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,
That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1998, and for other purposes, namely:

**TITLE I—DEPARTMENT OF THE INTERIOR**

**BUREAU OF LAND MANAGEMENT**

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), \((1)\$581,591,000 \$578,851,000\), to remain available until expended, of which $2,043,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487 (16 U.S.C. 3150); and of which $3,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–6a(i)); and of which $1,500,000 shall be available in fiscal year 1998 subject
to a match by at least an equal amount by the National Fish and Wildlife Foundation, to such Foundation for challenge cost share projects supporting fish and wildlife conservation affecting Bureau lands; in addition, (2) $27,300,000 for Mining Law Administration program operations, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than (3) $581,591,000; and in addition, not to exceed $5,000,000, to remain available until expended, from annual mining claim fees; which shall be credited to this account for the costs of administering the mining claim fee program, and $2,000,000 from communication site rental fees established by the Bureau for the cost of administering communication site activities:

Provided, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire use and management, fire preparedness, suppression operations, and emergency rehabilitation by the Department of the Interior, (4) $280,103,000, to remain available until expended, of which not to exceed (5) $5,025,000
$6,950,000 shall be for the renovation or construction of fire facilities: Provided, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, as amended (42 U.S.C. 9601 et seq.), (6)$12,000,000 $14,900,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act, shall be credited to this account to be available until expended without further appropriation: Provided further, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or oth-
erwise disposed of by the Secretary and which shall be credited to this account.

CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, (7)$3,254,000 $3,154,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended, (31 U.S.C. 6901–6907), (8)$113,500,000 $124,000,000, of which not to exceed $400,000 shall be available for administrative expenses:

Provided, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than $100.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, (9)$12,000,000 $8,600,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California
Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; $101,406,000, to remain available until expended: Provided, That 25 per centum of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

For Forest Ecosystems Health and Recovery

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102–381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, and monitoring salvage timber sales and forest ecosystem health and recovery activities such as release from competing vegetation and density control treatments. The Federal share of receipts derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.
RANGE IMPROVEMENTS

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

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: Provided, That notwithstanding any provision to
the contrary of section 305(a) of Public Law 94–579 (43
U.S.C. 1735(a)), any moneys that have been or will be
received pursuant to that section, whether as a result of
forfeiture, compromise, or settlement, if not appropriate
for refund pursuant to section 305(c) of that Act (43
U.S.C. 1735(c)), shall be available and may be expended
under the authority of this Act by the Secretary to im-
prove, protect, or rehabilitate any public lands adminis-
tered through the Bureau of Land Management which
have been damaged by the action of a resource developer,
purchaser, permittee, or any unauthorized person, without
regard to whether all moneys collected from each such ac-
tion are used on the exact lands damaged which led to
the action: Provided further, That any such moneys that
are in excess of amounts needed to repair damage to the
exact land for which funds were collected may be used to
repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

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

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed $10,000: Provided, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly-produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For expenses necessary for scientific and economic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, and for the performance
of other authorized functions related to such resources; for
the general administration of the United States Fish and
Wildlife Service; for maintenance of the herd of long-
horned cattle on the Wichita Mountains Wildlife Refuge;
and not less than $1,000,000 for high priority projects
within the scope of the approved budget which shall be
carried out by the Youth Conservation Corps as author-
ized by the Act of August 13, 1970, as amended,
(11)$591,042,000 $585,064,000, to remain available until
September 30, 1999, of which $11,612,000 shall remain
available until expended for operation and maintenance of
fishery mitigation facilities constructed by the Corps of
Engineers under the Lower Snake River Compensation
Plan, authorized by the Water Resources Development Act
of 1976, to compensate for loss of fishery resources from
water development projects on the Lower Snake River,
and of which not less than $2,000,000 shall be provided
to local governments in southern California for planning
associated with the Natural Communities Conservation
Planning (NCCP) program and shall remain available
until expended (12)—and of which not to exceed
$5,190,000 shall be used for implementing subsections
(a), (b), (c), and (e) of section 4 of the Endangered Spe-
cies Act of 1973, as amended. Provided, That the proviso
under this heading in Public Law 104–208 is amended by
striking the words “Education and” and inserting in lieu thereof “Conservation”, by striking the word “direct” and inserting in lieu thereof the word “full”, and by inserting before the period “, to remain available until expended”\(13\): Provided further, That the Bureau of Reclamation transfers to the Fish and Wildlife Service for the Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin shall be exempt from any Fish and Wildlife Service overhead charge.

CONSTRUCTION

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; \(14\)$10,256,000 $42,053,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601, et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251, et seq.), the Oil Pollution Act of 1990 (Public Law 101-380), and Public Law 101–337; \(15\)$4,128,000 $4,328,000, to remain available until expended: Provided, That under this
heading in Public Law 104–134, strike "in fiscal year
1996 and thereafter" in the proviso and insert "heretofore
and hereafter", and before the phrase, "or properties shall
be utilized" in such proviso, insert ", to remain available
until expended," (16): Provided further, That the first pro-
viso under this heading in Public Law 103–138 is amended
by inserting after "account" the following: ", including
transfers to Federal trustees and payments to non-Federal
trustees.

LAND ACQUISITION
For expenses necessary to carry out the Land and
Water Conservation Fund Act of 1965, as amended (16
U.S.C. 460l–4–11), including administrative expenses,
and for acquisition of land or waters, or interest therein,
in accordance with statutory authority applicable to the
United States Fish and Wildlife Service,
(17)$55,000,000 $57,292,000, to remain available until
expended.

COOPERATIVE ENDANGERED SPECIES CONSERVATION
FUND
For expenses necessary to carry out the provisions
1543), as amended, $14,000,000, for grants to States, to
be derived from the Cooperative Endangered Species Con-
ervation Fund, and to remain available until expended.
NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $10,000,000.

REWARDS AND OPERATIONS

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

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101-233, as amended, $10,500,000.

RHINOCEROS AND TIGER CONSERVATION FUND

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

WILDLIFE CONSERVATION AND APPRECIATION FUND

For deposit to the Wildlife Conservation and Appreciation Fund, $800,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for pur-
chase of not to exceed 108 passenger motor vehicles, of
which 92 are for replacement only (including 57 for police-
type use); not to exceed $400,000 for payment, at the dis-
cretion of the Secretary, for information, rewards, or evi-
dence concerning violations of laws administered by the
Service, and miscellaneous and emergency expenses of en-
forcement activities, authorized or approved by the Sec-
retary and to be accounted for solely on his certificate;
repair of damage to public roads within and adjacent to
reservation areas caused by operations of the Service; op-
tions for the purchase of land at not to exceed $1 for each
option; facilities incident to such public recreational uses
on conservation areas as are consistent with their primary
purpose; and the maintenance and improvement of aquar-
ia, buildings, and other facilities under the jurisdiction of
the Service and to which the United States has title, and
which are utilized pursuant to law in connection with man-
agement and investigation of fish and wildlife resources:
Provided, That notwithstanding 44 U.S.C. 501, the Serv-
ice may, under cooperative cost sharing and partnership
arrangements authorized by law, procure printing services
from cooperators in connection with jointly-produced pub-
lications for which the cooperators share at least one-half
the cost of printing either in cash or services and the Serv-
ice determines the cooperator is capable of meeting accept-
ed quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in the report accompanying this bill: *Provided further*, That the Secretary may sell land and interests in land, other than surface water rights, acquired in conformance with subsections 206(a) and 207(c) of Public Law 101–816, the receipts of which shall be deposited to the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund and used exclusively for the purposes of such subsections, without regard to the limitation on the distribution of benefits in subsection 206(f)(2) of such law.

**NATIONAL PARK SERVICE**

**OPERATION OF THE NATIONAL PARK SYSTEM**

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimburs-
able basis), and for the general administration of the Na-
tional Park Service, including not to exceed
program, and not less than $1,000,000 for high priority
projects within the scope of the approved budget which
shall be carried out by the Youth Conservation Corps as
authorized by 16 U.S.C. 1706, $2,500,000
$1,593,000 for the Volunteers-in-Parks
$1,250,429,000, of which $12,800,000 for research, plan-
ing and interagency coordination in support of land ac-
quision for Everglades restoration shall remain available
until expended, and of which not to exceed $72,000,000,
to remain available until expended, is to be derived from
the special fee account established pursuant to title V, sec-
tion 5201 of Public Law 100–203.

NATIONAL RECREATION AND PRESERVATION
For expenses necessary to carry out recreation pro-
grams, natural programs, cultural programs, heritage
partnership programs, environmental compliance and re-
view, international park affairs, statutory or contractual
aid for other activities, and grant administration, not oth-
erwise provided for, $1,222,225,000, of which
$1,232,325,000 for research, plan-
ing and interagency coordination in support of land ac-
quision for Everglades restoration shall remain available
until expended, and of which not to exceed $72,000,000,
to remain available until expended, is to be derived from
the special fee account established pursuant to title V, sec-
tion 5201 of Public Law 100–203.

NATIONAL RECREATION AND PRESERVATION
For expenses necessary to carry out recreation pro-
grams, natural programs, cultural programs, heritage
partnership programs, environmental compliance and re-
view, international park affairs, statutory or contractual
aid for other activities, and grant administration, not oth-
erwise provided for, $1,222,225,000, of which
$1,232,325,000 for research, plan-
ing and interagency coordination in support of land ac-
quision for Everglades restoration shall remain available
until expended, and of which not to exceed $72,000,000,
to remain available until expended, is to be derived from
the special fee account established pursuant to title V, sec-
tion 5201 of Public Law 100–203.
HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $40,442,000 to be derived from the Historic Preservation Fund, to remain available until September 30, 1999, of which $3,200,000 pursuant to section 507 of Public Law 104–333 shall remain available until expended.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $148,391,000 to remain available until expended: Provided, That $500,000 for the Rutherford B. Hayes Home and $600,000 for the Sotterly Plantation House shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: Provided, That $500,000 for the Darwin Martin House in Buffalo, New York and $500,000 for the Penn Center, South Carolina, shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: Provided further, That $3,000,000 for the Hispanic Cultural Center, New Mexico, is subject to authorization: Provided further, That $5,000,000 for the Oklahoma City Bombing Memorial is subject to authoriza-
tion: Provided further, That none of the funds provided in this Act may be used to relocate the Brooks River Lodge in Katmai National Park and Preserve from its current physical location.

(28)(REPROGRAMMING)

Of unobligated amounts previously made available for the Jefferson National Expansion Memorial, $838,000 shall be made available for the U-505 National Historic Landmark.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 1998 by 16 U.S.C. 460l-10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l-4-11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, (29)$129,000,000 $126,690,000, to be derived from the Land and Water Conservation Fund, to remain available until expended (30)--of which $1,000,000 is to administer the State assistance program: Provided, That any funds made available for the purpose of acquisition of the Elwha and Glines dams shall be used solely for acquisition, and shall not be expended until the
full purchase amount has been appropriated by the Congress. Provided further, That of the funds provided herein, $8,500,000 is available for acquisition of the Sterling Forest. Provided further, That from the funds made available for land acquisition at Everglades National Park and Big Cypress National Preserve, the Secretary may provide for Federal assistance to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys) under terms and conditions deemed necessary by the Secretary, to improve and restore the hydrological function of the Everglades watershed. Provided further, That the Secretary may provide such funds to the State of Florida for acquisitions within Stormwater Treatment Area 1–E, including reimbursement for lands or waters, or interests therein, within Stormwater Treatment Area 1–E acquired by the State of Florida prior to the enactment of this Act: Provided further, That funds provided under this head to the State of Florida shall be subject to an agreement that such lands will be managed in perpetuity for the restoration of the Everglades.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 396 passenger
motor vehicles, of which 302 shall be for replacement only,
including not to exceed 315 for police-type use, 13 buses,
and 6 ambulances: Provided, That none of the funds ap-
propriated to the National Park Service may be used to
process any grant or contract documents which do not in-
clude the text of 18 U.S.C. 1913: Provided further, That
none of the funds appropriated to the National Park Serv-
ice may be used to implement an agreement for the rede-
velopment of the southern end of Ellis Island until such
agreement has been submitted to the Congress and shall
not be implemented prior to the expiration of 30 calendar
days (not including any day in which either House of Con-
gress is not in session because of adjournment of more
than three calendar days to a day certain) from the receipt
by the Speaker of the House of Representatives and the
President of the Senate of a full and comprehensive report
on the development of the southern end of Ellis Island,
including the facts and circumstances relied upon in sup-
port of the proposed project.

None of the funds in this Act may be spent by the
National Park Service for activities taken in direct re-
The National Park Service may distribute to operat-
ing units based on the safety record of each unit the costs
of programs designed to improve workplace and employee
safety, and to encourage employees receiving workers’ compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, and the mineral and water resources of the United States, its Territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; $755,795,000 $758,160,000 of which $66,231,000 shall be available only for cooperation with States or municipalities for water resources investigations; and of which $16,400,000 shall remain available until expended.
for conducting inquiries into the economic conditions affecting mining and materials processing industries (33); and of which $2,000,000 shall remain available until expended for development of a mineral and geologic database; and of which (34) $147,791,000 $147,159,000 shall be available until September 30, 1999 for the biological research activity and the operation of the Cooperative Research Units: Provided, That none of these funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities (35): Provided further, That hereafter the United States Geological Survey may disperse to local entities Payment in Lieu of Taxes impact funding appropriated to the Fish and Wildlife Service pursuant to the Refuge Revenue Sharing Act that is associated with Federal real property being transferred to the United States Geological Survey from the United States Fish and Wildlife Service.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for the purchase of not to exceed 53 passenger motor vehicles, of which 48 are
for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302, et seq.: Provided further, That the USGS may contract directly with individuals or indirectly with institutions or nonprofit organizations, without regard to section 41 U.S.C. 5, for the temporary or intermittent services of science students or recent graduates, who shall be considered employees for the purposes of chapter 81 of title 5, United States Code, relating to compensation for work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not
be considered to be Federal employees for any other purposes.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only; (36)$139,621,000 $135,722,000, of which not less than (37)$70,871,000 $66,175,000 shall be available for royalty management activities; and an amount not to exceed $65,000,000 (38) for activities within the Outer Continental Shelf (OCS) Lands Program, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for OCS administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for OCS administrative activities established after September 30, 1993: Provided, That (39)$1,500,000 $3,000,000 for
computer acquisitions shall remain available until September 30, 1999: Provided further, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721(b) and (d): Provided further, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: Provided further, That notwithstanding any other provision of law, $15,000 under this head shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due, to pay amounts owed to Indian allottees or Tribes, or to correct prior unrecoverable erroneous payments.

OIL SPILL RESEARCH
For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $6,118,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT
REGULATION AND TECHNOLOGY
For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the pur-
chase of not to exceed 10 passenger motor vehicles, for
replacement only; (40) $94,937,000 $97,437,000, and not-
withstanding 31 U.S.C. 3302, an additional amount shall
be credited to this account, to remain available until ex-
pended, from performance bond forfeitures in fiscal year
1998: Provided, That the Secretary of the Interior, pursu-
ant to regulations, may utilize directly or through grants
to States, moneys collected in fiscal year 1998 for civil
penalties assessed under section 518 of the Surface Min-
ing Control and Reclamation Act of 1977 (30 U.S.C.
1268), to reclaim lands adversely affected by coal mining
practices after August 3, 1977, to remain available until
expended: Provided further, That appropriations for the
Office of Surface Mining Reclamation and Enforcement
may provide for the travel and per diem expenses of State
and tribal personnel attending Office of Surface Mining
Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the
Surface Mining Control and Reclamation Act of 1977,
Public Law 95-87, as amended, including the purchase
of not more than 10 passenger motor vehicles for replace-
ment only, (41) $179,624,000 $177,624,000, to be derived
from receipts of the Abandoned Mine Reclamation Fund
and to remain available until expended; of which up to
$5,000,000 shall be for supplemental grants to States for
the reclamation of abandoned sites with acid mine rock drainage from coal mines through the Appalachian Clean Streams Initiative: *Provided,* That grants to minimum program States will be $1,500,000 per State in fiscal year 1998: *Provided further,* That of the funds herein provided up to $18,000,000 may be used for the emergency pro-
gram authorized by section 410 of Public Law 95–87, as amended, of which no more than 25 per centum shall be used for emergency reclamation projects in any one State and funds for federally-administered emergency reclamation projects under this proviso shall not exceed $11,000,000: *Provided further,* That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 per centum limitation per State and may be used without fiscal year limitation for emergency projects: *Provided further,* That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 per centum from the recovery of the delinquent debt owed to the United States Govern-
ment to pay for contracts to collect these debts: *Provided further,* That funds made available to States under title IV of Public Law 95–87 may be used, at their discretion, for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of en-
vironmental restoration related to treatment or abatement.
of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That the State of Maryland may set aside the greater of $1,000,000 or 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977, as amended (30 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which law the amount (together with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects, except that before any amounts greater than 10 percent of its title IV grants are deposited in an acid mine drainage abatement and treatment fund, the State of Maryland must first complete all Surface Mining Control and Reclamation Act priority one projects.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including
payment of care, tuition, assistance, and other expenses of Indians in boarding homes, or institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; for the general administration of the Bureau, including such expenses in field offices; maintaining of Indian reservation roads as defined in 23 U.S.C. 101; and construction, repair, and improvement of Indian housing, \((42)\$1,526,815,000$ $1,529,024,000\), to remain available until September 30, 1999 except as otherwise provided herein, of which not to exceed $93,825,000 shall be for welfare assistance payments and not to exceed $105,829,000 shall be for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts or grants or compacts entered into with the Bureau prior to fiscal year 1998, as authorized by the Indian Self-Determination Act of 1975, as amended, and up to $5,000,000 shall be for the Indian Self-Determination Fund, which shall be available for the transitional
cost of initial or expanded tribal contracts, grants, compacts, or cooperative agreements with the Bureau under such Act; and of which not to exceed $374,290,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 1998, and shall remain available until September 30, 1999; and of which not to exceed ($59,479,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, self-governance grants, the Indian Self-Determination Fund, land records improvements and the Navajo-Hopi Settlement Program: Provided, That tribes and tribal contractors may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants or compact agreements and for unmet welfare assistance costs: Provided further, That funds made available to tribes and tribal organizations through contracts, compact agreements, or grants obligated during fiscal years 1998 and 1999, as authorized by the Indian Self-Determination Act of 1975, or grants authorized by the Indian Education Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall remain available until expended by the contractor or grantee: Provided further, That to provide funding uniformity within a Self-Governance Compact, any funds provided in this Act with availability for more than two years.
may be reprogrammed to two year availability but shall remain available within the Compact until expended: *Provided further, That* notwithstanding any other provision of law, Indian tribal governments may, by appropriate changes in eligibility criteria or by other means, change eligibility for general assistance or change the amount of general assistance payments for individuals within the service area of such tribe who are otherwise deemed eligible for general assistance payments so long as such changes are applied in a consistent manner to individuals similarly situated: *Provided further, That* any savings realized by such changes shall be available for use in meeting other priorities of the tribes: *Provided further, That* any net increase in costs to the Federal Government which result solely from tribally increased payment levels for general assistance shall be met exclusively from funds available to the tribe from within its tribal priority allocation: *Provided further, That* any forestry funds allocated to a tribe which remain unobligated as of September 30, 1998, may be transferred during fiscal year 1999 to an Indian forest land assistance account established for the benefit of such tribe within the tribe’s trust fund account: *Provided further, That* any such unobligated balances not so transferred shall expire on September 30, 1999: *Provided further, That* notwithstanding any other provision of law,
no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska in fiscal year 1998: Provided further, That funds made available in this or any other Act for expenditure through September 30, 1999 for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996: Provided further, That no funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995: Provided further, That beginning in fiscal year 1998 and thereafter and notwithstanding 25 U.S.C. 2012(h)(1)(B), when the rates of basic compensation for teachers and counselors at Bureau-operated schools are established at the rates of basic compensation applicable to comparable positions in overseas schools under the Defense Department Overseas Teachers Pay and Personnel Practices Act, such rates shall become effective with the start of the next academic year following the issuance of the Department of Defense salary schedule and shall not be effected retroactively: Provided further, That the Cibecue Community School may use prior year
school operations funds for the construction of a new high
school facility which is in compliance with 25 U.S.C.
2005(a) provided that any additional construction costs
for replacement of such facilities begun with prior year
funds shall be completed exclusively with non-Federal
funds(44): Provided further, That tribes may use tribal
priority allocations funds for the replacement and repair
of school facilities which are in compliance with 25 U.S.C.
2005(a), so long as such replacement or repair is approved
by the Secretary and completed with non-Federal tribal
and/or tribal priority allocations funds.

CONSTRUCTION

For construction, major repair, and improvement of
irrigation and power systems, buildings, utilities, and
other facilities, including architectural and engineering
services by contract; acquisition of lands, and interests in
lands; and preparation of lands for farming, and for con-
struction of the Navajo Indian Irrigation Project pursuant
to Public Law 87–483, (45)$110,751,000 $125,051,000,
to remain available until expended: Provided, That such
amounts as may be available for the construction of the
Navajo Indian Irrigation Project may be transferred to the
Bureau of Reclamation: Provided further, That not to ex-
ceed 6 per centum of contract authority available to the
Bureau of Indian Affairs from the Federal Highway Trust
Fund may be used to cover the road program management
costs of the Bureau: Provided further, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a non-reimbursable basis: Provided further, That for fiscal year 1998, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to tribally controlled grant schools under Public Law 100-297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: Provided further, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: Provided further, That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: Provided further, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): Provided further, That any disputes between the Secretary and any grantee con-
Concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2508(e).

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, (46)$11,352,000, to remain available until expended; of which (47)$10,500,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 101–618, 102–374, and 102–575, and for implementation of other enacted water rights settlements, including not to exceed $8,000,000, which shall be for the Federal share of the Catawba Indian Tribe of South Carolina Claims Settlement, as authorized by section 5(a) of Public Law 103–116; and of which (48)$852,000 shall be available pursuant to Public Laws 99–264, 103–402, and 100–580: Provided, That the Secretary is directed to sell land and interests in land, other than surface water rights, acquired in conformance with section 2 of the Truckee River Water Quality Settlement Agreement, the receipts of which shall be deposited to the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund, and be available for the purposes of section 2 of such Agreement, without regard to the limitation on the
distribution of benefits in the second sentence of paragraph 206(f)(2) of Public Law 101-618.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

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

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

ADMINISTRATIVE PROVISIONS

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

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

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior,

(50) $68,214,000 $67,214,000, of which (1)

(51) $63,365,000 $63,365,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $3,849,000 shall be available for salaries and expenses of the Office of Insular Affairs: Provided, That all financial
transactions of the territorial and local governments here-
in provided for, including such transactions of all agencies
or instrumentalities established or utilized by such govern-
ments, may be audited by the General Accounting Office,
at its discretion, in accordance with chapter 35 of title
31, United States Code: Provided further, That Northern
Mariana Islands Covenant grant funding shall be provided
according to those terms of the Agreement of the Special
Representatives on Future United States Financial Assis-
tance for the Northern Mariana Islands approved by Public
Law 99-396, or any subsequent legislation related to
Commonwealth of the Northern Mariana Islands grant
funding: Provided further, That of the amounts provided
for technical assistance, sufficient funding shall be made
available for a grant to the Close Up Foundation: Provided
further, That the funds for the program of operations and
maintenance improvement are appropriated to institu-
tionalize routine operations and maintenance improvement
of capital infrastructure in American Samoa, Guam, the
Virgin Islands, the Commonwealth of the Northern Mari-
ana Islands, the Republic of Palau, the Republic of the
Marshall Islands, and the Federated States of Micronesia
through assessments of long-range operations mainte-
nance needs, improved capability of local operations and
maintenance institutions and agencies (including manage-
ment and vocational education training), and project-spe-
cific maintenance (with territorial participation and cost
sharing to be determined by the Secretary based on the
individual territory’s commitment to timely maintenance
of its capital assets): Provided further, That any appro-
priation for disaster assistance under this head in this Act
or previous appropriations Acts may be used as non-Fed-
eral matching funds for the purpose of hazard mitigation
grants provided pursuant to section 404 of the Robert T.
Stafford Disaster Relief and Emergency Assistance Act
(42 U.S.C. 5170e).

COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for
the Federated States of Micronesia and the Republic of
the Marshall Islands as provided for in sections 122, 221,
223, 232, and 233 of the Compact of Free Association,
and for economic assistance and necessary expenses for
the Republic of Palau as provided for in sections 122, 221,
223, 232, and 233 of the Compact of Free Association,

\(52\) $20,445,000 $20,545,000, to remain available until
expended, as authorized by Public Law 99–239 and Public

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

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

Office of the Solicitor

Salaries and Expenses

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

Office of Inspector General

Salaries and Expenses

For necessary expenses of the Office of Inspector
General, (53)$24,439,000 $24,500,000.

National Indian Gaming Commission

Salaries and Expenses

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

For necessary expenses of the National Indian Gaming
Commission, pursuant to Public Law 100–497, $1,000,000,
to remain available until expended.

Office of Special Trustee for American Indians

Federal Trust Programs

For operation of trust programs for Indians by direct
expenditure, contracts, cooperative agreements, compacts,
and grants, $(55)\$32,126,000$ $35,689,000$, to remain
available until expended $(56)$ for trust funds management:
Provided, That funds for trust management improvements
may be transferred to the Bureau of Indian Affairs: Pro-
vided further, That funds made available to tribes and
tribal organizations through contracts or grants obligated
during fiscal year 1998, as authorized by the Indian Self-
Determination Act of 1975 (25 U.S.C. 450 et seq.), shall
remain available until expended by the contractor or
grantee: Provided further, That notwithstanding any other
provision of law, the statute of limitations shall not com-
mence to run on any claim, including any claim in litiga-
tion pending on the date of this Act, concerning losses to
or mismanagement of trust funds, until the affected tribe
or individual Indian has been furnished with an account-
ing of such funds from which the beneficiary can deter-
mine whether there has been a loss.

Administrative Provisions
There is hereby authorized for acquisition from avail-
able resources within the Working Capital Fund, 15 air-
craft, 10 of which shall be for replacement and which may
be obtained by donation, purchase or through available ex-
cess surplus property: Provided, That notwithstanding any
other provision of law, existing aircraft being replaced may
be sold, with proceeds derived or trade-in value used to
offset the purchase price for the replacement aircraft: Provided further, That no programs funded with appropriated funds in the "Departmental Management", "Office of the Solicitor", and "Office of Inspector General" may be augmented through the Working Capital Fund or the Consolidated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: Provided further, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.
Sec. 102. The Secretary may authorize the expendi-
ture or transfer of any no year appropriation in this title,
in addition to the amounts included in the budget pro-
grams of the several agencies, for the suppression or emer-
gency prevention of forest or range fires on or threatening
lands under the jurisdiction of the Department of the Inte-
rior; for the emergency rehabilitation of burned-over lands
under its jurisdiction; for emergency actions related to po-
tential or actual earthquakes, floods, volcanoes, storms, or
other unavoidable causes; for contingency planning subse-
quently to actual oilspills; response and natural resource
damage assessment activities related to actual oilspills; for
the prevention, suppression, and control of actual or po-
tential grasshopper and Mormon cricket outbreaks on
lands under the jurisdiction of the Secretary, pursuant to
the authority in section 1773(b) of Public Law 99–198
(99 Stat. 1658); for emergency reclamation projects under
section 410 of Public Law 95–87; and shall transfer, from
any no year funds available to the Office of Surface Min-
ing Reclamation and Enforcement, such funds as may be
necessary to permit assumption of regulatory authority in
the event a primacy State is not carrying out the regu-
latory provisions of the Surface Mining Act: Provided,
That appropriations made in this title for fire suppression
purposes shall be available for the payment of obligations
incurred during the preceding fiscal year, and for reim-
bursements to other Federal agencies for destruction of ve-
hicles, aircraft, or other equipment in connection with
their use for fire suppression purposes, such reimburse-
ment to be credited to appropriations currently available
at the time of receipt thereof: Provided further, That for
emergency rehabilitation and wildfire suppression activi-
ties, no funds shall be made available under this authority
until funds appropriated to "Wildland Fire Management"
shall have been exhausted: Provided further, That all funds
used pursuant to this section are hereby designated by
Congress to be "emergency requirements" pursuant to
section 251(b)(2)(D) of the Balanced Budget and Emer-
gency Deficit Control Act of 1985, and must be replen-
ished by a supplemental appropriation which must be re-
quested as promptly as possible: Provided further, That
such replenishment funds shall be used to reimburse, on
a pro rata basis, accounts from which emergency funds
were transferred.

SEC. 103. Appropriations made in this title shall be
available for operation of warehouses, garages, shops, and
similar facilities, wherever consolidation of activities will
contribute to efficiency or economy, and said approipa-
tions shall be reimbursed for services rendered to any
other activity in the same manner as authorized by see-
tions 1535 and 1536 of title 31, United States Code: Pro-
vided, That reimbursements for costs and supplies, mate-
rials, equipment, and for services rendered may be cred-
ited to the appropriation current at the time such reim-
bursements are received.

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

SEC. 105. Appropriations available to the Depart-
ment of the Interior for salaries and expenses shall be
available for uniforms or allowances therefor, as author-

SEC. 106. Appropriations made in this title shall be
available for obligation in connection with contracts issued
for services or rentals for periods not in excess of twelve
months beginning at any time during the fiscal year.
SEC. 107. No final rule or regulation of any agency of the Federal Government pertaining to the recognition, management, or validity of a right-of-way pursuant to Revised Statute 2477 (43 U.S.C. 932) shall take effect unless expressly authorized by an Act of Congress subsequent to the date of enactment of this Act.

Sec. 108. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore leasing and related activities placed under restriction in the President's moratorium statement of June 26, 1990, in the areas of Northern, Central, and Southern California; the North Atlantic; Washington and Oregon; and the Eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

Sec. 109. No funds provided in this title may be expended by the Department of the Interior for the conduct of leasing; or the approval or permitting of any drilling or other exploration activity, offshore oil and natural gas preleasing, leasing, and related activities on lands within the North Aleutian Basin planning area.

Sec. 110. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing and related activities in the Eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the
final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997–2002.

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

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

(a) invested by the Indian tribe, tribal organization, or consortium only in obligations of the United States or in obligations or securities that are guaranteed or insured by the United States; or

(b) deposited only into accounts that are insured by an agency or instrumentality of the United States.

SEC. 112. Advance payments made under this title to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450, et seq.) or the Tribally Con-
trolled Schools Act of 1988 (25 U.S.C. 2501, et seq.) may be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the purposes of the grant, compact, or annual funding agreement so long as such funds are—

(a) invested by the Indian tribe, tribal organization, or consortium only in obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or insured by the United States, or

(b) deposited only into accounts that are insured by an agency or instrumentality of the United States, or are fully collateralized to ensure protection of the Funds, even in the event of a bank failure.

(60) Sec. 113. (a) Employees of Helium Operations, Bureau of Land Management, entitled to severance pay under 5 U.S.C. 5595, may apply for, and the Secretary of the Interior may pay the total amount of the severance pay to the employee in a lump sum. Employees paid severance pay in a lump sum and subsequently reemployed by the Federal government shall be subject to the repayment...
provisions of 5 U.S.C. 5595(i)(2) and (3), except that any
repayment shall be made to the Helium Fund.

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

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

Sec. 113. (a) Employees of Helium Operations, Bu-
reau of Land Management, entitled to severance pay under
5 U.S.C. 5595, may apply for, and the Secretary of the
Interior may pay, the total amount of the severance pay
to the employee in a lump sum. Employees paid severance
pay in a lump sum and subsequently reemployed by the
Federal Government shall be subject to the repayment provi-
sions of 5 U.S.C. 5595(i) (2) and (3), except that any re-
payment shall be made to the Helium Fund.

(b) Helium Operations employees who elect to continue
health benefits after separation shall be liable for not more
than the required employee contribution under 5 U.S.C.
The Helium Fund shall pay for 18 months the remaining portion of required contributions.

(c) The Secretary of the Interior may provide for training to assist Helium Operations employees in the transition to other Federal or private sector jobs during the facility shut-down and disposition process and for up to 12 months following separation from Federal employment, including retraining and relocation incentives on the same terms and conditions as authorized for employees of the Department of Defense in section 348 of the National Defense Authorization Act for Fiscal Year 1995.

(d) For purposes of the annual leave restoration provisions of 5 U.S.C. 6304(d)(1)(B), the cessation of helium production and sales, and other related Helium Program activities shall be deemed to create an exigency of public business under, and annual leave that is lost during leave years 1997 through 2001 because of, 5 U.S.C. 6304 (regardless of whether such leave was scheduled in advance) shall be restored to the employee and shall be credited and available in accordance with 5 U.S.C. 6304(d)(2). Annual leave so restored and remaining unused upon the transfer of a Helium Program employee to a position of the executive branch outside of the Helium Program shall be liquidated by payment to the employee of a lump-sum from the Helium Fund for such leave.
(e) Benefits under this section shall be paid from the Helium Fund in accordance with section 4(c)(4) of the Helium Privatization Act of 1996. Funds may be made available to Helium Program employees who are or will be separated before October 1, 2002 because of the cessation of helium production and sales and other related activities. Retraining benefits, including retraining and relocation incentives, may be paid for retraining commencing on or before September 30, 2002.

(61) Sec. 114. None of the funds in this or previous appropriations Acts may be used to establish a new regional office in the United States Fish and Wildlife Service without the advance approval of the House and Senate Committees on Appropriations.

(62) Sec. 115. (a) CONVEYANCE REQUIREMENT.—Within 90 days after the date of enactment of this Act, the Secretary of the Interior shall convey to the State of West Virginia without reimbursement, all right, title, and interest of the United States in and to the property described in subsection (b), for sole use by the Wildlife Resources Section of the West Virginia Division of Natural Resources, as part of the State of West Virginia fish culture program.

(b) PROPERTY DESCRIBED.—The property referred to in subsection (a) is the property known as the Bowden National Fish Hatchery, located on old United States route HR 2107 PP.
33, Randolph County, West Virginia, consisting of 44 acres (more or less), and all improvements and related personal property under the control of the Secretary that is located on that property, including buildings, structures, equipment, and all easements, leases, and water rights relating to that property.

(c) **USE AND REVERSIONARY INTEREST.**—The property conveyed to the State of West Virginia pursuant to this section shall be used and operated solely by the Wildlife Resources Section of the West Virginia Division of Natural Resources for the purposes of fishery resources management and fisheries related activities, and if it is used for any other purposes or by any other party other than the use authorized under subsection (a), all right, title, and interest in and to all property conveyed under this section shall revert to the United States. The State of West Virginia shall ensure that the property reverting to the United States is in substantially the same or better condition as at the time of transfer.

(63) **Sec. 116.** Section 115 of Public Law 103–332 is amended by inserting after the word "title" the following: "or provided from other Federal agencies through reimbursable or other agreements pursuant to the Economy Act".

(64) **Sec. 117.** The third proviso under the heading "Compact of Free Association" of Public Law 100–446 is
amended by striking "$2,000,000" and inserting
"$2,500,000" and by adding at the end of the proviso the
following: "and commencing on October 1, 1998 and every
year thereafter, this dollar amount shall be changed to re-
reflect any fluctuation occurring during the previous twelve
(12) months in the Consumer Price Index, as determined
by the Secretary of Labor".

(65) SEC. 118. Any funds made available in this Act
or any other Act for tribal priority allocations (hereinafter
in this section "TPA") in excess of the funds expended for
TPA in fiscal year 1997 (adjusted for fixed costs, internal
transfers pursuant to other law, and proposed increases to
formula driven programs not included in tribes' TPA base)
shall only be available for distribution—

(1) to each tribe to the extent necessary to pro-
vide that tribe the minimum level of funding rec-
ommended by the Joint/Tribal/BIA/DOI Task Force
on Reorganization of the Bureau of Indian Affairs
Report of 1994 (hereafter "the 1994 Report") not to
exceed $160,000 per tribe; and

(2) to the extent funds remain, such funds will
be allocated according to the recommendations of a
task force comprised of 2 representatives from each
BIA area. These representatives shall be selected by
the Secretary with the participation of the tribes fol-
lowing procedures similar to those used in establishing the Joint/Tribal/BIA/DOI Task Force on Reorganization of the Bureau of Indian Affairs. In determining the allocation of remaining funds, the task force shall consider the recommendations and principles contained in the 1994 Report. If the task force cannot agree on a distribution by January 31, 1998, the Secretary shall distribute the remaining funds based on the recommendations of a majority of Task Force members no later than February 28, 1998.

(66) SEC. 119. Section 116 of the Omnibus Appropriations Act for Fiscal Year 1997 (Public Law 104–208; 110 Stat. 3009–201) is amended—

(1) by striking “Miners Hospital Grant” each place it appears and inserting in lieu thereof “Miners Hospital Grants”;

(2) by striking “(February 20, 1929, 45 Stat. 1252)” each place it appears and inserting in lieu thereof “(July 16, 1894, 28 Stat. 110 and February 20, 1929, 45 Stat. 1252)”;

(3) by striking “(July 26, 1894, 28 Stat. 110)” each place it appears and inserting in lieu thereof “(July 16, 1894, 28 Stat. 110)”.

(67) SEC. 120. KANTISHNA MINING CLAIMS.—Notwithstanding any other provision of law, on October 1,
1998, there is hereby vested in the United States all right, title, and interest in and to, and the right of immediate possession of, all patented mining claims and valid unpatented mining claims (including any unpatented claim whose validity is in dispute, so long as such validity is later established in a settlement or judgement pursuant to this section) in the Kantishna Mining District within Denali National Park and Preserve whose owners consent in writing to this action within said 120 day period: Provided, That in the event a bankruptcy trustee is an owner in interest in a mining claim in the Kantishna Mining District, that consent will be deemed timely for purposes of this section if the trustee applies within said 120 day period to the bankruptcy court for authority to sell the mining claim and to consent to the taking of such claim, and that in such event title shall vest in the United States 10 days after entry of an unstayed order or judgement approving the trustee's application: Provided further, That the United States shall pay just compensation to the owners of any property taken pursuant to this section, determined as of the date of taking: Provided further, That payment shall be in the amount of a negotiated settlement of the value of such property or the valuation of such property awarded by judgment and shall be made solely from the permanent judgment appropriation established pursuant to
section 1304 of title 31, United States Code, and shall in-
clude accrued interest on the amount of the agreed settle-
ment value or the final judgment from the date of taking
to the date of payment, calculated in accordance with sec-
tion 258c-1 of title 40, United States Code, except that in-
terest shall not be allowed on such amounts as shall have
been paid into the court registry: Provided further, That
the United States or the property owner may initiate pro-
ceedings at any time after said 120 day period seeking a
determination of just compensation in the District Court
for the District of Alaska pursuant to sections 1358 and
1403 of title 28, United States Code: Provided further, That
the United States shall deposit in the registry of the court
the estimated just compensation, or at least seventy-five per-
cent thereof, in accordance with the procedures generally de-
scribed in section 258a of title 40, United States Code not
otherwise inconsistent with this section: Provided further,
That in establishing any estimate (other than an estimate
based on an agency-certified appraisal made prior to the
date of enactment of this Act) the Secretary of the Interior
shall permit the property owner to present evidence of the
value of the property, including potential mineral value,
and shall consider such evidence and permit the property
owner to have a reasonable and sufficient opportunity to
comment on such estimate: Provided further, That the esti-
mated just compensation or part thereof deposited in the
court registry shall be paid to the property owner upon re-
quest: Provided further, That any payment from the court
registry to the property owner shall be deducted from any
negotiated settlement or award by judgement: Provided fur-
ther, That the United States may not request the court to
withhold any payment from the court registry or pursue
any claim for environmental remediation with respect to
such property until 30 days after a negotiated settlement
or award by judgement with respect to such property has
been reached and payment has been made: Provided further,
That the Secretary shall not allow any unauthorized use
of property acquired pursuant to this section after the date
of taking, and the Secretary shall permit the orderly termi-
nation of all operation on the lands and the removal of
equipment, facilities, and personal property.

(68) Sec. 121. Section 1034 of Public Law 104–333
(110 Stat. 4093, 4240) is amended by striking “at any time
within 12 months of enactment of this Act” and inserting
in lieu thereof “on or before October 1, 1998”.

(69) Sec. 122. (a) KODIAK LAND VALUATION.—Not-
withstanding the Refuge Revenue Sharing Act (16 U.S.C.
715s) or any regulations implementing such Act, the fair
market value for the initial computation of the payment
to Kodiak Island Borough pursuant to such Act shall be
based on the purchase price of the parcels acquired from
Akhiok-Kaguyak, Incorporated, Koniag, Incorporated, and
the Old Harbor Native Corporation for addition to the Ko-
diak National Wildlife Refuge.

(b) The fair market value of the parcels described in
subsection (a) shall be reappraised under the normal sched-
ule for appraisals adopted by the Alaska Region of the Unit-
ed States Fish and Wildlife Service under the Refuge Reve-
 nue Sharing Act (16 U.S.C. 715s). Any such reappraisals
shall be made in accordance with such Act and any other
applicable law or regulation.

(c) The fair market value computation required under
subsection (a) shall be effective as of the date of the acquisi-
tion of the parcels described in such subsection.

(70) SEC. 123. (a) ANDROSCOGGIN RIVER VALLEY
HERITAGE AREA ACT—SHORT TITLE.—This Act may be
cited as the “Androscoggin River Valley Heritage Area
Act”.

(b) PURPOSE.—The purpose of this Act is to establish
a locally oriented commission to assist the city of Berlin,
New Hampshire, in identifying and studying the
Androscoggin River Valley’s historical and cultural assets.

(c) ESTABLISHMENT OF COMMISSION.—There is estab-
lished the Androscoggin River Valley Heritage Commission
(referred to in this Act as the “Commission”), which shall
consist of 10 members appointed not later than 3 months after the date of enactment of this Act, as follows:

(1) 1 member appointed by the Governor of New Hampshire, who shall serve as Chairperson.

(2) 1 member appointed by the Speaker of the House of Representatives of the State of New Hampshire.

(3) 1 member appointed by the President of the Senate of the State of New Hampshire.

(4) 2 members appointed by the Secretary of the Interior from among individuals recommended by State and local cultural or historic preservation organizations.

(5) 1 member, appointed by the Secretary of the Interior, who has experience in the area of historical projects.

(6) 4 members appointed by the mayor of the city of Berlin, New Hampshire.

(d) VOTING.—The Commission shall act and advise by affirmative vote of a majority of its members.

(e) COMPENSATION.—

(1) IN GENERAL.—A member of the Commission shall receive no pay on account of the member’s service on the Commission.
(2) TRAVEL EXPENSES.—A member of the Commission, while away from the member's home or regular place of business in the performance of services for the Commission, shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed expenses under section 5703 of title 5, United States Code.

(f) EXEMPTION FROM CHARTER RENEWAL REQUIREMENTS.—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(g) TERMINATION.—The Commission shall terminate on submission of a report under section 4(b).

(h) SUPPORT.—

(1) STAFF AND TECHNICAL SERVICES.—The Director of the National Park Service may provide such staff support and technical services as are necessary to carry out the functions of the Commission.

(2) COMPLETION OF STUDY.—The Secretary of the Interior may provide the Commission such technical and other assistance as is necessary to complete the study described in subsection (j).

(i) OPEN MEETINGS.—All meetings of the Commission shall be open to the public.
(1) IN GENERAL.—Not later than 1 year after the completion of appointment of the members of the Commission, the Commission shall complete a comprehensive study of the Androscoggin River Valley’s history and culture in New Hampshire, which shall—

(A) include a catalog of all available historically and culturally significant sites, buildings, and areas in the region;

(B) examine the feasibility of any Federal or State historic recognition in the region;

(C) include a set of options for the city of Berlin, New Hampshire, to pursue with respect to heritage-based development, including a list of available Federal, State, and private programs that would further any such efforts; and

(D) account for the impacts of any heritage-based development on State, municipal, and private property.

(2) REPORT.—The Commission shall provide Congress, the Secretary of the Interior, and the State of New Hampshire with a report based on the study described in paragraph 1.

(k) NO REGULATORY AUTHORITY.—Nothing in this Act provides the Commission with any regulatory authority.
(1) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out the functions of the Commission, there is authorized to be appropriated $50,000.

(71) **Sec. 124. (a) PRIORITY OF BONDS.**—Section 3 of Public Law 94–392 (90 Stat. 1193, 1195) is amended—

(1) by striking “priority for payment” and inserting “a parity lien with every other issue of bonds or other obligations issued for payment”; and

(2) by striking “in the order of the date of issue”.

(b) **APPLICATION.**—The amendments made by subsection (a) shall apply to obligations issued on or after the date of enactment of this section.

(c) **SHORT TERM BORROWING.**—Section 1 of Public Law 94–392 (90 Stat. 1193) is amended by adding the following new subsection at the end thereof:

“(d) The legislature of the Government of the Virgin Islands may cause to be issued notes in anticipation of the collection of the taxes and revenues for the current fiscal year. Such notes shall mature and be paid within one year from the date they are issued. No extension of such notes shall be valid and no additional notes shall be issued under this section until all notes issued during a preceding year shall have been paid.”.

(72) **Sec. 125. (a) In this section—**
(1) the term "Huron Cemetery" means the lands that form the cemetery that is popularly known as the Huron Cemetery, located in Kansas City, Kansas, as described in subsection (b)(3);

(2) the term "Secretary" means the Secretary of the Interior.

(b)(1) The Secretary shall take such action as may be necessary to ensure that the lands comprising the Huron Cemetery (as described in paragraph (3)) are used only in accordance with this subsection.

(2) The lands of the Huron Cemetery shall be used only—

(A) for religious and cultural uses that are compatible with the use of the lands as a cemetery; and

(B) as a burial ground.

(3) The description of the lands of the Huron Cemetery is as follows:

The tract of land in the NW ¼ of sec. 10, T. 11 S., R. 25 E., of the sixth principal meridian, in Wyandotte County, Kansas (as surveyed and marked on the ground on August 15, 1888, by William Millor, Civil Engineer and Surveyor), described as follows:

"Commencing on the Northwest corner of the Northwest Quarter of the Northwest Quarter of said Section 10;
“Thence South 28 poles to the ‘true point of beginning’;

“Thence South 71 degrees East 10 poles and 18 links;

“Thence South 18 degrees and 30 minutes West 28 poles;

“Thence West 11 and one-half poles;

“Thence North 19 degrees 15 minutes East 31 poles and 15 feet to the ‘true point of beginning’, containing 2 acres or more.”.

(73) SEC. 126. ARKANSAS POST NATIONAL MEMORIAL. (a) The boundaries of the Arkansas Post National Memorial are revised to include the approximately 360 acres of land generally depicted on the map entitled “Arkansas Post National Memorial, Osotouy Unit, Arkansas County, Arkansas” and dated June 1993. Such map shall be on file and available for public inspection in appropriate offices of the National Park Service of the Department of the Interior.

(b) The Secretary of the Interior is authorized to acquire the lands and interests therein described in subsection (a) by donation, purchase with donated or appropriated funds, or exchange: Provided, That such lands or interests therein may only be acquired with the consent of the owner thereof.
Sec. 127. Entry and permit limitations for Glacier Bay National Park shall not apply to the Auk Nu Marine—Glacier Bay Ferry entering Bartlett Cove for the sole purpose of accessing park or other authorized visitor services or facilities at, or originating from, the public dock area at Bartlett Cove: Provided, That any such motor vessel entering park waters for this stated and sole purpose shall be subject to speed, distance from coast lines, and related limitations imposed on all vessels operating in waters designated by the Superintendent, Glacier Bay, as having a high probability of whale occupancy based on recent sighting and/or past patterns of occurrence: Provided further, That nothing in this Act shall be construed as constituting approval for such vessels entering the waters of Glacier Bay National Park beyond the immediate Bartlett Cove area as defined by a line extending northeastward from Pt. Carolus to the west to the southernmost point of Lester Island, absent required permits.

Sec. 128. Title I of Public Law 96–514 (94 Stat. 2957) is amended under the heading “Exploration of National Petroleum Reserve in Alaska” by striking “(8) each lease shall be issued” through the end of the first paragraph and inserting in lieu thereof the following: “(8) each lease shall be issued for an initial period of ten years, and shall be extended for so long thereafter as oil or gas is produced
from the lease in paying quantities, or as drilling or re-
working operations, as approved by the Secretary, are con-
ducted thereon; (9) for purposes of conservation of the natu-
ral resources of any oil or gas pool, field, or like area, or
any part thereof, lessees thereof and their representatives are
authorized to unite with each other, or jointly or separately
with others, in collectively adopting and operating under
a unit agreement for such pool, field, or like area, or any
part thereof (whether or not any other part of said oil or
gas pool, field, or like area is already subject to any cooper-
active or unit plan of development or operation), whenever
determined by the Secretary to be necessary or advisable
in the public interest. Drilling, production, and well re-
working operations performed in accordance with a unit
agreement shall be deemed to be performed for the benefit
of all leases that are subject in whole or in part to such
unit agreement. When separate tracts cannot be independ-
ently developed and operated in conformity with an estab-
lished well spacing or development program, any lease, or
a portion thereof, may be pooled with other lands, whether
or not owned by the United States, under a
communitization or drilling agreement providing for an
apportionment of production or royalties among the sepa-
rate tracts of land comprising the drilling or spacing unit
when determined by the Secretary of the Interior to be in
the public interest, and operations or production pursuant
to such an agreement shall be deemed to be operations or
production as to each such lease committed thereto; (10) to
courage the greatest ultimate recovery of oil or gas or in
the interest of conservation the Secretary is authorized to
waive, suspend, or reduce the rental, or minimum royalty,
or reduce the royalty on an entire leasehold, including on
any lease operated pursuant to a unit agreement, whenever
in his judgment the leases cannot be successfully operated
under the terms provided therein. The Secretary is author-
ized to direct or assent to the suspension of operations and
production on any lease or unit. In the event the Secretary,
in the interest of conservation, shall direct or assent to the
suspension of operations and production on any lease or
unit, any payment of acreage rental or minimum royalty
prescribed by such lease or unit likewise shall be suspended
during the period of suspension of operations and produc-
tion, and the term of such lease shall be extended by adding
any such suspension period thereto; and (11) all receipts
from sales, rentals, bonuses, and royalties on leases issued
pursuant to this section shall be paid into the Treasury of
the United States: Provided, That 50 percentum thereof
shall be paid by the Secretary of the Treasury semiannu-
ally, as soon thereafter as practicable after March 30 and
September 30 each year, to the State of Alaska for—(A)
planning, (B) construction, maintenance, and operation of
essential public facilities, and (C) other necessary provi-
sions of public service: Provided further, That in the alloca-
tion of such funds, the State shall give priority to use by
subdivisions of the State most directly or severely impacted
by development of oil and gas leased under this Act.”.

(76) SEC. 129. LIMITATIONS ON CERTAIN INDIAN
GAMING OPERATIONS. (a) DEFINITIONS.—For purposes of
this section, the following definitions shall apply:

(1) CLASS III GAMING.—The term “class III
gaming” has the meaning provided that term in sec-
tion 4(8) of the Indian Gaming Regulatory Act (25
U.S.C. 2703(8)).

(2) INDIAN TRIBE.—The term “Indian tribe” has
the meaning provided that term in section 4(e) of the
Indian Self-Determination and Education Assistance
Act (25 U.S.C. 450(e)).

(3) SECRETARY.—The term “Secretary” means
the Secretary of the Department of the Interior.

(4) TRIBAL-STATE COMPACT.—The term “Tribal-
State compact” means a Tribal-State compact re-
f erred to in section 11(d) of the Indian Gaming Regu-
latory Act (25 U.S.C. 2710(d)).

(b) CLASS III GAMING COMPACTS.—

(1) IN GENERAL.—
(A) PROHIBITION.—During fiscal year 1998, the Secretary may not expend any funds made available under this Act to review or approve any initial Tribal-State compact for class III gaming entered into on or after the date of enactment of this Act. This provision shall not apply to any Tribal-State compact which has been approved by a State in accordance with State law and the Indian Gaming Regulatory Act.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to prohibit the review or approval by the Secretary of a renewal or revision of, or amendment to a Tribal-State compact that is not covered under subparagraph (A).

(2) TRIBAL-STATE COMPACTS.—During fiscal year 1998, notwithstanding any other provision of law, no Tribal-State compact for class III gaming shall be considered to have been approved by the Secretary by reason of the failure of the Secretary to approve or disapprove that compact. This provision shall not apply to any Tribal-State compact which has been approved by a State in accordance with State law and the Indian Gaming Regulatory Act.
SEC. 130. SENSE OF THE SENATE CONCERNING INDIAN GAMING. It is the sense of the Senate that the United States Department of Justice should vigorously enforce the provisions of the Indian Gaming Regulatory Act requiring an approved tribal/State gaming compact prior to the initiation of Class III gaming on Indian lands.

(77) SEC. 131. No funds provided in this or any other Act may be expended to develop a rulemaking process relevant to amending the National Indian Gaming Commission’s definition regulations located at 25 CFR 502.7 and 502.8.

(78) SEC. 132. YOUTH ENVIRONMENTAL SERVICE PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Secretary of Interior, in consultation with the Attorney General, shall—

(1) submit to Congress a report identifying at least 20 sites on Federal land that are potentially suitable and promising for activities of the Youth Environmental Service program to be administered in accordance with the Memorandum of Understanding signed by the Secretary of the Interior and the Attorney General in February 1994; and

(2) provide a copy of the report to the appropriate State and local law enforcement agencies in the
(79) SEC. 133. CONVEYANCE OF LAND TO LANDER COUNTY, NEVADA. (a) CONVEYANCE.—Not later than the date that is 120 days after the date of enactment of this Act, the Secretary of the Interior, acting through the Director of the Bureau of Land Management, shall convey to Lander County, Nevada, without consideration, all right, title, and interest of the United States, subject to all valid existing rights and to the rights of way described in subsection (b), in the property described as T. 32 N., R. 45 E., sec. 18, lots 3, 4, 11, 12, 16, 17, 18, 19, 20 and 21, Mount Diablo Meridian.

(b) RIGHTS-OF-WAY.—The property conveyed under subsection (a) shall be subject to—

(1) the right-of-way for Interstate 80;

(2) the 33-foot wide right-of-way for access to the Indian cemetery included under Public Law 90-71 (81 Stat. 173); and

(3) the following rights-of-way granted by the Secretary of the Interior:

NEV-010937 (powerline).

NEV-066891 (powerline).

NEV-35345 (powerline).

N-7636 (powerline).
(c) REQUIREMENT.—The property described in this section shall be used for public purposes and should the property be sold or used for other than public purposes, the property shall revert to the United States.

(80) Sec. 134. Conveyance of Certain Bureau of Land Management Lands in Clark County, Nevada.

(a) Findings.—Congress finds that—

(1) certain landowners who own property adjacent to land managed by the Bureau of Land Management in the North Decatur Boulevard area of Las Vegas, Nevada, bordering on North Las Vegas, have been adversely affected by certain erroneous private land surveys that the landowners believed were accurate;

(2) the landowners have occupied or improved their property in good faith reliance on the erroneous surveys of the properties;

(3) the landowners believed that their entitlement to occupancy was finally adjudicated by a Judgment and Decree entered by the Eighth Judicial District Court of Nevada on October 26, 1989;
(4) errors in the private surveys were discovered in connection with a dependent resurvey and section subdivision conducted by the Bureau of Land Management in 1990, which established accurate boundaries between certain federally owned properties and private properties; and

(5) the Secretary has authority to sell, and it is appropriate that the Secretary should sell, at fair market value, the properties described in section 2(b) to the adversely affected landowners.

(b) CONVEYANCE OF PROPERTIES.—

(1) PURCHASE OFFERS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the city of Las Vegas, Nevada, on behalf of the owners of real property located adjacent to the properties described in paragraph (2), may submit to the Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to in this Act as the "Secretary"), a written offer to purchase the properties.

(B) INFORMATION TO ACCOMPANY OFFER.—

An offer under subparagraph (A) shall be accompanied by—
(i) a description of each property offered to be purchased;

(ii) information relating to the claim of ownership of the property based on an erroneous land survey; and

(iii) such other information as the Secretary may require.

(2) DESCRIPTION OF PROPERTIES.—The properties described in this paragraph, containing 68.60 acres, more or less, are—

(A) Government lots 22, 23, 26, and 27 in sec. 18, T. 19 S., R. 61 E., Mount Diablo Meridian;

(B) Government lots 20, 21, and 24 in sec. 19, T. 19 S., R. 61 E., Mount Diablo Meridian;

and

(C) Government lot 1 in sec. 24, T. 19 S., R. 60 E., Mount Diablo Meridian.

(3) CONVEYANCE.—

(A) IN GENERAL.—Subject to the condition stated in subparagraph (B), the Secretary shall convey to the city of Las Vegas, Nevada, all right, title, and interest of the United States in and to the properties offered to be purchased under paragraph (1) on payment by the city of
the fair market value of the properties, based on
an appraisal of the fair market value as of De-
cember 1, 1982, approved by the Secretary.

(B) CONDITION.—Properties shall be con-
veyed under subparagraph (A) subject to the con-
dition that the city convey the properties to the
landowners who were adversely affected by reli-
ance on erroneous surveys as described in sub-
section (a).

(81)SEC. 135. DISPOSITION OF CERTAIN OIL LEASE
REVENUE. (a) DEPOSIT IN FUND.—One half of the amounts
awarded by the Supreme Court to the United States in the
case of United States of America v. State of Alaska (117
S. Ct. 1888) shall be deposited in a fund in the Treasury
of the United States to be known as the “national Parks
and Environmental Improvement Fund” (referred to in
this section as the “Fund”).

(b) INVESTMENTS.—

(1) IN GENERAL.—The Secretary of the Treasury
shall invest amounts in the Fund in interest bearing
obligations of the United States.

(2) ACQUISITION OF OBLIGATIONS.—For the pur-
pose of investments under paragraph (1), obligations
may be acquired—

(A) on original issue at the issue price; or
(B) by purchase of outstanding obligations at the market price.

(3) **SALE OF OBLIGATIONS.**—Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

(4) **CREDITS TO FUND.**—The interest earned from investments of the Fund shall be covered into and form a part of the Fund.

(c) **TRANSFER AND AVAILABILITY OF AMOUNTS EARNED.**—Each year, interest earned and covered into the Fund in the previous fiscal year shall be available for appropriation, to the extent provided in subsequent appropriation bills, as follows:

(1) 40 percent of such amounts shall be available for National Park capital projects in the National Park System that comply with the criteria stated in subsection (d); and

(2) 40 percent of such amounts shall be available for the State-side matching grant under section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–8); and

(3) 20 percent of such amounts shall be made available to the Secretary of Commerce for the purpose of carrying out marine research activities in accordance with subsection (e).
(d) CAPITAL PROJECTS.—

(1) IN GENERAL.—Funds available under subsection (c)(2) may be used for the design, construction, repair or replacement of high priority National Park Service facilities directly related to enhancing the experience of park visitors, including natural, cultural, recreational and historic resources protection projects.

(2) LIMITATION.—A project referred to in paragraph (1) shall be consistent with—

(A) the laws governing the National Park System;

(B) any law governing the unit of the National Park System in which the project is undertaken; and

(C) the general management plan for the unit.

(3) NOTIFICATION OF CONGRESS.—The Secretary shall submit with the annual budget submission to Congress a list of high priority projects proposed to be funded under paragraph (1) during the fiscal year covered by such budget submission.

(e) MARINE RESEARCH ACTIVITIES.—(1) Funds available under subsection (c)(3) shall be used by the Secretary of Commerce according to this subsection to provide grants
to Federal, State, private or foreign organizations or individuals to conduct research activities on or relating to the fisheries or marine ecosystems in the north Pacific Ocean, Bering Sea, and Arctic Ocean (including any lesser related bodies of water).

(2) Research priorities and grant requests shall be reviewed and recommended for Secretarial approval by a board to be known as the North Pacific Research Board (referred to in this subsection as the "Board"). The Board shall seek to avoid duplicating other research activities, and shall place a priority on cooperative research efforts designed to address pressing fishery management or marine ecosystem information needs.

(3) The Board shall be comprised of the following representatives or their designees—

(A) the Secretary of Commerce, who shall be a co-chair of the Board;

(B) the Secretary of State;

(C) the Secretary of the Interior;

(D) the Commandant of the Coast Guard;

(E) the Director of the Office of Naval Research;

(F) the Alaska Commissioner of Fish and Game, who shall also be a co-chair of the Board;

(G) the Chairman of the North Pacific Fishery Management Council;
(H) the Chairman of the Arctic Research Commission;

(I) the Director of the Oil Spill Recovery Institute;

(J) the Director of the Alaska SeaLife Center;

(K) five members nominated by the Governor of Alaska and appointed by the Secretary of Commerce, one of whom shall represent fishing interests, one of whom shall represent Alaska Natives, one of whom shall represent environmental interests, one of whom shall represent academia, and one of whom shall represent oil and gas interests;

(L) three members nominated by the Governor of Washington and appointed by the Secretary of Commerce; and

(M) one member nominated by the Governor of Oregon and appointed by the Secretary of Commerce.

The members of the Board shall be individuals knowledgeable by education, training, or experience regarding fisheries or marine ecosystems in the north Pacific Ocean, Bering Sea, or Arctic Ocean. Three nominations shall be submitted for each member to be appointed under subparagraphs (K), (L), and (M). Board members appointed under subparagraphs (K), (L), and (M) shall serve for three year terms, and may be reappointed.
of the funds provided to the Secretary of Commerce under paragraph (1) may be used to provide support for the Board and administer grants under this subsection.

(82) SEC. 136. Notwithstanding any other provision of law, in payment for facilities, equipment, and interests destroyed by the Federal Government at the Stampede Mine Site within the boundaries of Denali National Park—(1) the Secretary of the Interior, within existing funds designated by this Act for expenditure for Departmental Management, shall by September 15, 1998—(A) provide funds, subject to an appraisal in accordance with standard appraisal methods, not to exceed $500,000 to the University of Alaska Fairbanks, School of Mineral Engineering; and (B) shall remove mining equipment at the Stampede Mine Site identified by the School of Mineral Engineering to a site specified by the School of Mineral Engineering; and (2) the Secretary of the Army shall provide, at no cost, two six by six vehicles, in excellent operating condition, or equivalent equipment to the University of Alaska Fairbanks, School of Mineral Engineering and shall construct a bridge across the Bull River to the Golden Zone Mine Site to allow ingress and egress for the activities conducted by the School of Mineral Engineering. Upon transfer of the funds, mining equipment, and the completion of all work designated by this section, the University of Alaska Fair-
task force shall be exempt from the requirements of the Federal Advisory Committee Act.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, for forest planning, inventory, and monitoring, and for administrative expenses associated with the management of funds provided under the heads “Forest and Rangeland Research,” “State and Private Forestry,” “National Forest System,” “Wildland Fire Management,” “Reconstruction and Construction,” and “Land Acquisition,” (87)$1,364,480,000 $1,346,215,000, to remain available until expended, which shall include 50 per centum of all monies received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 460l–6a(i)): Provided, That up to $10,000,000 of the funds provided herein for road maintenance shall be available for the planned obliteration of roads which are no longer needed (88): Provided further, That funds may be used to construct or reconstruct facilities of the Forest Service: Provided further, That no more than $250,000 shall be used on any single project, exclusive of planning and design costs: Provided further, That the Forest Service
pended, may be obligated for the construction of forest
roads by timber purchasers.

LAND ACQUISITION

For expenses necessary to carry out the provisions
of the Land and Water Conservation Fund Act of 1965,
as amended (16 U.S.C. 460l-4-11), including administra-
tive expenses, and for acquisition of land or waters, or in-
terest therein, in accordance with statutory authority ap-
licable to the Forest Service, $45,000,000

$49,176,000, to be derived from the Land and Water Con-
servation Fund, to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL

ACTS

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

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

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

For restoring the balances borrowed for previous years firefighting, $128,000,000, to remain available until expended. Provided, That the appropriation shall be merged with and made a part of the designated fund authorized by Public Law 71-319, as amended.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of not to exceed 159 passenger motor vehicles of which 22 will be used primarily for law enforcement purposes and of which 156 shall be for replacement; acquisition of 25 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed two for replacement only, and acquisition of 20 aircraft from excess sources notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein, pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and
resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

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

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in the report accompanying this bill.

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

Notwithstanding any other provision of the law, any appropriations or funds available to the Forest Service may be used to disseminate program information to private and public individuals and organizations through the
vided. That this limitation shall not apply to hardwood stands damaged by natural disaster: Provided further, That landscape architects shall be used to maintain a visually pleasing forest.

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

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

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

To the greatest extent possible, and in accordance with the Final Amendment to the Shawnee National Forest Plan, none of the funds available in this Act shall be used for preparation of timber sales using clearcutting or
Provided further, That such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98–244, up to $2,000,000 of the funds available to the Forest Service shall be available for matching funds, as authorized by 16 U.S.C. 3701–3709, and may be advanced in a lump sum as Federal financial assistance, without regard to when expenses are incurred, for projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds advanced by the Forest Service: Provided further, That the Foundation may transfer Federal funds to a recipient of Federal financial assistance for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Notwithstanding any other provision of law, 80 percent of the funds appropriated to the Forest Service in
available upon approval of the House and Senate Committees on Appropriations.

The Secretary of Agriculture is authorized to enter into grants, contracts, and cooperative agreements as appropriate with the Pinchot Institute for Conservation, as well as with public and other private agencies, organizations, institutions, and individuals, to provide for the development, administration, maintenance, or restoration of land, facilities, or Forest Service programs, at the Grey Towers National Historic Landmark: Provided, That, subject to such terms and conditions as the Secretary of Agriculture may prescribe, any such public or private agency, organization, institution, or individual may solicit, accept, and administer private gifts of money and real or personal property for the benefit of, or in connection with, the activities and services at the Grey Towers National Historic Landmark: Provided further, That such gifts may be accepted notwithstanding the fact that a donor conducts business with the Department of Agriculture in any capacity.

Funds appropriated to the Forest Service shall be available, as determined by the Secretary, for payments to Del Norte County, California, pursuant to sections 13(e) and 14 of the Smith River National Recreation Area Act (Public Law 101–612).
Of the funds made available under this heading for obligation in fiscal year 1997 or prior years, $101,000,000 are rescinded: Provided, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), performed under the minerals and materials science programs at the Albany Research Center in Oregon, (99)$313,153,000 $363,969,000, to remain available until expended: Provided, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas.
ury: Provided further, That the requirements of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal year 1998.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, (101) $644,766,000 $627,357,000, to remain available until expended, including, notwithstanding any other provision of law, the excess amount for fiscal year 1998 determined under the provisions of section 3003(d) of Public Law 99–509 (15 U.S.C. 4502): Provided, That (102) $153,815,000 $160,100,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507) and shall not be available until excess amounts are determined under the provisions of section 3003(d) of Public Law 99–509 (15 U.S.C. 4502): Provided further, That notwithstanding section 3003(d)(2) of Public Law 99–509 such sums shall be allocated to the eligible programs as follows: (103) $123,815,000 $129,000,000 for weatherization assistance grants and (104) $30,000,000 $31,100,000 for State energy conservation grants.

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, $2,725,000, to remain available until expended.
$207,500,000 shall be repaid from the "SPR Operating Fund" from amounts made available from the sales under this heading: Provided, That, consistent with Public law 104–106, proceeds in excess of $2,000,000,000 from the sale of the Naval Petroleum Reserve Numbered 1 shall be deposited into the "SPR Operating Fund", and are hereby appropriated, to remain available until expended, for repayments under this heading and for operations of, or acquisition, transportation, and injection of petroleum products into, the Strategic Petroleum Reserve: Provided further, That if the Secretary of Energy finds that the proceeds from the sale of the Naval Petroleum Reserve Numbered 1 will not be at least $2,207,500,000 in fiscal year 1998, the Secretary, notwithstanding section 161 of the Energy Policy and Conservation Act of 1975, shall draw down and sell oil from the Strategic Petroleum Reserve in fiscal year 1998, and deposit the proceeds into the "SPR Operating Fund", in amounts sufficient to make deposits into the fund total $207,500,000 in that fiscal year: Provided further, That the amount of $2,000,000,000 in the first proviso and the amount of $2,207,500,000 in the second proviso shall be adjusted by the Director of the Office of Management and Budget to amounts not to exceed $2,415,000,000 and $2,622,500,000, respectively, only to the extent that an adjustment is necessary to avoid a sequestration, or any in-
Appropriations under this Act for the current fiscal year shall be available for hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase, repair, and cleaning of uniforms; and reimbursement to the General Services Administration for security guard services.

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

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

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

Provided, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until
contributions in cooperation with other Federal, State or private agencies or concerns.

The Secretary is authorized to accept funds from other Federal agencies in return for assisting agencies in achieving energy efficiency in Federal facilities and operations by the use of privately financed, energy saving performance contracts and other private financing mechanisms. The funds may be provided after agencies begin to realize energy cost savings; may be retained by the Secretary until expended; and may be used only for the purpose of assisting Federal agencies in achieving greater efficiency, water conservation, and use of renewable energy by means of privately financed mechanisms, including energy savings performance contracts. Any such privately financed contracts shall meet the provisions of the Energy Policy Act of 1992, Public Law (107) 102-486 (42 U.S.C. 8287).

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with re-
Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): Provided further, That of the funds provided, $7,500,000 shall remain available until expended, for the Indian Self-Determination Fund, which shall be available for the transitional costs of initial or expanded tribal contracts, compacts, grants or cooperative agreements with the Indian Health Service under the provisions of the Indian Self-Determination Act: Provided further, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 1999: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: Provided further, That an amount not to exceed $200,000 shall be available to fund the Office of Navajo Uranium Workers for health screening and epidemiologic follow up of uranium miners and mill workers,
3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefore as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: Provided, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: Provided further, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health
been included in an appropriations Act and enacted into law: Provided further, That funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act (112):-Provided further, That funds received from any source, including tribal contractors and compactors for previously transferred functions which tribal contractors and compactors no longer wish to retain, for services, goods, or training and technical assistance, shall be retained by the Indian Health Service and shall remain available until expended by the Indian Health Service: Provided further, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account which provided the funding, said amounts to remain available until expended: Provided further, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead
vided further, That the Office shall relocate any certified
eligible relocatees who have selected and received an ap-
proved homesite on the Navajo reservation or selected a
replacement residence off the Navajo reservation or on the

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and
Alaska Native Culture and Arts Development, as author-
ized by title XV of Public Law 99–498, as amended (20
U.S.C. 56, part A), (114)$3,000,000 $5,500,000.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institu-
tion, as authorized by law, including research in the fields
of art, science, and history; development, preservation, and
documentation of the National Collections; presentation of
public exhibits and performances; collection, preparation,
dissemination, and exchange of information and publica-
tions; conduct of education, training, and museum assist-
ance programs; maintenance, alteration, operation, lease
(for terms not to exceed thirty years), and protection of
buildings, facilities, and approaches; not to exceed
$100,000 for services as authorized by 5 U.S.C. 3109; up
1 2 of the Act of August 22, 1949 (63 Stat. 623), including
2 not to exceed $10,000 for services as authorized by 5
3 U.S.C. 3109, (116)$50,000,000 $32,000,000, to remain
4 available until expended: Provided, That contracts award-
5 ed for environmental systems, protection systems, and ex-
6 terior repair or restoration of buildings of the Smithsonian
7 Institution may be negotiated with selected contractors
8 and awarded on the basis of contractor qualifications as
9 well as price.

(117) CONSTRUCTION

For necessary expenses for construction, $33,000,000, 
12 to remain available until expended: Provided, That not-
13 withstanding any other provision of law, a single procure-
14 ment for the construction of the National Museum of the
15 American Indian may be issued which includes the full
16 scope of the project: Provided further, That the solicitation
17 and the contract shall contain the clause “availability of
18 funds” found at 48 CFR 52.232.18.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gal-
22 lery of Art, the protection and care of the works of art
23 therein, and administrative expenses incident thereto, as
24 authorized by the Act of March 24, 1937 (50 Stat. 51),
25 as amended by the public resolution of April 13, 1939
awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $11,375,000.

CONSTRUCTION

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

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For necessary expenses of the Woodrow Wilson International Center for Scholars, $1,000,000.

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $5,840,000.
NATIONAL ENDOWMENT FOR THE HUMANITIES
GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \((123)\$96,100,000 \quad \$96,800,000\), shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$13,900,000, to remain available until expended, of which \$8,000,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): \textit{Provided}, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.
1 (126)$2,700,000 $2,745,000: Provided, That none of these funds shall be available for the compensation of Executive Level V or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109,

(127)$5,700,000 $5,740,000: Provided, That all appointed members will be compensated at a rate not to exceed the rate for Executive Schedule Level IV: Provided further, That beginning in fiscal year 1998 and thereafter, the Commission is authorized to charge fees to cover the full costs of Geographic Information System products and services supplied by the Commission, and such fees shall be credited to this account as an offsetting collection, to remain available until expended.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96-388 (36 U.S.C. 1401), as amended, $31,707,000 of which $1,575,000 for the Museum’s repair and rehabilitation program and $1,264,000 for the Museum’s exhibitions program shall remain available until expended.
SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

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

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

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

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in ex-
1 Management lands in a manner different than such sales
2 were conducted in fiscal year 1995.
3
4 SEC. 309. None of the funds made available by this
5 Act may be obligated or expended by the National Park
6 Service to enter into or implement a concession contract
7 which permits or requires the removal of the underground
8 lunchroom at the Carlsbad Caverns National Park.
9
10 SEC. 310. Beginning in fiscal year 1998 and there-
11 after, where the actual costs of construction projects under
12 self-determination contracts, compacts, or grants, pursu-
13 ant to Public Laws 93–638, 103–413, or 100–297, are
14 less than the estimated costs thereof, use of the resulting
15 excess funds shall be determined by the appropriate Sec-
16 retary after consultation with the tribes.
17
18 SEC. 311. Notwithstanding Public Law 103–413,
19 quarterly payments of funds to tribes and tribal organiza-
20 tions under annual funding agreements pursuant to sec-
21 tion 108 of Public Law 93–638, as amended, beginning
22 in fiscal year 1998 and thereafter, may be made on the
23 first business day following the first day of a fiscal quar-
24 ter.
25
26 SEC. 312. None of the funds appropriated or other-
27 wise made available by this Act may be used for the
28 AmeriCorps program, unless the relevant agencies of the
29 Department of the Interior and/or Agriculture follow ap-
of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date. (c) On September 30, 1998, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the United States Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(e) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.
effect prior to September 8, 1995 (36 CFR 223.48; 36 CFR 223.87; 36 CFR 223 subpart D; 36 CFR 223 subpart F; and 36 CFR 261.6) shall remain in effect. The Secretary of Agriculture or the Secretary of the Interior shall not adopt any policies concerning Public Law 101–382 or existing regulations that would restrain domestic transportation or processing of timber from private lands or impose additional accountability requirements on any timber. The Secretary of Commerce shall extend until September 30, 1998, the order issued under section 491(b)(2)(A) of Public Law 101–382 and shall issue an order under section 491(b)(2)(B) of such law that will be effective October 1, 1998:

(130)Sec. 318. No part of any appropriation contained in this Act shall be expended or obligated to fund the activities of the western director and special assistant to the Secretary within the Office of the Secretary of Agriculture:

Sec. 318. No part of any appropriation contained in this Act shall be expended or obligated to fund the activities of the western director and special assistant to the Secretary within the Office of the Secretary of Agriculture unless the proposed expenditure is approved in advance by the House and Senate Committees on Appropriations in compliance
available for expenditure in accordance with paragraph (2)(B)."

SEC. 321. None of the funds collected under the Recreational Fee Demonstration program may be used to plan, design, or construct a visitor center or any other permanent structure without prior approval of the House and the Senate Committees on Appropriations if the estimated total cost of the facility exceeds $500,000.

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

SEC. 323. The Secretaries of Agriculture and Interior, in their conducting the Interior Columbia Basin Ecosystem Management Project, including both the Eastside Draft Environmental Impact Statement and the Upper Columbia River Basin Ecosystem Management Strategy Draft Environmental Impact Statement as described in a Federal Register notice on January 15, 1997 (Vol. 62, No. 10, page 2176) (hereinafter "Project"), shall analyze the economic and social conditions, and culture and customs of communities at the sub-basin level of analysis within the project area to the extent practicable and
Príbilof Islands Association, Inc., Bristol Bay Area Health Corporation, Chugachmiut, Copper River Native Association, Kodiak Area Native Area Association, Maniilaq Association, Metlakatla Indian Community, Arctic Slope Native Association, Ltd., Norton Sound Health Corporation, Southcentral Foundation, Southeast Alaska Regional Health Consortium, Tanana Chiefs Conference, Inc., and Yukon-Kuskokwim Health Corporation (hereinafter "regional health entities"), without further resolutions from the Regional Corporations, Village Corporations, Indian Reorganization Act Councils, tribes and/or villages which they represent are authorized to form a consortium (hereinafter "the Consortium") to enter into contracts, compacts, or funding agreements under Public Law 93–638 (25 U.S.C. 450 et seq.), as amended, to provide all statewide health services provided by the Indian Health Service of the U.S. Department of Health and Human Services through the Alaska Native Medical Center and the Alaska Area Office. Each specified “regional health entity” shall maintain that status for purposes of participating in the Consortium only so long as it operates a regional health program for the Indian Health Service under Public Law 93–638 (25 U.S.C. 450 et seq.), as amended.

(b) The Consortium shall be governed by a 15 member Board of Directors, which shall be composed of one rep-
sortium under this section shall be provided pursuant to contracts or funding agreements entered into by the Consortium under Public Law 93-638 (25 U.S.C. 450 et seq.), as amended, and for such purpose the Consortium shall be deemed to have mature contract status as defined in section 4(h) of the Indian Self-Determination and Education Assistance Act, 25 U.S.C. 450b(h).

(d) Cook Inlet Region, Inc., through Southcentral Foundation (or any successor health care entity designated by Cook Inlet Region, Inc.) pursuant to Public Law 93-638 (25 U.S.C. 450 et seq.), as amended, is hereby authorized to enter into contracts or funding agreements under such Public Law for all services, provided at or through the Alaska Native Primary Care Center or other satellite clinics in Anchorage or the Matanuska-Susitna Valley without submission of any further authorizing resolutions from any other Alaska Native Region, village corporation, Indian Reorganization Act council, or tribe, no matter where located. Services provided under this paragraph shall, at a minimum, maintain the level of statewide and Anchorage Service Unit services provided at the Alaska Native Primary Care Center as of October 1, 1997, including necessary related services performed at the Alaska Native Medical Center. In addition, Cook Inlet Region, Inc., through Southcentral Foundation, or any lawfully designated health
tive village corporation that is located within the area
served by an Alaska Native regional health entity.

(b) Nothing in this section shall be construed to pro-
hibit the disbursement of funds to any Alaska Native village
or Alaska Native village corporation under any contract or
compact entered into prior to May 1, 1997, or to prohibit
the renewal of any such agreement.

(c) The General Accounting Office shall conduct a
study of the impact of contracting and compacting by the
Indian Health Service under Public Law 93-638 with Alas-
ka Native villages and Alaska Native village corporations
for the provision of health care services on the provision
of health care services by Alaska Native regional corpora-
tion health care entities. The General Accounting Office
shall submit the results of that study to the Committee on
Appropriations of the Senate and the Committee on Approp-
riations of the House by June 1, 1998.

(137) SEC. 326. None of the funds made available
by this Act may be used for the eviction of any person
from real property in Sleeping Bear Dunes National Lake-
shore that the person was authorized, on July 10, 1997,
to occupy under a lease by the Department of the Interior
or a special use permit issued by the Department of the
Interior.
this subsection shall prohibit payments made in exchange for goods and services.

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

140) Sec. 330. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account to the credit of the appropriate Endowment for the purposes specified in each case.

(141) Sec. 331. In fiscal years 1998 through 2002, the Secretaries of the Interior and Agriculture may make reciprocal delegations of their respective authorities, duties and responsibilities in support of joint pilot programs to promote customer service and efficiency in the management of
on public or private land or both that benefit these resources within the watershed.

(b) DIRECT AND INDIRECT WATERSHED AGREEMENTS.—The Secretary of Agriculture may enter into a watershed restoration and enhancement agreement—

(1) directly with a willing private landowner; or

(2) indirectly through an agreement with a state, local or tribal government or other public entity, educational institution, or private non-profit organization.

(c) TERMS AND CONDITIONS.—In order for the Secretary to enter into a watershed restoration and enhancement agreement—

(1) the agreement shall—

(A) include such terms and conditions mutually agreed to by the Secretary and the landowner;

(B) improve the viability of and otherwise benefit the fish, wildlife, and other resources on national forests lands within the watershed;

(C) authorize the provision of technical assistance by the Secretary in the planning of management activities that will further the purposes of the agreement;
"TERMINATION OF THE COMMISSION

"SEC. 4. (a) IN GENERAL.—The Commission shall terminate on the earlier of—

"(1) December 31, 1997; or

"(2) the date that the Commission reports to the President and the Congress that the Commission’s work is complete.

"(b) COMMISSION FUNDS.—

"(1) DESIGNATION.—Before the termination of the Commission, the Commission shall designate a nonprofit organization to collect, manage, and expend Commission funds after its termination.

"(2) TRANSFER OF FUNDS.—Before termination the Commission shall transfer all Commission funds to the entity designated under paragraph (1).

"(3) AMOUNTS COLLECTED AFTER TERMINATION.—The entity designated under paragraph (1) shall have the right to collect any amounts accruing to the Commission after the Commission’s termination, including amounts—

"(A) given to the Commission as a gift or bequest; or

"(B) raised from the sale of coins issued under the United States Commemorative Coin
justed to exclude section 1 of Township 23 North, Range 19 East, Willamette Meridian.

(148) Sec. 338. None of the funds provided in this Act can be used for any activities associated with the Center of Excellence for Sustainable Development unless a budget request has been submitted and approved by the Committees on Appropriations of the House of Representatives and the United States Senate.

(149) Sec. 339. (a) No funds provided in this or any other act may be expended to develop a rulemaking proposal to amend or replace the Bureau of Land Management regulations found at 43 C.F.R. 3809 or to prepare a draft environmental impact statement on such proposal, until the Secretary of the Interior certifies to the Committees on Energy and Natural Resources and Appropriations of the United States Senate and the Committees on Resources and Appropriations of the United States House of Representatives that the Department of the Interior has consulted with the Governor, or his/her representative, from each State that contains public lands open to location under the General Mining Laws.

(b) The Secretary shall not publish proposed regulations to amend or replace the Bureau of Land Management regulations found at 43 C.F.R. 3809 prior to November 15,
(d) The conveyances made pursuant to this section shall be subject to existing valid rights.

(e) Section 120(h) of the Comprehensive Environmental Response, Compensation, Liability Act of 1980 (42 U.S.C. 9620(h)) shall apply to the conveyance required under subsection (b).

(f) The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States consistent with existing law.

151 Sec. 341. (a) LOCAL EXEMPTIONS FROM FOREST SERVICE USER FEES DUE TO LESS THAN FULL FUNDING OF PAYMENTS IN LIEU OF TAXES.—Section 6906 of title 31, United States Code, is amended—

(1) by inserting "(a) IN GENERAL.—" before "Necessary"; and

(2) by adding at the end the following:

"(b) LOCAL EXEMPTIONS FROM USER FEES DUE TO INSUFFICIENT APPROPRIATIONS.—

"(1) IN GENERAL.—Unless sufficient funds are appropriated for a fiscal year to provide full payments under this chapter to each unit of general local government that lies in whole or in part within the White Mountain National Forest and is eligible for
for a recreation residence special use permit holder whose fee increase is more than 100 percent of the previous year's fee: Provided, That no recreation residence fee may be increased any sooner than one year from the time the permittee has been notified by the Forest Service of the results of an appraisal which has been conducted for the purpose of establishing such fees: Provided further, That no increases in recreation residence fees on the Sawtooth National Forest will be implemented prior to January 1, 1999.

(154) SEC. 344. It is the sense of the Senate that—

(1) preserving Civil War battlefields should be an integral part of preserving our Nation's history; and

(2) Congress should give special priority to the preservation of Civil War battlefields by making funds available for the purchase of threatened and endangered Civil War battlefield sites.

(155) SEC. 345. It is the sense of the Senate that, inasmuch as there is disagreement as to what extent, if any, Federal funding for the arts is appropriate, and what modifications to the mechanism for such funding may be necessary; and further, inasmuch as there is a role for the private sector to supplement the Federal, State, and local partnership in support of the arts, hearings should be conducted and legislation addressing these issues should be brought be-
Cedar. In completing this policy, the Forest Service shall evaluate the costs and benefits of a pricing policy that offers any Alaskan Western Red Cedar in excess of domestic processing needs in Alaska first to United States domestic processors.

(158) SEC. 348. Of the funds appropriated and designated an emergency requirement in title II, chapter 5 of Public Law 104-134, under the heading "Forest Service, Construction", $4,000,000 shall be available for the reconstruction of the Oakridge Ranger Station, on the Willamette National Forest in Oregon: Provided, That the amount shall be available only to the extent an official request, that includes designation of the amount as an emergency requirement as defined by the Balanced Budget and Emergency Control Act of 1985, as amended, is transmitted by the President to Congress: Provided further, That reconstruction of the facility is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

(159) SEC. 349. IMPLEMENTATION OF NEW GUIDELINES ON NATIONAL FORESTS IN ARIZONA AND NEW MEXICO.—(a) Notwithstanding any other provision of law, none of the funds made available under this or any other Act may be used for the purposes of executing any adjustments
services of an executive director and such other officers and employees as it deems necessary without regard to the provisions of title 5, United States Code, or other laws related to the appointment, compensation or termination of Federal employees.”.

(162) TITLE IV—DEFICIT REDUCTION LOCK-BOX

SEC. 401. SHORT TITLE.

This title may be cited as the “Deficit Reduction Lock-box Act of 1997”.

SEC. 402. DEFICIT REDUCTION LOCK-BOX LEDGER.

(a) ESTABLISHMENT OF LEDGER.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

“DEFICIT REDUCTION LOCK-BOX LEDGER

Sec. 314. (a) Establishment of Ledger.—The Director of the Congressional Budget Office (hereinafter in this section referred to as the ‘Director”) shall maintain a ledger to be known as the ‘Deficit Reduction Lock-box Ledger’. The Ledger shall be divided into entries corresponding to the subcommittees of the Committees on Appropriations. Each entry shall consist of three parts: the ‘House Lock-box Balance’; the ‘Senate Lock-box Balance’; and the ‘Joint House-Senate Lock-box Balance’.

(b) Components of Ledger.—Each component in an entry shall consist only of amounts credited to it under...
net amounts of reductions in new budget authority and
in outlays resulting from amendments agreed to by the
Senate on an appropriation bill; the amendments reported
to the Senate by its Committee on Appropriations shall
be considered to be part of the original text of the bill.

"(d) DEFINITION.—As used in this section, the term
appropriation bill means any general or special approp-
riation bill, and any bill or joint resolution making sup-
plemental, deficiency, or continuing appropriations
through the end of a fiscal year."

(b) CONFORMING AMENDMENT.—The table of con-
tents set forth in section 1(b) of the Congressional Budget
and Impoundment Control Act of 1974 is amended by in-
serting after the item relating to section 313 the following
new item:

"See 314: Deficit reduction lock-box ledger."

SEC. 403. TALLY DURING HOUSE CONSIDERATION.

There shall be available to Members in the House of
Representatives during consideration of any appropria-
tions bill by the House a running tally of the amendments
adopted reflecting increases and decreases of budget au-
thority in the bill as reported.
authority and outlays under subparagraph (A) to the appropriate subcommittees of that committee in the total amounts of those adjustments under section 314(c)(2).

The revised suballocations shall be submitted to each House by the chairman of the Committee on Appropriations of that House and shall be printed in the Congressional Record."

SEC. 405. PERIODIC REPORTING OF LEDGER STATEMENTS.

Section 308(b)(1) of the Congressional Budget Act of 1974 is amended by adding at the end the following new sentence: "Such reports shall also include an up-to-date tabulation of the amounts contained in the ledger and each entry established by section 314(a)."

SEC. 406. DOWNWARD ADJUSTMENT OF DISCRETIONARY SPENDING LIMITS.

The discretionary spending limits for new budget authority and outlays for any fiscal year set forth in section 601(a)(2) of the Congressional Budget Act of 1974, as adjusted in strict conformance with section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, shall be reduced by the amounts set forth in the final regular appropriation bill for that fiscal year or joint resolution making continuing appropriations through the end of that fiscal year. These amounts shall be the sums of the Joint House-Senate Lock-box Balances for that fiscal year, as
TITLE V—PRIORITY LAND ACQUISITIONS AND EXCHANGES

For priority land acquisitions and land exchange agreements to be conducted by the Bureau of Land Management, the U.S. Fish and Wildlife Service, the National Park Service and the U.S. Forest Service, $700,000,000, to be derived from the Land and Water Conservation Fund, to remain available until September 30, 2001, of which not to exceed $65,000,000 may be available for the acquisition of identified lands and interests in lands to carry out the Agreement of August 12, 1996, to acquire interests to protect and preserve Yellowstone National Park, of which not to exceed $250,000,000 may be available for the acquisition of identified lands and interest in lands, at the purchase price specified, in the September 28, 1996, Headwaters Forest Agreement, and of which $100,000,000 shall be available for financial assistance to States pursuant to section 6 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4–11): Provided, That the Secretary of the Interior and the Secretary of Agriculture, after consultation with the heads of the National Park Service, the United States Fish and Wildlife Service, the Bureau of Land Management, and the Forest Service, shall jointly submit to Congress a report listing the lands and interests in land, in order of priority, that the Secretaries propose.
for the acquisition of lands and interests in lands to carry
out the Agreement of August 12, 1996, to acquire interests
to protect and preserve Yellowstone National Park, or for
the acquisition of lands and interest in lands identified in
the September 28, 1996, Headwaters Forest Agreement until
enactment of legislation specifically authorizing such ex-
penditure: Provided further, That any funds made available
for the purpose of acquisition of the Elwha and Glines dams
shall be used solely for acquisition, and shall not be ex-
pended until the full purchase amount has been appro-
priated by the Congress: Provided further, That of the funds
provided herein, $8,500,000 is available for acquisition of
the Sterling Forest: Provided further, That the National
Park Service may use not to exceed $2,500,000 annually
of the amounts provided herein for the state assistance pro-
gram to administer the state assistance program.

(164) TITLE VI—FOREST RESOURCES

CONSERVATION AND SHORTAGE RELIEF

Sec. 601. Short Title.—This Act may be cited as
the “Forest Resources Conservation and Shortage Relief Act
of 1997”.

Sec. 602. (a) Use of Unprocessed Timber—Limit-
tation on Substitution of Unprocessed Federal
Timber for Unprocessed Timber From Private
Land.—Section 490 of the Forest Resources Conservation
NORTHWESTERN PRIVATE TIMBER OPEN
MARKET AREA”; after “APPLICATION”; and
(ii) in subparagraph (A), by inserting
“(except private land located in the north-
western private timber open market area)”
after “lands”;
(C) in paragraph (3)—
(i) in the paragraph heading, by in-
serting “FOR SOURCING AREAS FOR PROC-
ESSING FACILITIES LOCATED OUTSIDE OF
THE NORTHWESTERN PRIVATE TIMBER
OPEN MARKET AREA.—(A) IN GENERAL”,
after “APPROVAL”; and
(ii) by striking the last sentence of
paragraph (3) and adding at the end the
following:
“(B) FOR TIMBER MANUFACTURING FACILI-
TIES LOCATED IN IDAHO.—Except as provided in
subparagraph (D), in making a determination
referred to in subparagraph (A), the Secretary
concerned shall consider the private timber ex-
port and the private and Federal timber
sourcing patterns for the applicant’s timber
manufacturing facilities, as well as the private
and Federal timber sourcing patterns for the
“(ii) condition approval of the application on the inclusion of any such land in the applicant’s sourcing area, such land being includable in the sourcing area only to the extent requested by the applicant.”;

(D) in paragraph (4), in the paragraph heading, by inserting “for sourcing areas for processing facilities located outside the northwestern private timber open market area”; after “application”;

(E) in paragraph (5), in the paragraph heading, by inserting “for sourcing areas for processing facilities located outside the northwestern private timber open market area”; after “Determinations”; and

(F) by adding at the end the following:

“(6) SOURCING AREAS FOR PROCESSING FACILITIES LOCATED IN THE NORTHWESTERN PRIVATE TIMBER OPEN MARKET AREA—

“(A) ESTABLISHMENT.— In the northwestern private timber open market area—

“(i) a sourcing area boundary shall be a circle around the processing facility of the sourcing area applicant or holder;

“(ii) the radius of the circle—
a sourcing area for that processing facility
before the date that is 24 months after the
date on which the sourcing area was relin-
quished.

"(B) TRANSITION.—With respect to a por-
tion of a sourcing area established before the date
of enactment of this paragraph that contains
Federal timber under contract before that date
and is outside the boundary of a new sourcing
area established under subparagraph (A)—

"(i) that portion shall continue to be a
sourcing area only until unprocessed Fed-
eral timber from the portion is no longer in
the possession of the sourcing area holder;
and

"(ii) unprocessed timber from private
land in that portion shall be exportable im-
mediately after unprocessed timber from
Federal land in the portion is no longer in
the possession of the sourcing area holder.

"(7) RELINQUISHMENT AND TERMINATION OF
SOURCING AREAS.—

"(A) IN GENERAL.—A sourcing area may be
relinquished at any time.
authorizes any restriction on the domestic transportation
or processing of timber harvested from private land, except
that the Secretary may prohibit processing facilities located
in the State of Idaho that have sourcing areas from process-
ing timber harvested from private land outside of the
boundaries of those sourcing areas.”.

(b) Restriction on Exports of Unprocessed Tim-
ber from State and Public Land.—Section 491(b)(2)
of the Forest Resources Conservation and Shortage Relief
Act of 1990 (16 U.S.C. 620e(b)(2)) is amended—

(1) by striking “the following” and all that fol-

(2) by striking “during the period beginning on
June 1, 1993, and ending on December 31, 1995” and
inserting “as of the date of enactment of the Forest
Resources Conservation and Shortage Relief Act of
1997”; and

(3) by striking subparagraph (B).

Sec. 603. Monitoring and Enforcement.—Section
492 of the Forest Resources Conservation and Shortage Re-
lief Act of 1990 (16 U.S.C. 620d) is amended—

(1) in subsection (c)(2), by adding at the end the
following:

“(C) Mitigation of Penalties.—
applicable timber sale contract rather than
assess a penalty under this paragraph.”;
and
(2) in subsection (d)(1)—
(A) by striking “The head” and inserting
the following:
“(A) IN GENERAL.—Subject to subpara-
graph (B), the head”; and
(B) by adding at the end the following:
“(B) PREREQUISITES FOR DEBARMENT.—
“(i) IN GENERAL.—No person may be
debarred from bidding for or entering into
a contract for the purchase of unprocessed
timber from Federal lands under subpara-
graph (A) unless the head of the appro-
priate Federal department or agency first
finds, on the record and after an oppor-
tunity for a hearing, that debarment is
warranted.
“(ii) WITHHOLDING OF AWARDS DUR-
ING DEBARMENT PROCEEDINGS.—The head
of an appropriate Federal department or
agency may withhold an award under this
title of a contract for the purchase of un-
(B) by inserting "primary" before "purpose"; and

(C) by striking the period at the end and inserting: "or to the extent that a small quantity of such logs are processed, into other products at domestic processing facilities."; and

(4) by adding at the end the following:

"(11) VIOLATION.—The term 'violation' means a violation of this Act (including a regulation issued to implement this Act) with regard to a course of action, including—

(A) in the case of a violation by the original purchaser of unprocessed timber, an act or omission with respect to a single timber sale;

and

(B) in the case of a violation by a subsequent purchaser of the timber, an act or omission with respect to an operation at a particular processing facility or log yard.".

SEC. 605. REGULATIONS.—Section 495(a) of the Forest Resources Conservation and Shortage Relief Act of 1990 (16 U.S.C. 620f(a)) is amended—

(1) by striking "The Secretaries" and inserting the following:
“(i) the benefits of the requirements
outweigh the cost of complying with the re-
quirements; and
“(ii) the Secretary determines that,
without the requirements, it is likely that
the unprocessed timber—
“(I) would be exported in viola-
tion of this title; or
“(II) if the unprocessed timber
originated from Federal lands, would
be substituted for unprocessed timber
originating from private lands west of
the 100th Meridian in the contiguous
48 States in violation of this title.
“(B) MINIMUM SIZE.—The Secretary con-
cerned shall not impose painting, branding, or
other forms of marking or tracking requirements
on—
“(i) the face of a log that is less than
7 inches in diameter; or
“(ii) unprocessed timber that is less
than 8 feet in length or less than 1/3 sound
wood.
“(C) WAIVERS.—
"(II) shall remain effective until terminated by the Secretary.

"(D) FACTORS.—In making a determination under this paragraph, the Secretary concerned shall consider—

"(i) the risk of unprocessed timber of that species, grade, and size being exported or used in substitution;

"(ii) the location of the unprocessed timber and the effect of the location on its being exported or used in substitution;

"(iii) the history of the person involved with respect to compliance with log painting and branding requirements; and

"(iv) any other factor that is relevant to determining the likelihood of the unprocessed timber being exported or used in substitution.

"(5) REPORTING.—

"(A) IN GENERAL.—Subject to subparagraph (B), the Secretary concerned shall issue regulations that impose reasonable documentation and reporting requirements if the benefits of the requirements outweigh the cost of complying with the requirements.
TITLE VII—MICCOSUKEE SETTLEMENT

Sec. 701. SHORT TITLE. This title may be cited as the "Miccosukee Settlement Act of 1997".

Sec. 702. CONGRESSIONAL FINDINGS. Congress finds that:

(1) There is pending before the United States District Court for the Southern District of Florida a lawsuit by the Miccosukee Tribe that involves the taking of certain tribal lands in connection with the construction of highway Interstate 75 by the Florida Department of Transportation.

(2) The pendency of the lawsuit referred to in paragraph (1) clouds title of certain lands used in the maintenance and operation of the highway and hinders proper planning for future maintenance and operations.

(3) The Florida Department of Transportation, with the concurrence of the Board of Trustees of the Internal Improvements Trust Fund of the State of Florida, and the Miccosukee Tribe have executed an agreement for the purpose of resolving the dispute and settling the lawsuit.

(4) The agreement referred to in paragraph (3) requires the consent of Congress in connection with contemplated land transfers.
certain lands of the State of Florida, consisting of the Governor, Attorney General, Commissioner of Agriculture, Commissioner of Education, Controller, Secretary of State, and Treasurer of the State of Florida, who are Trustees of the Board.

(2) **FLORIDA DEPARTMENT OF TRANSPORTATION.**—The term "Florida Department of Transportation" means the executive branch department and agency of the State of Florida that—

(A) is responsible for the construction and maintenance of surface vehicle roads, existing pursuant to section 20.23, Florida Statutes; and

(B) has the authority to execute the Settlement Agreement pursuant to section 334.044, Florida Statutes.


(4) **MICCOSUKEE LANDS.**—The term "Miccosukee lands" means lands that are—
(ii) after being signed, as described in clause (i), was concurred in by the Board of Trustees of the Internal Improvements Trust Fund of the State of Florida.

(8) STATE OF FLORIDA.—The term "State of Florida" means—

(A) all agencies or departments of the State of Florida, including the Florida Department of Transportation and the Board of Trustees of the Internal Improvements Trust Fund; and

(B) the State of Florida as a governmental entity.

SEC. 704. AUTHORITY OF SECRETARY. As Trustee for the Miccosukee Tribe, the Secretary shall—

(1)(A) aid and assist in the fulfillment of the Settlement Agreement at all times and in a reasonable manner; and

(B) to accomplish the fulfillment of the Settlement Agreement in accordance with subparagraph (A), cooperate with and assist the Miccosukee Tribe;

(2) upon finding that the Settlement Agreement is legally sufficient and that the State of Florida has the necessary authority to fulfill the Agreement—

(A) sign the Settlement Agreement on behalf of the United States; and
State of Florida to the United States have been or
will be met so that the Agreement has been or will be
fulfilled but for the execution of that land transfer
and related land transfers, receive and accept in trust
for the use and benefit of the Miccosukee Tribe owner-
ship of all land identified in the Settlement Agree-
ment for transfer to the United States.

SEC. 705. MICCOSUKEE INDIAN RESERVATION LANDS.

The lands transferred and held in trust for the Miccosukee
Tribe under section 704(4) shall be Miccosukee Indian Res-
ervation lands.

This Act may be cited as the "Department of the In-
terior and Related Agencies Appropriations Act, 1998".


Attest: ROBIN H. CARLE,
Clerk.

Passed the Senate September 18, 1997.

Attest: GARY SISCO,
Secretary.