.

21 SEC. 114. None of the funds in this or previous ap-  
22 propriations Acts may be used to establish a new regional  
23 office in the United States Fish and Wildlife Service with-  
24 out the advance approval of the House and Senate Com-  
25 mittees on Appropriations.

## 1 TITLE II—RELATED AGENCIES

## 2 DEPARTMENT OF AGRICULTURE

## 3 FOREST SERVICE

## 4 FOREST AND RANGELAND RESEARCH

5 For necessary expenses of forest and rangeland re-  
6 search as authorized by law, \$187,644,000, to remain  
7 available until expended.

## 8 STATE AND PRIVATE FORESTRY

9 For necessary expenses of cooperating with and pro-  
10 viding technical and financial assistance to States, Terri-  
11 tories, possessions, and others, and for forest health man-  
12 agement, cooperative forestry, and education and land  
13 conservation activities, \$157,922,000, to remain available  
14 until expended, as authorized by law.

## 15 NATIONAL FOREST SYSTEM

16 For necessary expenses of the Forest Service, not  
17 otherwise provided for, for management, protection, im-  
18 provement, and utilization of the National Forest System,  
19 for forest planning, inventory, and monitoring, and for ad-  
20 ministrative expenses associated with the management of  
21 funds provided under the heads "Forest and Rangeland  
22 Research," "State and Private Forestry," "National For-  
23 est System," "Wildland Fire Management," "Reconstruc-  
24 tion and Construction," and "Land Acquisition,"  
25 \$1,364,480,000, to remain available until expended, which  
26 shall include 50 per centum of all monies received during

1 prior fiscal years as fees collected under the Land and  
2 Water Conservation Fund Act of 1965, as amended, in  
3 accordance with section 4 of the Act (16 U.S.C. 4601-  
4 6a(i)): *Provided*, That up to \$10,000,000 of the funds pro-  
5 vided herein for road maintenance shall be available for  
6 the planned obliteration of roads which are no longer need-  
7 ed.

#### 8 WILDLAND FIRE MANAGEMENT

9 For necessary expenses for forest fire presuppression  
10 activities on National Forest System lands, for emergency  
11 fire suppression on or adjacent to such lands or other  
12 lands under fire protection agreement, and for emergency  
13 rehabilitation of burned over National Forest System  
14 lands, \$599,715,000 to remain available until expended:  
15 *Provided*, That such funds are available for repayment of  
16 advances from other appropriations accounts previously  
17 transferred for such purposes.

#### 18 RECONSTRUCTION AND CONSTRUCTION

19 For necessary expenses of the Forest Service, not  
20 otherwise provided for, \$160,122,000, to remain available  
21 until expended for construction, reconstruction and acqui-  
22 sition of buildings and other facilities, and for construc-  
23 tion, reconstruction and repair of forest roads and trails  
24 by the Forest Service as authorized by 16 U.S.C. 532-  
25 538 and 23 U.S.C. 101 and 205: *Provided*, That not to  
26 exceed \$50,000,000, to remain available until expended,

1 may be obligated for the construction of forest roads by  
2 timber purchasers: *Provided further*, That purchaser road  
3 credit will be limited to those companies that meet the  
4 Small Business Administration definition of small busi-  
5 ness as defined in title 13, Code of Federal Regulations,  
6 part 121.

7 LAND ACQUISITION

8 For expenses necessary to carry out the provisions  
9 of the Land and Water Conservation Fund Act of 1965,  
10 as amended (16 U.S.C. 4601-4-11), including administra-  
11 tive expenses, and for acquisition of land or waters, or in-  
12 terest therein, in accordance with statutory authority ap-  
13 plicable to the Forest Service, \$45,000,000, to be derived  
14 from the Land and Water Conservation Fund, to remain  
15 available until expended.

16 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL

17 ACTS

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

24 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

25 For acquisition of lands, such sums, to be derived  
26 from funds deposited by State, county, or municipal gov-

1 ernments, public school districts, or other public school au-  
2 thorities pursuant to the Act of December 4, 1967, as  
3 amended (16 U.S.C. 484a), to remain available until ex-  
4 pended.

5 RANGE BETTERMENT FUND

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

16 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND

17 RANGELAND RESEARCH

18 For expenses authorized by 16 U.S.C. 1643(b),  
19 \$92,000, to remain available until expended, to be derived  
20 from the fund established pursuant to the above Act.

21 MIDWIN NATIONAL TALLGRASS PRAIRIE RESTORATION

22 FUND

23 All funds collected for admission, occupancy, and use  
24 of the Midwin National Tallgrass Prairie, and the salvage  
25 value proceeds from sale of any facilities and improve-  
26 ments pursuant to sections 2915 (d) and (e) of Public Law



1 104-106, are hereby appropriated and made available  
2 until expended for the necessary expenses of restoring and  
3 administering the Midewin National Tallgrass Prairie in  
4 accordance with section 2915(f) of the Act.

5 COOPERATIVE WORK, FOREST SERVICE

6 For restoring the balances borrowed for previous  
7 years firefighting, \$128,000,000, to remain available until  
8 expended: *Provided*, That the appropriation shall be  
9 merged with and made a part of the designated fund au-  
10 thorized by Public Law 71-319, as amended.

11 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

12 Appropriations to the Forest Service for the current  
13 fiscal year shall be available for: (a) purchase of not to  
14 exceed 159 passenger motor vehicles of which 22 will be  
15 used primarily for law enforcement purposes and of which  
16 156 shall be for replacement; acquisition of 25 passenger  
17 motor vehicles from excess sources, and hire of such vehi-  
18 cles; operation and maintenance of aircraft, the purchase  
19 of not to exceed two for replacement only, and acquisition  
20 of 20 aircraft from excess sources notwithstanding other  
21 provisions of law, existing aircraft being replaced may be  
22 sold, with proceeds derived or trade-in value used to offset  
23 the purchase price for the replacement aircraft; (b) serv-  
24 ices pursuant to 7 U.S.C. 2225, and not to exceed  
25 \$100,000 for employment under 5 U.S.C. 3109; (c) pur-  
26 chase, erection, and alteration of buildings and other pub-

1 lic improvements (7 U.S.C. 2250); (d) acquisition of land,  
2 waters, and interests therein, pursuant to 7 U.S.C. 428a;  
3 (e) for expenses pursuant to the Volunteers in the Na-  
4 tional Forest Act of 1972 (16 U.S.C. 558a, 558d, 558a  
5 note); and (f) the cost of uniforms as authorized by 5  
6 U.S.C. 5901–5902; and (g) for debt collection contracts  
7 in accordance with 31 U.S.C. 3718(c).

8       None of the funds made available under this Act shall  
9 be obligated or expended to change the boundaries of any  
10 region, to abolish any region, to move or close any regional  
11 office for research, State and private forestry, or National  
12 Forest System administration of the Forest Service, De-  
13 partment of Agriculture without the consent of the House  
14 and Senate Committees on Appropriations.

15       Any appropriations or funds available to the Forest  
16 Service may be advanced to the Wildland Fire Manage-  
17 ment appropriation and may be used for forest firefighting  
18 and the emergency rehabilitation of burned-over or dam-  
19 aged lands or waters under its jurisdiction.

20       Funds appropriated to the Forest Service shall be  
21 available for assistance to or through the Agency for Inter-  
22 national Development and the Foreign Agricultural Serv-  
23 ice in connection with forest and rangeland research, tech-  
24 nical information, and assistance in foreign countries, and  
25 shall be available to support forestry and related natural

1 resource activities outside the United States and its terri-  
2 tories and possessions, including technical assistance, edu-  
3 cation and training, and cooperation with United States  
4 and international organizations.

5       None of the funds made available to the Forest Serv-  
6 ice under this Act shall be subject to transfer under the  
7 provisions of section 702(b) of the Department of Agri-  
8 culture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C.  
9 147b unless the proposed transfer is approved in advance  
10 by the House and Senate Committees on Appropriations  
11 in compliance with the reprogramming procedures con-  
12 tained in the report accompanying this bill.

13       None of the funds available to the Forest Service may  
14 be reprogrammed without the advance approval of the  
15 House and Senate Committees on Appropriations in ac-  
16 cordance with the procedures contained in the report ac-  
17 companying this bill.

18       No funds appropriated to the Forest Service shall be  
19 transferred to the Working Capital Fund of the Depart-  
20 ment of Agriculture without the approval of the Chief of  
21 the Forest Service.

22       Notwithstanding any other provision of the law, any  
23 appropriations or funds available to the Forest Service  
24 may be used to disseminate program information to pri-  
25 vate and public individuals and organizations through the

1 use of nonmonetary items of nominal value and to provide  
2 nonmonetary awards of nominal value and to incur nec-  
3 essary expenses for the nonmonetary recognition of private  
4 individuals and organizations that make contributions to  
5 Forest Service programs.

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

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

22 None of the funds available in this Act shall be used  
23 for timber sale preparation using clearcutting in hardwood  
24 stands in excess of 25 percent of the fiscal year 1989 har-  
25 vested volume in the Wayne National Forest, Ohio: *Pro-*

1 *vided*, That this limitation shall not apply to hardwood  
2 stands damaged by natural disaster: *Provided further*,  
3 That landscape architects shall be used to maintain a vis-  
4 ually pleasing forest.

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

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

15 Notwithstanding any other provision of law, the For-  
16 est Service is authorized to employ or otherwise contract  
17 with persons at regular rates of pay, as determined by the  
18 Service, to perform work occasioned by emergencies such  
19 as fires, storms, floods, earthquakes or any other unavoid-  
20 able cause without regard to Sundays, Federal holidays,  
21 and the regular workweek.

22 To the greatest extent possible, and in accordance  
23 with the Final Amendment to the Shawnee National For-  
24 est Plan, none of the funds available in this Act shall be  
25 used for preparation of timber sales using clearcutting or

1 other forms of even aged management in hardwood stands  
2 in the Shawnee National Forest, Illinois.

3 Pursuant to sections 405(b) and 410(b) of Public  
4 Law 101-593, of the funds available to the Forest Service,  
5 up to \$2,000,000 may be advanced in a lump sum as Fed-  
6 eral financial assistance to the National Forest Founda-  
7 tion, without regard to when the Foundation incurs ex-  
8 penses, for administrative expenses or projects on or bene-  
9 fitting National Forest System lands or related to Forest  
10 Service programs: *Provided*, That of the Federal funds  
11 made available to the Foundation, no more than \$500,000  
12 shall be available for administrative expenses: *Provided*  
13 *further*, That the Foundation shall obtain, by the end of  
14 the period of Federal financial assistance, private con-  
15 tributions to match on at least one-for-one basis funds  
16 made available by the Forest Service: *Provided further*,  
17 That the Foundation may transfer Federal funds to a re-  
18 cipient of Federal financial assistance for a project at the  
19 same rate that the recipient has obtained the non-Federal  
20 matching funds: *Provided further*, That hereafter, the Na-  
21 tional Forest Foundation may hold Federal funds made  
22 available but not immediately disbursed and may use any  
23 interest or other investment income earned (before, on, or  
24 after the date of enactment of this Act) on Federal funds  
25 to carry out the purposes of Public Law 101-593: *Pro-*

1 *vided further*, That such investments may be made only  
2 in interest-bearing obligations of the United States or in  
3 obligations guaranteed as to both principal and interest  
4 by the United States.

5 Pursuant to section 2(b)(2) of Public Law 98-244,  
6 up to \$2,000,000 of the funds available to the Forest  
7 Service shall be available for matching funds, as author-  
8 ized by 16 U.S.C. 3701-3709, and may be advanced in  
9 a lump sum as Federal financial assistance, without re-  
10 gard to when expenses are incurred, for projects on or ben-  
11 efitting National Forest System lands or related to Forest  
12 Service programs: *Provided*, That the Foundation shall ob-  
13 tain, by the end of the period of Federal financial assist-  
14 ance, private contributions to match on at least one-for-  
15 one basis funds advanced by the Forest Service: *Provided*  
16 *further*, That the Foundation may transfer Federal funds  
17 to a recipient of Federal financial assistance for a project  
18 at the same rate that the recipient has obtained the non-  
19 Federal matching funds.

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

24 Notwithstanding any other provision of law, 80 per-  
25 cent of the funds appropriated to the Forest Service in

1 the "National Forest System" and "Reconstruction and  
2 Construction" accounts and planned to be allocated to ac-  
3 tivities under the "Jobs in the Woods" program for  
4 projects on National Forest land in the State of Washing-  
5 ton may be granted directly to the Washington State De-  
6 partment of Fish and Wildlife for accomplishment of  
7 planned projects. Twenty percent of said funds shall be  
8 retained by the Forest Service for planning and admin-  
9 istering projects. Project selection and prioritization shall  
10 be accomplished by the Forest Service with such consulta-  
11 tion with the State of Washington as the Forest Service  
12 deems appropriate.

13 Funds appropriated to the Forest Service shall be  
14 available for payments to counties within the Columbia  
15 River Gorge National Scenic Area, pursuant to sections  
16 14(c)(1) and (2), and section 16(a)(2) of Public Law 99-  
17 663.

18 Any funds available to the Forest Service may be  
19 used for retrofitting the Commanding Officer's Building  
20 (S-2), to accommodate the relocation of the Forest Super-  
21 visor's Office for the San Bernardino National Forest:  
22 *Provided*, That funds for the move must come from funds  
23 otherwise available to Region 5: *Provided further*, That  
24 any funds to be provided for such purposes shall only be



1 available upon approval of the House and Senate Commit-  
2 tees on Appropriations.

3 The Secretary of Agriculture is authorized to enter  
4 into grants, contracts, and cooperative agreements as ap-  
5 propriate with the Pinchot Institute for Conservation, as  
6 well as with public and other private agencies, organiza-  
7 tions, institutions, and individuals, to provide for the de-  
8 velopment, administration, maintenance, or restoration of  
9 land, facilities, or Forest Service programs, at the Grey  
10 Towers National Historic Landmark: *Provided*, That, sub-  
11 ject to such terms and conditions as the Secretary of Agri-  
12 culture may prescribe, any such public or private agency,  
13 organization, institution, or individual may solicit, accept,  
14 and administer private gifts of money and real or personal  
15 property for the benefit of, or in connection with, the ac-  
16 tivities and services at the Grey Towers National Historic  
17 Landmark: *Provided further*, That such gifts may be ac-  
18 cepted notwithstanding the fact that a donor conducts  
19 business with the Department of Agriculture in any capac-  
20 ity.

21 Funds appropriated to the Forest Service shall be  
22 available, as determined by the Secretary, for payments  
23 to Del Norte County, California, pursuant to sections  
24 13(e) and 14 of the Smith River National Recreation Area  
25 Act (Public Law 101-612).

1 For purposes of the Southeast Alaska Economic Dis-  
2 aster Fund as set forth in section 101(c) of Public Law  
3 104-134, the direct grants provided in subsection (c) shall  
4 be considered direct payments for purposes of all applica-  
5 ble law except that these direct grants may not be used  
6 for lobbying activities.

7 No employee of the Department of Agriculture may  
8 be detailed or assigned from an agency or office funded  
9 by this Act to any other agency or office of the Depart-  
10 ment for more than 30 days unless the individual's em-  
11 ploying agency or office is fully reimbursed by the receiv-  
12 ing agency or office for the salary and expenses of the  
13 employee for the period of assignment.

## 14 DEPARTMENT OF ENERGY

### 15 CLEAN COAL TECHNOLOGY

#### 16 (RESCISSION)

17 Of the funds made available under this heading for  
18 obligation in fiscal year 1997 or prior years, \$100,000,000  
19 are rescinded: *Provided*, That funds made available in pre-  
20 vious appropriations Acts shall be available for any ongo-  
21 ing project regardless of the separate request for proposal  
22 under which the project was selected.

### 23 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

24 For necessary expenses in carrying out fossil energy  
25 research and development activities, under the authority  
26 of the Department of Energy Organization Act (Public

1 Law 95-91), including the acquisition of interest, includ-  
2 ing defeasible and equitable interests in any real property  
3 or any facility or for plant or facility acquisition or expan-  
4 sion, and for conducting inquiries, technological investiga-  
5 tions and research concerning the extraction, processing,  
6 use, and disposal of mineral substances without objection-  
7 able social and environmental costs (30 U.S.C. 3, 1602,  
8 and 1603), performed under the minerals and materials  
9 science programs at the Albany Research Center in Or-  
10 egon, \$312,153,000, to remain available until expended:  
11 *Provided*, That no part of the sum herein made available  
12 shall be used for the field testing of nuclear explosives in  
13 the recovery of oil and gas.

14 ALTERNATIVE FUELS PRODUCTION

15 (INCLUDING TRANSFER OF FUNDS)

16 Monies received as investment income on the prin-  
17 cipal amount in the Great Plains Project Trust at the  
18 Norwest Bank of North Dakota, in such sums as are  
19 earned as of October 1, 1997, shall be deposited in this  
20 account and immediately transferred to the General Fund  
21 of the Treasury. Monies received as revenue sharing from  
22 operation of the Great Plains Gasification Plant shall be  
23 immediately transferred to the General Fund of the Treas-  
24 ury.

## 1        NAVAL PETROLEUM AND OIL SHALE RESERVES

2        For necessary expenses in carrying out naval petro-  
3 leum and oil shale reserve activities, \$115,000,000, and  
4 such sums as are necessary to operate Naval Petroleum  
5 Reserve Numbered 1 between May 16, 1998 and Septem-  
6 ber 30, 1998, to remain available until expended: *Pro-*  
7 *vided*, That notwithstanding any other provision of law,  
8 revenues received from use and operation of Naval Petro-  
9 leum Reserve Numbered 1 in excess of \$163,000,000 shall  
10 be used to offset the costs of operating Naval Petroleum  
11 Reserve Numbered 1 between May 16, 1998 and Septem-  
12 ber 30, 1998: *Provided further*, That revenues retained  
13 pursuant to the first proviso under this head in Public  
14 Law 102-381 (106 Stat. 1404) shall be immediately  
15 transferred to the General Fund of the Treasury: *Provided*  
16 *further*, That the requirements of 10 U.S.C.  
17 7430(b)(2)(B) shall not apply to fiscal year 1998.

## 18        ENERGY CONSERVATION

19        For necessary expenses in carrying out energy con-  
20 servation activities, \$636,766,000, to remain available  
21 until expended, including, notwithstanding any other pro-  
22 vision of law, the excess amount for fiscal year 1998 deter-  
23 mined under the provisions of section 3003(d) of Public  
24 Law 99-509 (15 U.S.C. 4502): *Provided*, That  
25 \$149,845,000 shall be for use in energy conservation pro-  
26 grams as defined in section 3008(3) of Public Law 99-

1 509 (15 U.S.C. 4507) and shall not be available until ex-  
2 cess amounts are determined under the provisions of sec-  
3 tion 3003(d) of Public Law 99-509 (15 U.S.C. 4502):  
4 *Provided further*, That notwithstanding section 3003(d)(2)  
5 of Public Law 99-509 such sums shall be allocated to the  
6 eligible programs as follows: \$120,845,000 for weatheriza-  
7 tion assistance grants and \$29,000,000 for State energy  
8 conservation grants.

9 ECONOMIC REGULATION

10 For necessary expenses in carrying out the activities  
11 of the Office of Hearings and Appeals, \$2,725,000, to re-  
12 main available until expended.

13 STRATEGIC PETROLEUM RESERVE

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses for Strategic Petroleum Re-  
16 serve facility development and operations and program  
17 management activities pursuant to the Energy Policy and  
18 Conservation Act of 1975, as amended (42 U.S.C. 6201  
19 et seq.), \$209,000,000, to remain available until expended,  
20 of which \$209,000,000 shall be repaid from the "SPR Op-  
21 erating Fund" from amounts made available from the sale  
22 of oil from the Reserve: *Provided*, That notwithstanding  
23 section 161 of the Energy Policy and Conservation Act,  
24 the Secretary shall draw down and sell in fiscal year 1998  
25 \$209,000,000 worth of oil from the Strategic Petroleum  
26 Reserve: *Provided further*, That the proceeds from the sale

1 shall be deposited into the "SPR Operating Fund", and  
2 shall, upon receipt, be transferred to the Strategic Petro-  
3 leum Reserve account for operations of the Strategic Pe-  
4 troleum Reserve.

5 SPR PETROLEUM ACCOUNT

6 Notwithstanding 42 U.S.C. 6240(d) the United  
7 States share of crude oil in Naval Petroleum Reserve  
8 Numbered 1 (Elk Hills) may be sold or otherwise disposed  
9 of to other than the Strategic Petroleum Reserve: *Pro-*  
10 *vided*, That outlays in fiscal year 1998 resulting from the  
11 use of funds in this account shall not exceed \$5,000,000.

12 ENERGY INFORMATION ADMINISTRATION

13 For necessary expenses in carrying out the activities  
14 of the Energy Information Administration, \$66,800,000,  
15 to remain available until expended.

16 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

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

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

1 endar days to a day certain) from the receipt by the  
2 Speaker of the House of Representatives and the Presi-  
3 dent of the Senate of a full comprehensive report on such  
4 project, including the facts and circumstances relied upon  
5 in support of the proposed project.

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

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

16 The Secretary is authorized to accept funds from  
17 other Federal agencies in return for assisting agencies in  
18 achieving energy efficiency in Federal facilities and oper-  
19 ations by the use of privately financed, energy saving per-  
20 formance contracts and other private financing mecha-  
21 nisms. The funds may be provided after agencies begin  
22 to realize energy cost savings; may be retained by the Sec-  
23 retary until expended; and may be used only for the pur-  
24 pose of assisting Federal agencies in achieving greater ef-  
25 ficiency, water conservation, and use of renewable energy



1 ergy by means of privately financed mechanisms, including  
2 energy savings performance contracts. Any such privately  
3 financed contracts shall meet the provisions of the Energy  
4 Policy Act of 1992, Public Law 102-496 (42 U.S.C.  
5 8287).

6 DEPARTMENT OF HEALTH AND HUMAN

7 SERVICES

8 INDIAN HEALTH SERVICE

9 INDIAN HEALTH SERVICES

10 For expenses necessary to carry out the Act of Au-  
11 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-  
12 tion Act, the Indian Health Care Improvement Act, and  
13 titles II and III of the Public Health Service Act with re-  
14 spect to the Indian Health Service, \$1,829,008,000, to-  
15 gether with payments received during the fiscal year pur-  
16 suant to 42 U.S.C. 238(b) for services furnished by the  
17 Indian Health Service: *Provided*, That funds made avail-  
18 able to tribes and tribal organizations through contracts,  
19 grant agreements, or any other agreements or compacts  
20 authorized by the Indian Self-Determination and Edu-  
21 cation Assistance Act of 1975 (25 U.S.C. 450), shall be  
22 deemed to be obligated at the time of the grant or contract  
23 award and thereafter shall remain available to the tribe  
24 or tribal organization without fiscal year limitation: *Pro-*  
25 *vided further*, That \$12,000,000 shall remain available

1 until expended, for the Indian Catastrophic Health Emer-  
2 gency Fund: *Provided further*, That \$359,348,000 for con-  
3 tract medical care shall remain available for obligation  
4 until September 30, 1999: *Provided further*, That of the  
5 funds provided, not less than \$11,889,000 shall be used  
6 to carry out the loan repayment program under section  
7 108 of the Indian Health Care Improvement Act: *Provided*  
8 *further*, That funds provided in this Act may be used for  
9 one-year contracts and grants which are to be performed  
10 in two fiscal years, so long as the total obligation is re-  
11 corded in the year for which the funds are appropriated:  
12 *Provided further*, That the amounts collected by the Sec-  
13 retary of Health and Human Services under the authority  
14 of title IV of the Indian Health Care Improvement Act  
15 shall remain available until expended for the purpose of  
16 achieving compliance with the applicable conditions and  
17 requirements of titles XVIII and XIX of the Social Secu-  
18 rity Act (exclusive of planning, design, or construction of  
19 new facilities): *Provided further*, That of the funds pro-  
20 vided, \$7,500,000 shall remain available until expended,  
21 for the Indian Self-Determination Fund, which shall be  
22 available for the transitional costs of initial or expanded  
23 tribal contracts, compacts, grants or cooperative agree-  
24 ments with the Indian Health Service under the provisions  
25 of the Indian Self-Determination Act: *Provided further*,



1 or renovation of health facilities for the benefit of an In-  
2 dian tribe or tribes may be used to purchase land for sites  
3 to construct, improve, or enlarge health or related facili-  
4 ties.

5 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

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

1 Medical Care Recovery Act (42 U.S.C. 2651-53) shall be  
2 credited to the account of the facility providing the service  
3 and shall be available without fiscal year limitation: *Pro-*  
4 *vided further,* That notwithstanding any other law or regu-  
5 lation, funds transferred from the Department of Housing  
6 and Urban Development to the Indian Health Service  
7 shall be administered under Public Law 86-121 (the In-  
8 dian Sanitation Facilities Act) and Public Law 93-638,  
9 as amended: *Provided further,* That funds appropriated to  
10 the Indian Health Service in this Act, except those used  
11 for administrative and program direction purposes, shall  
12 not be subject to limitations directed at curtailing Federal  
13 travel and transportation: *Provided further,* That notwith-  
14 standing any other provision of law, funds previously or  
15 herein made available to a tribe or tribal organization  
16 through a contract, grant, or agreement authorized by  
17 title I or title III of the Indian Self-Determination and  
18 Education Assistance Act of 1975 (25 U.S.C. 450), may  
19 be deobligated and reobligated to a self-determination con-  
20 tract under title I, or a self-governance agreement under  
21 title III of such Act and thereafter shall remain available  
22 to the tribe or tribal organization without fiscal year limi-  
23 tation: *Provided further,* That none of the funds made  
24 available to the Indian Health Service in this Act shall  
25 be used to implement the final rule published in the Fed-

1 eral Register on September 16, 1987, by the Department  
2 of Health and Human Services, relating to the eligibility  
3 for the health care services of the Indian Health Service  
4 until the Indian Health Service has submitted a budget  
5 request reflecting the increased costs associated with the  
6 proposed final rule, and such request has been included  
7 in an appropriations Act and enacted into law: *Provided*  
8 *further*, That funds made available in this Act are to be  
9 apportioned to the Indian Health Service as appropriated  
10 in this Act, and accounted for in the appropriation struc-  
11 ture set forth in this Act: *Provided further*, That funds  
12 received from any source, including tribal contractors and  
13 compactors for previously transferred functions which  
14 tribal contractors and compactors no longer wish to retain,  
15 for services, goods, or training and technical assistance,  
16 shall be retained by the Indian Health Service and shall  
17 remain available until expended by the Indian Health  
18 Service: *Provided further*, That reimbursements for train-  
19 ing, technical assistance, or services provided by the In-  
20 dian Health Service will contain total costs, including di-  
21 rect, administrative, and overhead associated with the pro-  
22 vision of goods, services, or technical assistance: *Provided*  
23 *further*, That the appropriation structure for the Indian  
24 Health Service may not be altered without advance ap-

1 proval of the House and Senate Committees on Appropria-  
2 tions.

3                   OTHER RELATED AGENCIES

4       OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

5                   SALARIES AND EXPENSES

6       For necessary expenses of the Office of Navajo and  
7 Hopi Indian Relocation as authorized by Public Law 93-  
8 531, \$18,345,000, to remain available until expended:  
9 *Provided*, That funds provided in this or any other appro-  
10 priations Act are to be used to relocate eligible individuals  
11 and groups including evictees from District 6, Hopi-parti-  
12 tioned lands residents, those in significantly substandard  
13 housing, and all others certified as eligible and not in-  
14 cluded in the preceding categories: *Provided further*, That  
15 none of the funds contained in this or any other Act may  
16 be used by the Office of Navajo and Hopi Indian Reloca-  
17 tion to evict any single Navajo or Navajo family who, as  
18 of November 30, 1985, was physically domiciled on the  
19 lands partitioned to the Hopi Tribe unless a new or re-  
20 placement home is provided for such household: *Provided*  
21 *further*, That no relocatee will be provided with more than  
22 one new or replacement home: *Provided further*, That the  
23 Office shall relocate any certified eligible relocatees who  
24 have selected and received an approved homesite on the  
25 Navajo reservation or selected a replacement residence off

1 the Navajo reservation or on the land acquired pursuant  
2 to 25 U.S.C. 640d-10.

3 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE  
4 CULTURE AND ARTS DEVELOPMENT  
5 PAYMENT TO THE INSTITUTE

6 For payment to the Institute of American Indian and  
7 Alaska Native Culture and Arts Development, as author-  
8 ized by title XV of Public Law 99-498, as amended (20  
9 U.S.C. 56, Part A), \$3,000,000.

10 SMITHSONIAN INSTITUTION  
11 SALARIES AND EXPENSES

12 For necessary expenses of the Smithsonian Institu-  
13 tion, as authorized by law, including research in the fields  
14 of art, science, and history; development, preservation, and  
15 documentation of the National Collections; presentation of  
16 public exhibits and performances; collection, preparation,  
17 dissemination, and exchange of information and publica-  
18 tions; conduct of education, training, and museum assist-  
19 ance programs; maintenance, alteration, operation, lease  
20 (for terms not to exceed thirty years), and protection of  
21 buildings, facilities, and approaches; not to exceed  
22 \$100,000 for services as authorized by 5 U.S.C. 3109; up  
23 to 5 replacement passenger vehicles; purchase, rental, re-  
24 pair, and cleaning of uniforms for employees;  
25 \$334,557,000, of which not to exceed \$32,718,000 for the



1 instrumentation program, collections acquisition, Museum  
2 Support Center equipment and move, exhibition reinstalla-  
3 tion, the National Museum of the American Indian, the  
4 repatriation of skeletal remains program, research equip-  
5 ment, information management, and Latino programming  
6 shall remain available until expended, and including such  
7 funds as may be necessary to support American overseas  
8 research centers and a total of \$125,000 for the Council  
9 of American Overseas Research Centers: *Provided*, That  
10 funds appropriated herein are available for advance pay-  
11 ments to independent contractors performing research  
12 services or participating in official Smithsonian presen-  
13 tations.

14 CONSTRUCTION AND IMPROVEMENTS, NATIONAL  
15 ZOOLOGICAL PARK

16 For necessary expenses of planning, construction, re-  
17 modeling, and equipping of buildings and facilities at the  
18 National Zoological Park, by contract or otherwise,  
19 \$3,850,000, to remain available until expended.

20 REPAIR AND RESTORATION OF BUILDINGS

21 For necessary expenses of repair and restoration of  
22 buildings owned or occupied by the Smithsonian Institu-  
23 tion, by contract or otherwise, as authorized by section  
24 2 of the Act of August 22, 1949 (63 Stat. 623), including  
25 not to exceed \$10,000 for services as authorized by 5  
26 U.S.C. 3109, \$50,000,000, to remain available until ex-

1 pended: *Provided*, That contracts awarded for environ-  
2 mental systems, protection systems, and exterior repair or  
3 restoration of buildings of the Smithsonian Institution  
4 may be negotiated with selected contractors and awarded  
5 on the basis of contractor qualifications as well as price.

## 6 NATIONAL GALLERY OF ART

### 7 SALARIES AND EXPENSES

8 For the upkeep and operations of the National Gal-  
9 lery of Art, the protection and care of the works of art  
10 therein, and administrative expenses incident thereto, as  
11 authorized by the Act of March 24, 1937 (50 Stat. 51),  
12 as amended by the public resolution of April 13, 1939  
13 (Public Resolution 9, Seventy-sixth Congress), including  
14 services as authorized by 5 U.S.C. 3109; payment in ad-  
15 vance when authorized by the treasurer of the Gallery for  
16 membership in library, museum, and art associations or  
17 societies whose publications or services are available to  
18 members only, or to members at a price lower than to the  
19 general public; purchase, repair, and cleaning of uniforms  
20 for guards, and uniforms, or allowances therefor, for other  
21 employees as authorized by law (5 U.S.C. 5901-5902);  
22 purchase or rental of devices and services for protecting  
23 buildings and contents thereof, and maintenance, alter-  
24 ation, improvement, and repair of buildings, approaches,  
25 and grounds; and purchase of services for restoration and

1 repair of works of art for the National Gallery of Art by  
2 contracts made, without advertising, with individuals,  
3 firms, or organizations at such rates or prices and under  
4 such terms and conditions as the Gallery may deem prop-  
5 er, \$55,837,000, of which not to exceed \$3,026,000 for  
6 the special exhibition program shall remain available until  
7 expended.

#### 8 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

9 For necessary expenses of repair, restoration and  
10 renovation of buildings, grounds and facilities owned or  
11 occupied by the National Gallery of Art, by contract or  
12 otherwise, as authorized, \$6,442,000, to remain available  
13 until expended: *Provided*, That contracts awarded for envi-  
14 ronmental systems, protection systems, and exterior repair  
15 or renovation of buildings of the National Gallery of Art  
16 may be negotiated with selected contractors and awarded  
17 on the basis of contractor qualifications as well as price.

#### 18 JOHN F. KENNEDY CENTER FOR THE PERFORMING

#### 19 ARTS

#### 20 OPERATIONS AND MAINTENANCE

21 For necessary expenses for the operation, mainte-  
22 nance and security of the John F. Kennedy Center for  
23 the Performing Arts, \$11,375,000.

#### 24 CONSTRUCTION

25 For necessary expenses for capital repair and reha-  
26 bilitation of the existing features of the building and site

1 of the John F. Kennedy Center for the Performing Arts,  
2 \$9,000,000, to remain available until expended.

3 WOODROW WILSON INTERNATIONAL CENTER FOR  
4 SCHOLARS

5 SALARIES AND EXPENSES

6 For necessary expenses of the Woodrow Wilson Inter-  
7 national Center for Scholars, \$1,000,000.

8 NATIONAL FOUNDATION ON THE ARTS AND THE  
9 HUMANITIES

10 NATIONAL ENDOWMENT FOR THE ARTS

11 GRANTS AND ADMINISTRATION

12 For necessary expenses of the National Endowment  
13 for the Arts, \$10,000,000.

14 NATIONAL ENDOWMENT FOR THE HUMANITIES

15 GRANTS AND ADMINISTRATION

16 For necessary expenses to carry out the National  
17 Foundation on the Arts and the Humanities Act of 1965,  
18 as amended, \$96,100,000, shall be available to the Na-  
19 tional Endowment for the Humanities for support of ac-  
20 tivities in the humanities, pursuant to section 7(c) of the  
21 Act, and for administering the functions of the Act, to  
22 remain available until expended.

23 MATCHING GRANTS

24 To carry out the provisions of section 10(a)(2) of the  
25 National Foundation on the Arts and the Humanities Act  
26 of 1965, as amended, \$13,900,000, to remain available

1 until expended, of which \$8,000,000 shall be available to  
2 the National Endowment for the Humanities for the pur-  
3 poses of section 7(h): *Provided*, That this appropriation  
4 shall be available for obligation only in such amounts as  
5 may be equal to the total amounts of gifts, bequests, and  
6 devises of money, and other property accepted by the  
7 Chairman or by grantees of the Endowment under the  
8 provisions of subsections 11(a)(2)(B) and 11(a)(3)(B)  
9 during the current and preceding fiscal years for which  
10 equal amounts have not previously been appropriated.

11       INSTITUTE OF MUSEUM AND LIBRARY SERVICES

12                   OFFICE OF MUSEUM SERVICES

13                   GRANTS AND ADMINISTRATION

14       For carrying out Subtitle C of the Museum and Li-  
15 brary Services Act of 1996, \$23,390,000, to remain avail-  
16 able until expended.

17                   ADMINISTRATIVE PROVISIONS

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

## 1 COMMISSION OF FINE ARTS

## 2 SALARIES AND EXPENSES

3 For expenses made necessary by the Act establishing  
4 a Commission of Fine Arts (40 U.S.C. 104), \$907,000.

## 5 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

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

## 8 ADVISORY COUNCIL ON HISTORIC PRESERVATION

## 9 SALARIES AND EXPENSES

10 For necessary expenses of the Advisory Council on  
11 Historic Preservation (Public Law 89-665, as amended),  
12 \$2,700,000: *Provided*, That none of these funds shall be  
13 available for the compensation of Executive Level V or  
14 higher positions.

## 15 NATIONAL CAPITAL PLANNING COMMISSION

## 16 SALARIES AND EXPENSES

17 For necessary expenses, as authorized by the Na-  
18 tional Capital Planning Act of 1952 (40 U.S.C. 71-71i),  
19 including services as authorized by 5 U.S.C. 3109,  
20 \$5,700,000: *Provided*, That all appointed members will be  
21 compensated at a rate not to exceed the rate for Executive  
22 Schedule Level IV: *Provided further*, That beginning in fis-  
23 cal year 1998 and thereafter, the Commission is author-  
24 ized to charge fees to cover the full costs of Geographic  
25 Information System products and services supplied by the

1 Commission, and such fees shall be credited to this ac-  
2 count as an offsetting collection, to remain available until  
3 expended.

4 UNITED STATES HOLOCAUST MEMORIAL COUNCIL

5 HOLOCAUST MEMORIAL COUNCIL

6 For expenses of the Holocaust Memorial Council, as  
7 authorized by Public Law 96-388 (36 U.S.C. 1401), as  
8 amended, \$31,707,000 of which \$1,575,000 for the Muse-  
9 um's repair and rehabilitation program and \$1,264,000  
10 for the Museum's exhibitions program shall remain avail-  
11 able until expended.

12 TITLE III—GENERAL PROVISIONS

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

20 SEC. 302. No part of any appropriation under this  
21 Act shall be available to the Secretary of the Interior or  
22 the Secretary of Agriculture for the leasing of oil and nat-  
23 ural gas by noncompetitive bidding on publicly owned  
24 lands within the boundaries of the Shawnee National For-  
25 est, Illinois: *Provided*, That nothing herein is intended to

1 inhibit or otherwise affect the sale, lease, or right to access  
2 to minerals owned by private individuals.

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

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

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

16 SEC. 306. No assessments may be levied against any  
17 program, budget activity, subactivity, or project funded by  
18 this Act unless advance notice of such assessments and  
19 the basis therefor are presented to the Committees on Ap-  
20 propriations and are approved by such Committees.

21 SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN  
22 ACT.—None of the funds made available in this Act may  
23 be expended by an entity unless the entity agrees that in  
24 expending the funds the entity will comply with sections



1 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–  
2 10c; popularly known as the “Buy American Act”).

3 (b) SENSE OF CONGRESS; REQUIREMENT REGARD-  
4 ING NOTICE.—

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

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

19 (c) PROHIBITION OF CONTRACTS WITH PERSONS  
20 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—  
21 If it has been finally determined by a court or Federal  
22 agency that any person intentionally affixed a label bear-  
23 ing a “Made in America” inscription, or any inscription  
24 with the same meaning, to any product sold in or shipped  
25 to the United States that is not made in the United

1 States, the person shall be ineligible to receive any con-  
2 tract or subcontract made with funds made available in  
3 this Act, pursuant to the debarment, suspension, and ineli-  
4 gibility procedures described in sections 9.400 through  
5 9.409 of title 48, Code of Federal Regulations.

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

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

17 SEC. 310. Beginning in fiscal year 1998 and there-  
18 after, where the actual costs of construction projects under  
19 self-determination contracts, compacts, or grants, pursu-  
20 ant to Public Laws 93-638, 103-413, or 100-297, are  
21 less than the estimated costs thereof, use of the resulting  
22 excess funds shall be determined by the appropriate Sec-  
23 retary after consultation with the tribes.

24 SEC. 311. Notwithstanding Public Law 103-413,  
25 quarterly payments of funds to tribes and tribal organiza-

1 tions under annual funding agreements pursuant to sec-  
2 tion 108 of Public Law 93-638, as amended, beginning  
3 in fiscal year 1998 and thereafter, may be made on the  
4 first business day following the first day of a fiscal quar-  
5 ter.

6 SEC. 312. None of the funds appropriated or other-  
7 wise made available by this Act may be used for the  
8 AmeriCorps program, unless the relevant agencies of the  
9 Department of the Interior and/or Agriculture follow ap-  
10 propriate reprogramming guidelines: *Provided*, That if no  
11 funds are provided for the AmeriCorps program by the  
12 VA-HUD and Independent Agencies fiscal year 1998 ap-  
13 propriations bill, then none of the funds appropriated or  
14 otherwise made available by this Act may be used for the  
15 AmeriCorps programs.

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

23 SEC. 314. (a) None of the funds appropriated or oth-  
24 erwise made available pursuant to this Act shall be obli-  
25 gated or expended to accept or process applications for

1 a patent for any mining or mill site claim located under  
2 the general mining laws.

3 (b) The provisions of subsection (a) shall not apply  
4 if the Secretary of the Interior determines that, for the  
5 claim concerned: (1) a patent application was filed with  
6 the Secretary on or before September 30, 1994, and (2)  
7 all requirements established under sections 2325 and 2326  
8 of the Revised Statutes (30 U.S.C. 29 and 30) for vein  
9 or lode claims and sections 2329, 2330, 2331, and 2333  
10 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for  
11 placer claims, and section 2337 of the Revised Statutes  
12 (30 U.S.C. 42) for mill site claims, as the case may be,  
13 were fully complied with by the applicant by that date.

14 (c) On September 30, 1998, the Secretary of the In-  
15 terior shall file with the House and Senate Committees  
16 on Appropriations and the Committee on Resources of the  
17 House of Representatives and the Committee on Energy  
18 and Natural Resources of the United States Senate a re-  
19 port on actions taken by the Department under the plan  
20 submitted pursuant to section 314(c) of the Department  
21 of the Interior and Related Agencies Appropriations Act,  
22 1997 (Public Law 104-208).

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

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

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

15 SEC. 316. None of the funds available to the Depart-  
16 ment of the Interior or the Department of Agriculture by  
17 this or any other Act may be used to prepare, promulgate,  
18 implement, or enforce any interim or final rule or regula-  
19 tion pursuant to Title VIII of the Alaska National Interest  
20 Lands Conservation Act to assert jurisdiction, manage-  
21 ment, or control over any waters (other than non-navi-  
22 gable waters on Federal lands), non-Federal lands, or  
23 lands selected by, but not conveyed to, the State of Alaska  
24 pursuant to the Submerged Lands Act of 1953 or the

1 Alaska Statehood Act, or an Alaska Native Corporation  
2 pursuant to the Alaska Native Claims Settlement Act.

3 SEC. 317. No funds appropriated under this or any  
4 other Act shall be used to review or modify sourcing areas  
5 previously approved under section 490(c)(3) of the Forest  
6 Resources Conservation and Shortage Relief Act of 1990  
7 (Public Law 101-382) or to enforce or implement Federal  
8 regulations 36 CFR part 223 promulgated on September  
9 8, 1995. The regulations and interim rules in effect prior  
10 to September 8, 1995 (36 CFR 223.48, 36 CFR 223.87,  
11 36 CFR 223 subpart D, 36 CFR 223 subpart F, and 36  
12 CFR 261.6) shall remain in effect. The Secretary of Agri-  
13 culture or the Secretary of the Interior shall not adopt  
14 any policies concerning Public Law 101-382 or existing  
15 regulations that would restrain domestic transportation or  
16 processing of timber from private lands or impose addi-  
17 tional accountability requirements on any timber. The Sec-  
18 retary of Commerce shall extend until September 30,  
19 1998, the order issued under section 491(b)(2)(A) of Pub-  
20 lic Law 101-382 and shall issue an order under section  
21 491(b)(2)(B) of such law that will be effective October 1,  
22 1998.

23 SEC. 318. No part of any appropriation contained in  
24 this Act shall be expended or obligated to fund the activi-  
25 ties of the western director and special assistant to the

1 Secretary within the Office of the Secretary of Agri-  
2 culture.

3 SEC. 319. Notwithstanding any other provision of  
4 law, for fiscal year 1998 the Secretaries of Agriculture and  
5 Interior are authorized to limit competition for watershed  
6 restoration project contracts as part of the "Jobs in the  
7 Woods" component of the President's Forest Plan for the  
8 Pacific Northwest to individuals and entities in historically  
9 timber-dependent areas in the States of Washington, Or-  
10 egon, and northern California that have been affected by  
11 reduced timber harvesting on Federal lands.

12 SEC. 320. Section 101(c) of Public Law 104-134 is  
13 amended as follows: Under the heading "TITLE III—  
14 GENERAL PROVISIONS" amend section 315(c)(1),  
15 subsections (A) and (B) by striking each of those sub-  
16 sections and inserting in lieu thereof:

17 "(A) Eighty percent to a special account in the  
18 Treasury for use without further appropriation, by the  
19 agency which administers the site, to remain available for  
20 expenditure in accordance with paragraph (2)(A).

21 "(B) Twenty percent to a special account in the  
22 Treasury for use without further appropriation, by the  
23 agency which administers the site, to remain available for  
24 expenditure in accordance with paragraph (2)(B)."

1 SEC. 321. None of the funds collected under the Rec-  
2 reational Fee Demonstration program may be used to  
3 plan, design, or construct a visitor center or any other per-  
4 manent structure without prior approval of the House and  
5 the Senate Committees on Appropriations.

6 SEC. 322. Section 303(d)(1) of Public Law 96-451  
7 (16 U.S.C. 1606a(d)(1)) is amended by inserting before  
8 the semicolon the following: “and other forest stand im-  
9 provement activities to enhance forest health and reduce  
10 hazardous fuel loads of forest stands in the National For-  
11 est System”.

12 SEC. 323. The Secretaries of Agriculture and Inte-  
13 rior, in their conducting the Interior Columbia Basin Eco-  
14 system Management Project, including both the Eastside  
15 Draft Environmental Impact Statement and the Upper  
16 Columbia River Basin Ecosystem Management Strategy  
17 Draft Environmental Impact Statement as described in a  
18 Federal Register notice on January 15, 1997 (Vol. 62, No.  
19 10, page 2176) (hereinafter “Project”), shall analyze the  
20 economic and social conditions, and culture and customs  
21 of communities at the sub-basin level of analysis within  
22 the project area to the extent practicable and delineate  
23 the impacts the alternatives will have on the communities  
24 in the 164 sub-basins. The project managers shall release  
25 this more thorough analysis for public review as an addi-



1 tion to the draft environmental impact statements for the  
2 project, and incorporate this analysis and public comments  
3 to this analysis in any final environmental impact state-  
4 ments and record of decisions generated by the project.

5       SEC. 324. Notwithstanding section 904(b) of Public  
6 Law 104-333, hereafter, the Heritage Area established  
7 under section 904 of title IX of division II of Public Law  
8 104-333 shall include any portion of a city, town, or vil-  
9 lage within an area specified in section 904(b)(2) of that  
10 Act only to the extent that the government of the city,  
11 town, or village, in a resolution of the governing board  
12 or council, agrees to be included and submits the resolu-  
13 tion to the Secretary of the Interior and the management  
14 entities for the Heritage Area and to the extent such reso-  
15 lution is not subsequently revoked in the same manner.

16       This Act may be cited as the "Department of the  
17 Interior and Related Agencies Appropriations Act, 1998".

Union Calendar No. 98

105TH CONGRESS  
1ST SESSION

# H. R. 2107

[Report No. 105-163]

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## A BILL

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

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JULY 1, 1997

Reported from the Committee on Appropriations; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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