

Calendar No. 572

102D CONGRESS  
2D SESSION

**H. R. 5503**

[Report No. 102-345]

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IN THE SENATE OF THE UNITED STATES

JULY 28 (legislative day, JULY 23), 1992

Received; read twice and referred to the Committee on Appropriations

JULY 29 (legislative day, JULY 23), 1992

Reported by Mr. BYRD, with amendments

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

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**AN ACT**

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That the following sums are appropriated, out of any  
4 money in the Treasury not otherwise appropriated, for the  
5 Department of the Interior and related agencies for the  
6 fiscal year ending September 30, 1993, and for other pur-  
7 poses, namely:

## 1 TITLE I—DEPARTMENT OF THE INTERIOR

## 2 BUREAU OF LAND MANAGEMENT

## 3 MANAGEMENT OF LANDS AND RESOURCES

4 For expenses necessary for protection, use, improve-  
5 ment, development, disposal, cadastral surveying, classi-  
6 fication, and performance of other functions, including  
7 maintenance of facilities, as authorized by law, in the  
8 management of lands and their resources under the juris-  
9 diction of the Bureau of Land Management, including the  
10 general administration of the Bureau of Land Manage-  
11 ment, ~~\$531,967,000,~~ subject to authorization  
12 \$545,517,000, and \$2,500,000 from unobligated balances  
13 appropriated under this heading in Public Law 99-591  
14 for insect and disease control projects, including grass-  
15 hoppers, which balances may be applied to any activity  
16 provided for under this heading and of which the following  
17 amounts shall remain available until expended: not to ex-  
18 ceed \$1,450,000 to be derived from the special receipt ac-  
19 count established by section 4 of the Land and Water Con-  
20 servation Fund Act of 1965, as amended (16 U.S.C. 460l-  
21 6a(i)), and \$33,500,000 for the Automated Land and  
22 Mineral Record System Project: *Provided*, That appropria-  
23 tions herein made shall not be available for the destruction  
24 of healthy, unadopted, wild horses and burros in the care  
25 of the Bureau of Land Management or its contractors;

1 and in addition, \$12,430,000 for Mining Law Administra-  
2 tion program operations to remain available through Sep-  
3 tember 30, 1993, to be reduced by amounts collected by  
4 the Bureau of Land Management and credited to this ap-  
5 propriation from annual mining claim holding fees: *Pro-*  
6 *vided further,* That the sum herein appropriated shall be  
7 reduced as mining claim holding fees are received during  
8 fiscal year 1993 so as to result in a final fiscal year 1993  
9 appropriation estimated at not more than ~~\$531,967,000~~  
10 ~~\$545,517,000~~: *Provided further,* That in addition to funds  
11 otherwise available, not to exceed \$5,000,000 from annual  
12 mining claim holding fees shall be credited to this account  
13 for the costs of administering the mining claim holding  
14 fee program, and shall remain available until expended:—  
15 *Provided further,* That ~~none of the funds appropriated or~~  
16 ~~otherwise made available pursuant to this Act shall be ob-~~  
17 ~~ligated or expended to accept or process applications for~~  
18 ~~a patent for any mining or mill site claim located under~~  
19 ~~the general mining laws or to issue a patent for any min-~~  
20 ~~ing or mill site claim located under the general mining~~  
21 ~~laws unless the Secretary of the Interior determines that,~~  
22 ~~for the claim concerned: (1) a patent application was filed~~  
23 ~~with the Secretary on or before the date of enactment of~~  
24 ~~this Act, and (2) all requirements established under sec-~~  
25 ~~tions 2325 and 2326 of the Revised Statutes (30 U.S.C.~~

1 29 and 30) for vein or lode claims and sections 2329,  
2 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C.  
3 35, 36, and 37) for placer claims, and section 2337 of  
4 the Revised Statutes (30 U.S.C. 42) for mill site claims,  
5 as the case may be, were fully complied with by that date.

#### 6 FIRE PROTECTION

7 For necessary expenses for fire management, emer-  
8 gency rehabilitation, firefighting, fire presuppression, and  
9 other related emergency actions by the Department of the  
10 Interior, ~~\$119,560,000~~, subject to authorization  
11 \$119,310,000, to remain available until expended: *Pro-*  
12 *vided*, That such funds also are to be available for repay-  
13 ment of advances to other appropriation accounts from  
14 which funds were previously transferred for such purposes:  
15 *Provided further*, That unexpended balances of amounts  
16 previously appropriated for this purpose under the head-  
17 ing "Firefighting", Bureau of Land Management, may be  
18 transferred to and merged with this appropriation and ac-  
19 counted for as one appropriation for the same time period  
20 as originally enacted.

#### 21 EMERGENCY DEPARTMENT OF THE INTERIOR

#### 22 FIREFIGHTING FUND

23 For emergency rehabilitation and wildfire suppres-  
24 sion activities of the Department of the Interior,  
25 \$113,640,000, ~~subject to authorization~~, to remain avail-  
26 able until expended: *Provided*, That such funds also are

1 to be available for repayment of advances to other appro-  
2 priation accounts from which funds were previously trans-  
3 ferred for such purposes: *Provided further*, That not-  
4 withstanding any other provision of law, persons hired  
5 pursuant to 43 U.S.C. 1469 may be furnished subsistence  
6 and lodging without cost from funds available from this  
7 appropriation.

8 In addition, for emergency rehabilitation and wildfire  
9 suppression activities of the Department of the Interior,  
10 \$51,200,000, ~~subject to authorization~~, to remain available  
11 until expended: *Provided*, That these funds, or any portion  
12 thereof, shall be available beginning in fiscal year 1993  
13 only (1) to the extent that the President notifies the Con-  
14 gress *in an official budget request* of his designation of any  
15 or all of these amounts as emergency requirements under  
16 the Balanced Budget and Emergency Deficit Control Act  
17 of 1985; and (2) if the amounts annually appropriated  
18 under this heading, but not designated as emergency re-  
19 quirements pursuant to section 251(b)(2)(D) of the Bal-  
20 anced Budget and Emergency Deficit Control Act of 1985,  
21 have been at least equal to the most recent ten-year his-  
22 torical average, less any enacted cost saving program re-  
23 forms: *Provided further*, That Congress hereby designates  
24 these amounts as emergency requirements pursuant to

1 section 251(b)(2)(D) of the Balanced Budget and Emer-  
 2 gency Deficit Control Act of 1985.

3 CONSTRUCTION AND ACCESS

4 For acquisition of lands and interests therein, and  
 5 construction of buildings, recreation facilities, roads,  
 6 trails, and appurtenant facilities, ~~\$13,225,000~~, subject to  
 7 ~~authorization~~ \$17,763,000, to remain available until ex-  
 8 pended.

9 PAYMENTS IN LIEU OF TAXES

10 For expenses necessary to implement the Act of Octo-  
 11 ber 20, 1976 (31 U.S.C. 6901-07), \$105,000,000, of  
 12 which not to exceed \$400,000 shall be available for admin-  
 13 istrative expenses.

14 LAND ACQUISITION

15 For expenses necessary to carry out the provisions  
 16 of sections 205, 206, and 318(d) of Public Law 94-579  
 17 including administrative expenses and acquisition of lands  
 18 or waters, or interests therein, *and for activities authorized*  
 19 *under Public Law 102-259 to be carried out by the Morris*  
 20 *K. Udall Scholarship and Excellence in National Environ-*  
 21 *mental Policy Foundation*, ~~\$25,940,000~~ \$24,550,000 to be  
 22 derived from the Land and Water Conservation Fund, to  
 23 remain available until expended.

24 OREGON AND CALIFORNIA GRANT LANDS

25 For expenses necessary for management, protection,  
 26 and development of resources and for construction, oper-

1 ation, and maintenance of access roads, reforestation, and  
2 other improvements on the revested Oregon and California  
3 Railroad grant lands, on other Federal lands in the Or-  
4 egon and California land-grant counties of Oregon, and  
5 on adjacent rights-of-way; and acquisition of lands or in-  
6 terests therein including existing connecting roads on or  
7 adjacent to such grant lands; ~~\$83,122,000~~ \$83,932,000, to  
8 remain available until expended: *Provided*, That 25 per  
9 centum of the aggregate of all receipts during the current  
10 fiscal year from the revested Oregon and California Rail-  
11 road grant lands is hereby made a charge against the Or-  
12 egon and California land grant fund and shall be trans-  
13 ferred to the General Fund in the Treasury in accordance  
14 with the provisions of the second paragraph of subsection  
15 (b) of title II of the Act of August 28, 1937 (50 Stat.  
16 876).

17 *FOREST ECOSYSTEMS HEALTH AND RECOVERY*

18 *The Secretary of the Interior shall establish a special*  
19 *fund from the Federal share of moneys received from the*  
20 *disposal of salvage forest products or timber prepared for*  
21 *sale pursuant to this section. This fund shall be available,*  
22 *without further appropriation, for the purposes of planning*  
23 *and preparing salvage timber for disposal, the administra-*  
24 *tion of timber sales pursuant to this section, and the sub-*  
25 *sequent site preparation and reforestation.*

1        *There is hereby appropriated an amount of \$1,000,000*  
2 *to establish this fund.*

3                    RANGE IMPROVEMENTS

4        For rehabilitation, protection, and acquisition of  
5 lands and interests therein, and improvement of Federal  
6 rangelands pursuant to section 401 of the Federal Land  
7 Policy and Management Act of 1976 (43 U.S.C. 1701),  
8 notwithstanding any other Act, sums equal to 50 per cen-  
9 tum of all moneys received during the prior fiscal year  
10 under sections 3 and 15 of the Taylor Grazing Act (43  
11 U.S.C. 315 et seq.) and the amount designated for range  
12 improvements from grazing fees and mineral leasing re-  
13 ceipts from Bankhead-Jones lands transferred to the De-  
14 partment of the Interior pursuant to law, but not less than  
15 \$10,747,000, ~~subject to authorization~~, to remain available  
16 until expended: *Provided*, That not to exceed \$600,000  
17 shall be available for administrative expenses.

18                    SERVICE CHARGES, DEPOSITS, AND FORFEITURES

19        For administrative expenses and other costs related  
20 to processing application documents and other authoriza-  
21 tions for use and disposal of public lands and resources,  
22 for costs of providing copies of official public land docu-  
23 ments, for monitoring construction, operation, and termi-  
24 nation of facilities in conjunction with use authorizations,  
25 and for rehabilitation of damaged property, such amounts  
26 as may be collected under sections 209(b), 304(a), 304(b),



1 305(a), and 504(g) of the Act approved October 21, 1976  
2 (43 U.S.C. 1701), and sections 101 and 203 of Public  
3 Law 93-153, ~~subject to authorization~~, to be immediately  
4 available until expended: *Provided*, That notwithstanding  
5 any provision to the contrary of section 305(a) of the Act  
6 of October 21, 1976 (43 U.S.C. 1735(a)), any moneys  
7 that have been or will be received pursuant to that section,  
8 whether as a result of forfeiture, compromise, or settle-  
9 ment, if not appropriate for refund pursuant to section  
10 305(c) of that Act (43 U.S.C. 1735(c)), shall be available  
11 and may be expended under the authority of this or sub-  
12 sequent appropriations Acts by the Secretary to improve,  
13 protect, or rehabilitate any public lands administered  
14 through the Bureau of Land Management which have  
15 been damaged by the action of a resource developer, pur-  
16 chaser, permittee, or any unauthorized person, without re-  
17 gard to whether all moneys collected from each such for-  
18 feiture, compromise, or settlement are used on the exact  
19 lands damage to which led to the forfeiture, compromise,  
20 or settlement: *Provided further*, That such moneys are in  
21 excess of amounts needed to repair damage to the exact  
22 land for which collected.

### 23 MISCELLANEOUS TRUST FUNDS

24 In addition to amounts authorized to be expended  
25 under existing law, there is hereby appropriated such  
26 amounts as may be contributed under section 307 of the

1 Act of October 21, 1976 (43 U.S.C. 1701), and such  
2 amounts as may be advanced for administrative costs, sur-  
3 veys, appraisals, and costs of making conveyances of omit-  
4 ted lands under section 211(b) of that Act, ~~subject to au-~~  
5 ~~thorization~~, to remain available until expended.

6 ADMINISTRATIVE PROVISIONS

7 Appropriations for the Bureau of Land Management  
8 shall be available for purchase, erection, and dis-  
9 mantlement of temporary structures, and alteration and  
10 maintenance of necessary buildings and appurtenant fa-  
11 cilities to which the United States has title; up to  
12 \$100,000 for payments, at the discretion of the Secretary,  
13 for information or evidence concerning violations of laws  
14 administered by the Bureau of Land Management; mis-  
15 cellaneous and emergency expenses of enforcement activi-  
16 ties authorized or approved by the Secretary and to be  
17 accounted for solely on his certificate, not to exceed  
18 \$10,000: *Provided*, That appropriations herein made for  
19 Bureau of Land Management expenditures in connection  
20 with the revested Oregon and California Railroad and  
21 reconveyed Coos Bay Wagon Road grant lands (other than  
22 expenditures made under the appropriation "Oregon and  
23 California grant lands") shall be reimbursed to the Gen-  
24 eral Fund of the Treasury from the 25 per centum re-  
25 ferred to in subsection (c), title II, of the Act approved  
26 August 28, 1937 (50 Stat. 876), of the special fund des-

1 designated the "Oregon and California land grant fund" and  
2 section 4 of the Act approved May 24, 1939 (53 Stat.  
3 754), of the special fund designated the "Coos Bay Wagon  
4 Road grant fund": *Provided further, That appropriations*  
5 *herein made, in fiscal year 1993 and thereafter, may be*  
6 *expended for surveys of Federal lands and on a reimburs-*  
7 *able basis for surveys of Federal lands and for protection*  
8 *of lands for the State of Alaska: Provided further, That an*  
9 *appeal of any reductions in grazing allotments on public*  
10 *rangelands must be taken within thirty days after receipt*  
11 *of a final grazing allotment decision. Reductions of up to*  
12 *10 per centum in grazing allotments shall become effective*  
13 *when so designated by the Secretary of the Interior. Upon*  
14 *appeal any proposed reduction in excess of 10 per centum*  
15 *shall be suspended pending final action on the appeal,*  
16 *which shall be completed within two years after the appeal*  
17 *is filed: Provided further, That notwithstanding 44 U.S.C.*  
18 *501, the Bureau may, under cooperative cost-sharing and*  
19 *partnership arrangements authorized by law, procure*  
20 *printing services from cooperators in connection with*  
21 *jointly-produced publications for which the cooperators*  
22 *share the cost of printing either in cash or in services,*  
23 *and the Bureau determines the cooperator is capable of*  
24 *meeting accepted quality standards: Provided further,*  
25 *That notwithstanding any other provisions of law, that ef-*

1 fective upon the date of enactment of this Act for the fiscal  
2 year 1993 and every year thereafter, for each unpatented  
3 mining claim, mill or tunnel site on federally owned lands,  
4 in lieu of the assessment work requirements contained in  
5 the Mining Law of 1872 (30 U.S.C. 28–28(e)), and the  
6 filing requirements contained in Section 314(a) of the  
7 Federal Land Policy and Management Act of 1976  
8 (FLPMA) (43 U.S.C. 1744(a)) and the related require-  
9 ments of Section 314(c) of FLPMA (43 U.S.C. 1744(c)),  
10 the claimant shall pay an annual holding fee of \$100.00  
11 to the Secretary of the Interior or his designee on or be-  
12 fore August 31 of each year in order for the claimant to  
13 hold such unpatented mining claim, mill or tunnel site for  
14 the following year beginning on September 1: *Provided*  
15 *further*, That the fee established by this Act in lieu of the  
16 assessment work requirements for the assessment year  
17 ending at noon on September 1, 1993, shall be due and  
18 payable to the Secretary on or before June 30, 1993, ex-  
19 cept that such fee otherwise due and payable for this pe-  
20 riod shall be waived by the Secretary or his designee if  
21 the claimant files an affidavit of assessment work by June  
22 30, 1993, showing the labor required by 30 U.S.C. 28 was  
23 completed for the assessment year ending at noon Septem-  
24 ber 1, 1993, before the effective date of this Act: *Provided*  
25 *further*, That such fee otherwise due and payable for the

1 assessment year ending at noon on September 1, 1993,  
2 for mill and tunnel sites shall be waived by the Secretary  
3 or his designee if the claimant files a notice of intention  
4 to hold the site by June 30, 1993: *Provided further*, That  
5 for every unpatented mining claim, mill or tunnel site lo-  
6 cated after the date of enactment of this Act, the locator  
7 shall pay \$100.00 to the Secretary of the Interior or his  
8 designee at the time the location notice is recorded with  
9 the Bureau of Land Management to hold such claim for  
10 the year in which the location was made: *Provided further*,  
11 That the co-ownership provision of 30 U.S.C. 28 will re-  
12 main in effect except that the annual holding fee shall re-  
13 place the assessment work requirements and expenditures:  
14 *Provided further*, That failure to make the annual payment  
15 of the holding fee required by this Act shall conclusively  
16 constitute an abandonment of the unpatented mining  
17 claim, mill or tunnel site by the claimant: *Provided further*,  
18 That nothing in this Act shall change or modify the re-  
19 quirements of Section 314(b) of FLPMA (43 U.S.C.  
20 1744(b)) or the requirements of Section 314(c) of  
21 FLPMA (43 U.S.C. 1744(c)) related to filings required  
22 by Section 314(b), which shall remain in effect: *Provided*  
23 *further*, That the Secretary of the Interior shall promul-  
24 gate rules and regulations to carry out the purposes of

1 this Section as soon as practicable after the effective date  
2 of this Act.

3 UNITED STATES FISH AND WILDLIFE SERVICE

4 RESOURCE MANAGEMENT

5 For expenses necessary for scientific and economic  
6 studies, conservation, management, investigations, protec-  
7 tion, and utilization of sport fishery and wildlife resources,  
8 except whales, seals, and sea lions, and for the perform-  
9 ance of other authorized functions related to such re-  
10 sources; for the general administration of the United  
11 States Fish and Wildlife Service; and for maintenance of  
12 the herd of long-horned cattle on the Wichita Mountains  
13 Wildlife Refuge; and not less than \$1,000,000 for high  
14 priority projects within the scope of the approved budget  
15 which shall be carried out by Youth Conservation Corps  
16 as if authorized by the Act of August 13, 1970, as amend-  
17 ed by Public Law 93-408, ~~\$530,211,000~~ \$530,977,000, of  
18 which \$10,687,000 shall be for operation and maintenance  
19 of fishery mitigation facilities constructed by the Corps of  
20 Engineers under the Lower Snake River Compensation  
21 Plan, authorized by the Water Resources Development Act  
22 of 1976 (90 Stat. 2921), to compensate for loss of fishery  
23 resources from water development projects on the Lower  
24 Snake River, and which shall remain available until ex-

1 pended; and of which \$1,000,000 shall be for contaminant  
2 sample analysis, and shall remain available until expended.

3           CONSTRUCTION ~~AND ANADROMOUS FISH~~

4           For construction and acquisition of buildings and  
5 other facilities required in the conservation, management,  
6 investigation, protection, and utilization of sport fishery  
7 and wildlife resources, and the acquisition of lands and  
8 interests therein; ~~\$47,513,000~~ \$90,351,000, to remain  
9 available until expended.

10           NATURAL RESOURCE DAMAGE ASSESSMENT AND

11                           RESTORATION FUND

12           To conduct natural resource damage assessments and  
13 restoration activities by the Department of the Interior  
14 necessary to carry out the provisions of the Comprehensive  
15 Environmental Response, Compensation, and Liability  
16 Act, as amended (42 U.S.C. 9601, et seq.), Federal Water  
17 Pollution Control Act, as amended (33 U.S.C. 1251, et  
18 seq.), the Oil Pollution Act of 1990 (P.L. 101-380), and  
19 the Act of July 27, 1990 (P.L. 101-337); ~~\$5,000,000~~  
20 \$4,365,000, to remain available until expended.

21                           LAND ACQUISITION

22           For expenses necessary to carry out the provisions  
23 of the Land and Water Conservation Fund Act of 1965,  
24 as amended (16 U.S.C. 4601-4-11), including administra-  
25 tive expenses, and for acquisition of land or waters, or in-  
26 terest therein, in accordance with statutory authority ap-

1 plicable to the United States Fish and Wildlife Service,  
2 and for activities authorized under Public Law 98-244 to  
3 be carried out by the National Fish and Wildlife Founda-  
4 tion, ~~\$67,397,000~~ \$77,115,000, to be derived from the  
5 Land and Water Conservation Fund, to remain available  
6 until expended: *Provided, That \$2,988,000 in unobligated*  
7 *funds previously appropriated to this account are hereby*  
8 *transferred to the Fish and Wildlife Service construction*  
9 *account.*

10 COOPERATIVE ENDANGERED SPECIES CONSERVATION

11 FUND

12 For expenses necessary to carry out the provisions  
13 of the Endangered Species Act of 1973 (16 U.S.C. 1531-  
14 1543), as amended by Public Law 100-478, \$6,621,000  
15 for Grants to States, to be derived from the Cooperative  
16 Endangered Species Conservation Fund, and to remain  
17 available until expended.

18 NATIONAL WILDLIFE REFUGE FUND

19 For expenses necessary to implement the Act of Octo-  
20 ber 17, 1978 (16 U.S.C. 715s), ~~\$11,849,000~~ \$12,964,000.

21 REWARDS AND OPERATIONS

22 For expenses necessary to carry out the provisions  
23 of the African Elephant Conservation Act (16 U.S.C.  
24 4201-4203, 4211-4213, 4221-4225, 4241-4245, and  
25 1538), \$1,201,000, to remain available until expended.



## 1 NORTH AMERICAN WETLANDS CONSERVATION FUND

2 For expenses necessary to carry out the provisions  
3 of the North American Wetlands Conservation Act, Public  
4 Law 101-233, ~~\$7,500,000~~ \$11,000,000, and in fiscal year  
5 1992 and thereafter, amounts received during the imme-  
6 diately preceding fiscal year under section 6 of the Migra-  
7 tory Bird Treaty Act (16 U.S.C. 707) as penalties or fines  
8 or from forfeitures of property or collateral, to remain  
9 available until expended.

## 10 ADMINISTRATIVE PROVISIONS

11 Appropriations and funds available to the United  
12 States Fish and Wildlife Service shall be available for pur-  
13 chase of not to exceed 130 passenger motor vehicles, of  
14 which 112 are for replacement only (including 43 for po-  
15 lice-type use); not to exceed \$400,000 for payment, at the  
16 discretion of the Secretary, for information, rewards, or  
17 evidence concerning violations of laws administered by the  
18 United States Fish and Wildlife Service, and mis-  
19 cellaneous and emergency expenses of enforcement activi-  
20 ties, authorized or approved by the Secretary and to be  
21 accounted for solely on his certificate; repair of damage  
22 to public roads within and adjacent to reservation areas  
23 caused by operations of the United States Fish and Wild-  
24 life Service; options for the purchase of land at not to ex-  
25 ceed \$1 for each option; facilities incident to such public  
26 recreational uses on conservation areas as are consistent

1 with their primary purpose; and the maintenance and im-  
2 provement of aquaria, buildings, and other facilities under  
3 the jurisdiction of the United States Fish and Wildlife  
4 Service and to which the United States has title, and  
5 which are utilized pursuant to law in connection with man-  
6 agement and investigation of fish and wildlife resources:  
7 *Provided*, That the United States Fish and Wildlife Serv-  
8 ice may accept donated aircraft as replacements for exist-  
9 ing aircraft.

#### 10 NATIONAL PARK SERVICE

##### 11 OPERATION OF THE NATIONAL PARK SYSTEM

12 For expenses necessary for the management, oper-  
13 ation, and maintenance of areas and facilities adminis-  
14 tered by the National Park Service (including special road  
15 maintenance service to trucking permittees on a reimburs-  
16 able basis), and for the general administration of the Na-  
17 tional Park Service, including not to exceed ~~\$559,000~~  
18 \$600,000 for the Roosevelt Campobello International Park  
19 Commission, and not less than \$1,000,000 for high prior-  
20 ity projects within the scope of the approved budget which  
21 shall be carried out by Youth Conservation Corps as if  
22 authorized by the Act of August 13, 1970, as amended  
23 by Public Law 93-408, ~~\$992,059,000~~, subject to author-  
24 ization \$988,730,000, without regard to the Act of August  
25 24, 1912, as amended (16 U.S.C. 451), of which not to

1 exceed \$60,000,000 to remain available until expended is  
2 to be derived from the special fee account established pur-  
3 suant to title V, section 5201, of Public Law 100-203,  
4 *and an additional amount of \$14,000,000 for the U.S.*  
5 *Army Post at the Presidio, California: Provided, That the*  
6 National Park Service shall not enter into future conces-  
7 sionaire contracts, including renewals, that do not include  
8 a termination for cause clause that provides for possible  
9 extinguishment of possessory interests excluding depre-  
10 ciated book value of concessionaire investments without  
11 compensation: ~~*Provided further, That of the funds pro-*~~  
12 ~~*vided herein, \$775,000 is available for the National Insti-*~~  
13 ~~*tute for the Conservation of Cultural Property: Provided*~~  
14 ~~*further, That none of the funds appropriated in this Act*~~  
15 ~~*may be used to implement any increase in Government*~~  
16 ~~*housing rental rates in excess of ten per centum more than*~~  
17 ~~*the rental rates which were in effect on September 1,*~~  
18 ~~*1992, for such housing.*~~

19 NATIONAL RECREATION AND PRESERVATION

20 For expenses necessary to carry out recreation pro-  
21 grams, natural programs, cultural programs, environ-  
22 mental compliance and review, and grant administration,  
23 not otherwise provided for, ~~\$22,715,000, subject to au-~~  
24 ~~thorization~~ \$23,791,000.

## 1 HISTORIC PRESERVATION FUND

2 For expenses necessary in carrying out the provisions  
3 of the Historic Preservation Act of 1966 (80 Stat. 915),  
4 as amended (16 U.S.C. 470), ~~\$36,931,000~~ \$36,931,000 to  
5 be derived from the Historic Preservation Fund, estab-  
6 lished by section 108 of that Act, as amended, to remain  
7 available for obligation until September 30, 1994: *Pro-*  
8 *vided, That the Trust Territory of the Pacific Islands is*  
9 *a State eligible for Historic Preservation Fund matching*  
10 *grant assistance, in fiscal year 1993 and thereafter, as au-*  
11 *thorized under 16 U.S.C. 470w(2): Provided further, That*  
12 *pursuant to section 105(1) of the Compact of Free Asso-*  
13 *ciation, Public Law 99-239, the Federated States of Mi-*  
14 *cronesia and the Republic of the Marshall Islands shall*  
15 *also be considered States for purposes of this appropria-*  
16 *tion.*

## 17 CONSTRUCTION

18 For construction, improvements, repair or replace-  
19 ment of physical facilities, without regard to the Act of  
20 August 24, 1912, as amended (16 U.S.C. 451),  
21 ~~\$237,806,000, subject to authorization~~ \$206,455,000, to  
22 remain available until expended, and \$7,705,000 to be de-  
23 rived from amounts made available under this head in  
24 Public Law 99-190 for engineering and construction of  
25 the Burr Trail National Rural Scenic Road: *Provided,*  
26 *That not to exceed \$7,000,000 shall be paid to the Army*

1 Corps of Engineers for modifications authorized by section  
2 104 of the Everglades National Park Protection and Ex-  
3 pansion Act of 1989: ~~Provided further, That of the funds~~  
4 ~~provided under this heading, \$1,700,000 shall be available~~  
5 ~~for site acquisition and site preparation for the Lincoln~~  
6 ~~Center in Springfield, Illinois: *Provided further, That of*~~  
7 ~~the amounts provided under this heading, \$2,000,000~~  
8 ~~shall be available for the design of and to initiate construc-~~  
9 ~~tion of a pedestrian walkway and interpretative Park (A~~  
10 ~~Walk on the Mountain) in cooperation with the city of Ta-~~  
11 ~~coma, Washington: *Provided further, That up to \$140,000*~~  
12 ~~of the funds provided under this head, to be derived from~~  
13 ~~the Historic Preservation Fund, established by the Historic~~  
14 ~~Preservation Act of 1966 (80 Stat. 915), as amended (16~~  
15 ~~U.S.C. 470), shall be available until expended to correct de-~~  
16 ~~ficiencies at the Botto House American Labor Museum Na-~~  
17 ~~tional Historic Landmark: *Provided further, That of the*~~  
18 ~~funds provided under this heading, not to exceed \$680,000~~  
19 ~~shall be made available to the City of Hot Springs, Arkan-~~  
20 ~~sas, to be used as part of the non-Federal share of a cost-~~  
21 ~~shared feasibility study of flood protection for the downtown~~  
22 ~~area which contains a significant amount of National Park~~  
23 ~~Service property and improvements.~~

## 1 LAND AND WATER CONSERVATION FUND

## 2 (RESCISSION)

3 The contract authority provided for fiscal year 1993  
4 by 16 U.S.C. 4601-10a is rescinded.

## 5 LAND ACQUISITION AND STATE ASSISTANCE

6 For expenses necessary to carry out the provisions  
7 of the Land and Water Conservation Fund Act of 1965,  
8 as amended (16 U.S.C. 4601-4-11), including administra-  
9 tive expenses, and for acquisition of lands or waters, or  
10 interest therein, in accordance with statutory authority  
11 applicable to the National Park Service, ~~\$106,500,000~~  
12 ~~\$119,271,000~~ to be derived from the Land and Water Con-  
13 servation Fund, to remain available until expended, of  
14 which \$28,456,000 is for the State assistance program in-  
15 cluding \$3,456,000 to administer the State assistance pro-  
16 gram: *Provided*, That of the amounts previously appro-  
17 priated to the Secretary's contingency fund for grants to  
18 States \$75,000 shall be available in 1993 for administra-  
19 tive expenses of the State grant program.

## 20 JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

21 For expenses necessary for operating and maintain-  
22 ing the nonperforming arts functions of the John F. Ken-  
23 nedy Center for the Performing Arts, ~~\$13,556,000~~  
24 ~~\$20,806,000~~, of which ~~\$6,500,000~~ \$12,806,000 shall re-  
25 main available until expended.

1 ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE

2 CORRIDOR COMMISSION

3 For operation of the Illinois and Michigan Canal Na-  
4 tional Heritage Corridor Commission, \$250,000.

5 ADMINISTRATIVE PROVISIONS

6 Appropriations for the National Park Service shall be  
7 available for the purchase of not to exceed 445 passenger  
8 motor vehicles, of which 307 shall be for replacement only,  
9 including not to exceed 345 for police-type use, 15 buses,  
10 and 4 ambulances; *to provide, notwithstanding any other*  
11 *provision of law, at a cost not exceeding \$100,000, transpor-*  
12 *tation for children in nearby communities to and from any*  
13 *unit of the National Park System used in connection with*  
14 *organized recreation and interpretive programs of the Na-*  
15 *tional Park Service; options for the purchase of land at not*  
16 *to exceed \$1 for each option; and for the procurement and*  
17 *delivery of medical services within the jurisdiction of units*  
18 *of the National Park System: Provided, That hereafter, any*  
19 *funds available to the National Park Service may be used,*  
20 *with the approval of the Secretary, to maintain law and*  
21 *order in emergency and other unforeseen law enforcement*  
22 *situations and conduct emergency search and rescue oper-*  
23 *ations in the National Park System: Provided further, —*  
24 *Provided further, That none of the funds in this Act may*  
25 *be used to upgrade the Burr Trail National Rural Scenic*  
26 *Road in Utah: Provided further, That none of the funds*

1 appropriated to the National Park Service may be used  
2 to process any grant or contract documents which do not  
3 include the text of 18 U.S.C. 1913: *Provided further, That*  
4 *in fiscal year 1993 and thereafter, the National Park Serv-*  
5 *ice may use helicopters and motorized equipment at Death*  
6 *Valley National Monument for removal of feral burros and*  
7 *horses: Provided further, That notwithstanding any other*  
8 provision of law, the National Park Service may recover  
9 all costs of providing necessary services associated with  
10 special use permits, such reimbursements to be credited  
11 to the appropriation current at that time: *Provided further,*  
12 That none of the funds appropriated to the National Park  
13 Service may be used to implement an agreement for the  
14 redevelopment of the southern end of Ellis Island until  
15 such agreement has been submitted to the Congress and  
16 shall not be implemented prior to the expiration of 30 cal-  
17 endar days (not including any day in which either House  
18 of Congress is not in session because of adjournment of  
19 more than three calendar days to a day certain) from the  
20 receipt by the Speaker of the House of Representatives  
21 and the President of the Senate of a full and com-  
22 prehensive report on the development of the southern end  
23 of Ellis Island, including the facts and circumstances re-  
24 lied upon in support of the proposed project: *Provided fur-*  
25 *ther, That funds previously appropriated for acquisition of*



1 a landscaped parking lot for the Martin Luther King Na-  
2 tional Historic Site may be used by the National Park  
3 Service to acquire the ~~vacant lot~~ *property* on the north  
4 side of Irwin Street between Jackson and Boulevard as  
5 specified in Public Law 100-202.

6 UNITED STATES GEOLOGICAL SURVEY

7 SURVEYS, INVESTIGATIONS, AND RESEARCH

8 For expenses necessary for the United States Geo-  
9 logical Survey to perform surveys, investigations, and re-  
10 search covering topography, geology, hydrology, and the  
11 mineral and water resources of the United States, its Ter-  
12 ritories and possessions, and other areas as authorized by  
13 law (43 U.S.C. 31, 1332 and 1340); classify lands as to  
14 their mineral and water resources; give engineering super-  
15 vision to power permittees and Federal Energy Regulatory  
16 Commission licensees; administer the minerals exploration  
17 program (30 U.S.C. 641); and publish and disseminate  
18 data relative to the foregoing activities; ~~\$587,668,000~~  
19 \$570,821,000, of which \$64,032,000 shall be available only  
20 for cooperation with States or municipalities for water re-  
21 sources investigations: *Provided*, That no part of this ap-  
22 propriation shall be used to pay more than one-half the  
23 cost of any topographic mapping or water resources inves-  
24 tigation carried on in cooperation with any State or mu-  
25 nicipality.

## 1 ADMINISTRATIVE PROVISIONS

2 The amount appropriated for the United States Geo-  
3 logical Survey shall be available for purchase of not to ex-  
4 ceed 22 passenger motor vehicles, for replacement only;  
5 reimbursement to the General Services Administration for  
6 security guard services; contracting for the furnishing of  
7 topographic maps and for the making of geophysical or  
8 other specialized surveys when it is administratively deter-  
9 mined that such procedures are in the public interest; con-  
10 struction and maintenance of necessary buildings and ap-  
11 purtenant facilities; acquisition of lands for gauging sta-  
12 tions and observation wells; expenses of the United States  
13 National Committee on Geology; and payment of com-  
14 pensation and expenses of persons on the rolls of the Unit-  
15 ed States Geological Survey appointed, as authorized by  
16 law, to represent the United States in the negotiation and  
17 administration of interstate compacts: *Provided*, That ac-  
18 tivities funded by appropriations herein made may be ac-  
19 complished through the use of contracts, grants, or coop-  
20 erative agreements as defined in Public Law 95-224.

## 21 MINERALS MANAGEMENT SERVICE

## 22 LEASING AND ROYALTY MANAGEMENT

23 For expenses necessary for minerals leasing and envi-  
24 ronmental studies, regulation of industry operations, and  
25 collection of royalties, as authorized by law; for enforcing

1 laws and regulations applicable to oil, gas, and other min-  
2 erals leases, permits, licenses and operating contracts; and  
3 for matching grants or cooperative agreements; including  
4 the purchase of not to exceed eight passenger motor vehi-  
5 cles for replacement only; ~~\$197,514,000~~ \$194,014,000, of  
6 which not less than \$67,115,000 shall be available for roy-  
7 alty management activities; and an amount not to exceed  
8 \$5,000,000 for the Technical Information Management  
9 System of Outer Continental Shelf (OCS) Lands Activity,  
10 to be credited to this appropriation and to remain avail-  
11 able until expended, from additions to current preset re-  
12 ceipts and from additional fee collections relating to OCS  
13 administrative activities performed by the Minerals Man-  
14 agement Service over and above what the Minerals Man-  
15 agement Service currently collects to offset its costs for  
16 these activities: *Provided*, That \$1,500,000 for computer  
17 acquisitions shall remain available until September 30,  
18 1994: *Provided further*, That funds appropriated under  
19 this Act shall be available for the payment of interest in  
20 accordance with 30 U.S.C. 1721 (b) and (d): *Provided fur-*  
21 *ther*, That not to exceed \$3,000 shall be available for rea-  
22 sonable expenses related to promoting volunteer beach and  
23 marine cleanup activities: *Provided further*, That not-  
24 withstanding any other provision of law, \$10,000 under  
25 this head shall be available for refunds of overpayments

1 in connection with certain Indian leases in which the Di-  
2 rector of the Minerals Management Service concurred with  
3 the claimed refund due: *Provided further*, That not-  
4 withstanding any other provision of law, ~~\$155,275,000~~  
5 \$76,850,000 shall be deducted from Federal onshore min-  
6 eral leasing receipts prior to the division and distribution  
7 of such receipts between the States and the Treasury and  
8 shall be credited to miscellaneous receipts of the Treasury:  
9 *Provided further*, That, notwithstanding any other provi-  
10 sion of law, in fiscal year 1993 and thereafter, the Min-  
11 erals Management Service shall have the authority to col-  
12 lect and expend all collections from user fees resulting  
13 from the Minerals Management Service providing the serv-  
14 ices of its Oil and Hazardous Materials Simulated Envi-  
15 ronmental Test Tank testing facility in Leonardo, New  
16 Jersey, and these collections shall be credited to this ac-  
17 count to remain available until expended, and used to off-  
18 set operation and maintenance costs associated with pro-  
19 viding such services: *Provided further*, That the fifth pro-  
20 viso under the heading "Leasing and Royalty Manage-  
21 ment" for the Minerals Management Service in Public  
22 Law 101-512 (104 Stat. 1926) is amended by striking  
23 the words "this account" after the words "shall be cred-  
24 ited to" and inserting in lieu thereof "the leasing and roy-

1 alty management account of the Minerals Management  
2 Service”.

3 OIL SPILL RESEARCH

4 For necessary expenses to carry out the purposes of  
5 the Oil Spill Liability Trust Fund, pursuant to *Title I*,  
6 *section 1016*, and Title VII of the Oil Pollution Act of  
7 1990, \$5,377,000, which shall be derived from the Fund,  
8 to be available until expended, to carry out the purposes  
9 of the Fund in accordance with Title VII of that Act.

10 BUREAU OF MINES

11 MINES AND MINERALS

12 For expenses necessary for conducting inquiries,  
13 technological investigations, and research concerning the  
14 extraction, processing, use, and disposal of mineral sub-  
15 stances without objectionable social and environmental  
16 costs; to foster and encourage private enterprise in the de-  
17 velopment of mineral resources and the prevention of  
18 waste in the mining, minerals, metal, and mineral rec-  
19 lamation industries; to inquire into the economic condi-  
20 tions affecting those industries; to promote health and  
21 safety in mines and the mineral industry through re-  
22 search; and for other related purposes as authorized by  
23 law, ~~\$173,056,000~~ \$176,513,000, of which ~~\$107,506,000~~  
24 \$97,013,000 shall remain available until expended: *Pro-*  
25 *vided*, That none of the funds in this or any other Act  
26 may be used for the closure or consolidation of any re-

1 search centers or the sale of any of the helium facilities  
2 currently in operation.

3 ADMINISTRATIVE PROVISIONS

4 The Secretary is authorized to accept lands, build-  
5 ings, equipment, other contributions, and fees from public  
6 and private sources, and to prosecute projects using such  
7 contributions and fees in cooperation with other Federal,  
8 State or private agencies: *Provided*, That the Bureau of  
9 Mines is authorized, during the current fiscal year, to sell  
10 directly or through any Government agency, including cor-  
11 porations, any metal or mineral product that may be man-  
12 ufactured in pilot plants operated by the Bureau of Mines,  
13 and the proceeds of such sales shall be covered into the  
14 Treasury as miscellaneous receipts.

15 OFFICE OF SURFACE MINING RECLAMATION AND

16 ENFORCEMENT

17 REGULATION AND TECHNOLOGY

18 For necessary expenses to carry out the provisions  
19 of the Surface Mining Control and Reclamation Act of  
20 1977, Public Law 95-87, as amended, including the pur-  
21 chase of not to exceed 15 passenger motor vehicles, of  
22 which 11 shall be for replacement only; \$112,674,000, and  
23 notwithstanding 31 U.S.C. 3302, an additional amount  
24 shall be credited to this account, to remain available until  
25 expended, from performance bond forfeitures in fiscal year  
26 1993: *Provided*, That notwithstanding any other provision

1 of law, the Secretary of the Interior, pursuant to regula-  
2 tions, may utilize directly or through grants to States,  
3 moneys collected in fiscal year 1993 pursuant to the as-  
4 sessment of civil penalties under section 518 of the Sur-  
5 face Mining Control and Reclamation Act of 1977 (30  
6 U.S.C. 1268), to reclaim lands adversely affected by coal  
7 mining practices after August 3, 1977, to remain available  
8 until expended: *Provided further*, That notwithstanding  
9 any other provisions of law, appropriations for the Office  
10 of Surface Mining Reclamation and Enforcement may pro-  
11 vide for the travel and per diem expenses of State and  
12 tribal personnel attending Office of Surface Mining Rec-  
13 lamation and Enforcement sponsored training: ~~*Provided*~~  
14 ~~*further*~~, That the funds provided herein to implement and  
15 operate the Applicant Violator System shall be used only  
16 to the extent that system is in compliance with the Janu-  
17 ary 24, 1990 Settlement Agreement between Save Our  
18 Cumberland Mountains, Inc. and Manuel Lujan, Jr., Sec-  
19 retary, United States Department of the Interior, et al.

20 ABANDONED MINE RECLAMATION FUND

21 For necessary expenses to carry out the provisions  
22 of title IV of the Surface Mining Control and Reclamation  
23 Act of 1977, Public Law 95-87, as amended, including  
24 the purchase of not more than 22 passenger motor vehi-  
25 cles, of which 16 shall be for replacement only,  
26 ~~\$188,041,000~~ \$191,041,000 to be derived from receipts of

1 the Abandoned Mine Reclamation Fund and to remain  
2 available until expended: *Provided*, That of the funds here-  
3 in provided up to \$22,000,000 may be used for the emer-  
4 gency program authorized by section 410 of Public Law  
5 95-87, as amended, of which no more than 25 per centum  
6 shall be used for emergency reclamation projects in any  
7 one State and funds for Federally-administered emergency  
8 reclamation projects under this proviso shall not exceed  
9 \$15,000,000: ~~*Provided further*, That 23 full-time equiva-~~  
10 ~~lent positions are to be maintained in the Anthracite Rec-~~  
11 ~~lamation Program at the Wilkes-Barre Field Office: *Pro-*~~  
12 ~~*vided further*, That pursuant to Public Law 97-365, the~~  
13 Department of the Interior is authorized to utilize up to  
14 20 per centum from the recovery of the delinquent debt  
15 owed to the United States Government to pay for con-  
16 tracts to collect these debts: *Provided further*, That of the  
17 funds made available to the States to contract for rec-  
18 lamation projects authorized in section 406(a) of Public  
19 Law 95-87, administrative expenses may not exceed 15 per  
20 centum: *Provided further*, That the Secretary of the Interior  
21 may deny 50 per centum of an Abandoned Mine Rec-  
22 lamation Fund grant, available to a State pursuant to title  
23 IV of Public Law 95-87, in accordance with the procedures  
24 set forth in section 521(b) of the Act, when the Secretary  
25 determines that a State is systematically failing to admin-



1 *ister adequately the enforcement provisions of the approved*  
2 *State regulatory program. Funds will be denied until such*  
3 *time as the State and Office of Surface Mining Reclamation*  
4 *and Enforcement have agreed upon an explicit plan of ac-*  
5 *tion for correcting the enforcement deficiency. A State may*  
6 *enter into such agreement without admission of culpability.*  
7 *If a State enters into such agreement, the Secretary shall*  
8 *take no action pursuant to section 521(b) of the Act as long*  
9 *as the State is complying with the terms of the agreement.*

10 ~~ADMINISTRATIVE PROVISION~~

11 ~~None of the funds available to the Office of Surface~~  
12 ~~Mining Reclamation and Enforcement shall be expended~~  
13 ~~to create or maintain more than one Deputy Director posi-~~  
14 ~~tion.~~

15 BUREAU OF INDIAN AFFAIRS

16 OPERATION OF INDIAN PROGRAMS

17 For operation of Indian programs by direct expendi-  
18 ture, contracts, cooperative agreements, and grants in-  
19 cluding expenses necessary to provide education and wel-  
20 fare services for Indians, either directly or in cooperation  
21 with States and other organizations, including payment of  
22 care, tuition, assistance, and other expenses of Indians in  
23 boarding homes, or institutions, or schools; grants and  
24 other assistance to needy Indians; maintenance of law and  
25 order; management, development, improvement, and pro-  
26 tection of resources and appurtenant facilities under the

1 jurisdiction of the Bureau of Indian Affairs, including pay-  
2 ment of irrigation assessments and charges; acquisition of  
3 water rights; advances for Indian industrial and business  
4 enterprises; operation of Indian arts and crafts shops and  
5 museums; development of Indian arts and crafts, as au-  
6 thorized by law; for the general administration of the Bu-  
7 reau of Indian Affairs, including such expenses in field  
8 offices; maintaining of Indian reservation roads as defined  
9 in section 101 of title 23, United States Code; and con-  
10 struction, repair, and improvement of Indian housing,  
11 ~~\$1,354,151,000~~ \$1,335,944,000, including ~~\$271,038,000~~  
12 \$270,938,000 for school operations costs of Bureau-funded  
13 schools and other education programs which shall become  
14 available for obligation on July 1, 1993, and shall remain  
15 available for obligation until September 30, 1994, and  
16 ~~\$53,954,000~~ \$50,291,000 for housing improvement and  
17 road maintenance, to remain available until expended, and  
18 of which, funds obligated as grants to schools pursuant  
19 to Public Law 100-297 shall be made on July 1 and De-  
20 cember 1 in lieu of the payments authorized to be made  
21 on October 1 and January 1 of each calendar year, and  
22 of which not to exceed ~~\$71,954,000~~ \$71,985,000 for higher  
23 education scholarships, adult vocational training, and as-  
24 sistance to public schools under the Act of April 16, 1934  
25 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall

1 remain available for obligation until September 30, 1994;  
2 and the funds made available to tribes and tribal organiza-  
3 tions through contracts or grants obligated during fiscal  
4 year 1993 as authorized by the Indian Self-Determination  
5 Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.), or  
6 grants authorized by the Indian Education Amendments  
7 of 1988 (25 U.S.C. 2001 and 2008A) shall remain avail-  
8 able until expended by the contractor or grantee; and of  
9 which \$2,000,000 for litigation support shall remain avail-  
10 able until expended, \$4,937,000 for self-governance tribal  
11 compacts shall be made available on completion and sub-  
12 mission of such compacts to the Congress, and shall re-  
13 main available until expended; and of which \$1,190,000  
14 for expenses necessary to carry out the provisions of sec-  
15 tion 19(a) of Public Law 93-531 (25 U.S.C. 640d-18(a)),  
16 shall remain available until expended: *Provided*, That none  
17 of the funds appropriated to the Bureau of Indian Affairs  
18 shall be expended as matching funds for programs funded  
19 under section 103(b)(2) of the Carl D. Perkins Vocational  
20 Education Act: *Provided further*, That \$200,000 of the  
21 funds made available in this Act shall be available for cy-  
22 clical maintenance of tribally owned fish hatcheries and  
23 related facilities: *Provided further*, That notwithstanding  
24 any other provision of law, funds provided for forestry in  
25 this and future acts, shall be available for a program of

1 *technical, including on the ground, assistance to the Alaska*  
2 *Public Law 93-638 contractors under Section 313 of Public*  
3 *Law 101-630 through contracts, grants, or agreements in*  
4 *accordance with the Indian Self-Determination Act (25*  
5 *U.S.C. 450 et seq.): Provided further, That notwithstanding*  
6 *any other provision of law, any locality qualified to select*  
7 *land as a native village under the Alaska Native Claims*  
8 *Settlement Act (Public Law 92-203 as amended) shall be*  
9 *eligible to participate in funding for the Indian roads pro-*  
10 *gram: Provided further, That for the purpose of Indian Res-*  
11 *ervation road construction, all public Indian reservation*  
12 *roads (as defined in 23 U.S.C. 101), identified in the 1990*  
13 *Bureau of Indian Affairs Juneau Area Transportation*  
14 *Study (and in any subsequent update of such Transpor-*  
15 *tation Study) shall be included as Bureau of Indian Affairs*  
16 *system adjusted miles in the Bureau of Indian Affairs high-*  
17 *way trust fund formula for distribution for fiscal year*  
18 *1993: Provided further, That this provision shall expire*  
19 *upon implementation by the Secretary of the Interior of a*  
20 *relative needs based highway trust fund allocation formula*  
21 *pursuant to 23 U.S.C. 202(d): Provided further, That none*  
22 *of the funds in this Act shall be used by the Bureau of*  
23 *Indian Affairs to transfer funds under a contract with any*  
24 *third party for the management of tribal or individual In-*  
25 *dian trust funds until the funds held in trust for all such*

1 tribes or individuals have been audited and reconciled to  
2 the earliest possible date, the results of such reconciliation  
3 have been certified by an independent party as the most  
4 complete reconciliation of such funds possible, and the af-  
5 fected tribe or individual has been provided with an ac-  
6 counting of such funds: *Provided further*, That not-  
7 withstanding any other provision of law, the statute of lim-  
8 itations shall not commence to run on any claim concern-  
9 ing losses to or mismanagement of trust funds, until the  
10 affected tribe or individual Indian has been furnished with  
11 the accounting of such funds from which the beneficiary  
12 can determine whether there has been a loss: *Provided fur-*  
13 *ther*, That \$300,000 of the amounts provided for edu-  
14 cation program management shall be available for a grant  
15 to the Close Up Foundation: *Provided further*, That the  
16 Task Force on Bureau of Indian Affairs Reorganization  
17 shall continue activities under its charter as adopted and  
18 amended on April 17, 1991: *Provided further*, That any  
19 reorganization proposal shall not be implemented until the  
20 Task Force has reviewed it and recommended its imple-  
21 mentation to the Secretary and such proposal has been  
22 submitted to and approved by the Committees on Appro-  
23 priations, except that the Bureau may submit a reorga-  
24 nization proposal related only to management improve-  
25 ments, along with Task Force comments or rec-

1 ommendations to the Committees on Appropriations for  
2 review and disposition by the Committees: *Provided fur-*  
3 *ther*, That to provide funding uniformity within a Self-  
4 Governance Compact, any funds provided in this Act with  
5 availability for more than one year may be reprogrammed  
6 to one year availability but shall remain available within  
7 the Compact until expended: *Provided further*, That not-  
8 withstanding any other provision of law, Indian tribal gov-  
9 ernments may, by appropriate changes in eligibility cri-  
10 teria or by other means, change eligibility for general as-  
11 sistance or change the amount of general assistance pay-  
12 ments for individuals who are otherwise deemed eligible  
13 for general assistance payments so long as such changes  
14 are applied in a consistent manner to individuals similarly  
15 situated: *Provided further*, That any savings realized by  
16 such changes shall be available for use in meeting other  
17 priorities of the tribes: *Provided further*, That the obli-  
18 gated and unobligated balances associated with the hous-  
19 ing improvement program and the road maintenance pro-  
20 gram shall be transferred to this account from "Construc-  
21 tion", and shall remain available until expended.

## 22 CONSTRUCTION

23 For construction, major repair, and improvement of  
24 irrigation and power systems, buildings, utilities, and  
25 other facilities, including architectural and engineering  
26 services by contract; acquisition of lands and interests in

1 lands; and preparation of lands for farming, ~~\$152,446,000~~  
2 \$141,746,000, to remain available until expended: *Pro-*  
3 *vided*, That \$1,482,000 of the funds made available in this  
4 Act shall be available for rehabilitation of tribally owned  
5 fish hatcheries and related facilities: *Provided further*,  
6 That such amounts as may be available for the construc-  
7 tion of the Navajo Indian Irrigation Project may be trans-  
8 ferred to the Bureau of Reclamation: *Provided further*,  
9 That not to exceed 6 per centum of contract authority  
10 available to the Bureau of Indian Affairs from the Federal  
11 Highway Trust Fund may be used to cover the road pro-  
12 gram management costs of the Bureau of Indian Affairs:  
13 *Provided further*, That none of the funds available to the  
14 Bureau of Indian Affairs in this or any other Act shall  
15 be used to transfer, through agreement, memorandum of  
16 understanding, demonstration project or other method,  
17 the Safety of Dams program of the Bureau of Indian Af-  
18 fairs to the Bureau of Reclamation: *Provided further*, That  
19 nothing herein shall prevent the Bureau of Indian Affairs  
20 or tribes from using, on a case-by-case basis, the technical  
21 expertise of the Bureau of Reclamation: *Provided further*,  
22 That none of the funds provided for the Safety of Dams  
23 program are available for transfer pursuant to sections  
24 101 and 102 of this Act.

## 1 MISCELLANEOUS PAYMENTS TO INDIANS

2 For miscellaneous payments to Indian tribes and in-  
3 dividuals pursuant to Public Laws 98-500, 99-264, 100-  
4 383, 100-512, 100-580, 101-618, 101-602, 101-486,  
5 100-585 and 102-171, including funds for necessary ad-  
6 ministrative expenses, ~~\$39,109,000~~ \$35,109,000, to remain  
7 available until expended: ~~Provided, That of the funds pro-~~  
8 vided herein ~~\$4,000,000~~ shall be available (1) to liquidate  
9 obligations owed tribal and individual Indian payees of any  
10 checks cancelled pursuant to section 1003 of the Competi-  
11 tive Equality Banking Act of 1987 (Public Law 100-86  
12 (101 Stat. 659)), 31 U.S.C. 3334(b), and (2) to restore  
13 to Individual Indian Monies trust funds amounts invested  
14 in defaulted savings and loan associations not covered by  
15 Federal deposit insurance, including any interest on these  
16 amounts that may have been earned, but was not because  
17 of the default and the Bureau's delay in restoring the  
18 amounts lost.

## 19 NAVAJO REHABILITATION TRUST FUND

20 For Navajo tribal rehabilitation and improvement ac-  
21 tivities in accordance with the provisions of section 32(d)  
22 of Public Law 93-531, as amended (25 U.S.C. 640d-30),  
23 including necessary administrative expenses, \$4,000,000,  
24 to remain available until expended.



## 1 TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

2 For payment of management and technical assistance  
3 requests associated with loans and grants approved under  
4 the Indian Financing Act of 1974, as amended,  
5 \$1,987,000.

## 6 INDIAN DIRECT LOAN PROGRAM ACCOUNT

7 For the cost, as defined in section 13201 of the  
8 Budget Enforcement Act of 1990, including the cost of  
9 modifying loans, of expert assistance loans authorized by  
10 the Act of November 4, 1963, as amended, and the cost  
11 of direct loans authorized by the Indian Financing Act of  
12 1974, as amended, \$2,500,000: *Provided*, That these  
13 funds are available to subsidize gross obligations for the  
14 principal amount of direct loans not to exceed  
15 \$11,300,000.

## 16 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

17 For the cost of guaranteed loans \$8,864,000, as au-  
18 thorized by the Indian Financing Act of 1974, as amend-  
19 ed: *Provided*, That such costs including the cost of modify-  
20 ing such loans, shall be as defined in section 502 of the  
21 Congressional Budget Act of 1974: *Provided further*, That  
22 these funds are available to subsidize total loan principal  
23 any part of which is to be guaranteed not to exceed  
24 \$68,800,000.

25 In addition, for administrative expenses necessary to  
26 carry out the guaranteed loan program, \$906,000, which

1 may be transferred to and merged with the appropriations  
2 for Operation of Indian Programs.

### 3 ADMINISTRATIVE PROVISIONS

4 Appropriations for the Bureau of Indian Affairs (ex-  
5 cept the revolving fund for loans, the Indian loan guaran-  
6 tee and insurance fund, the Technical Assistance of Indian  
7 Enterprises account, the Indian Direct Loan Program ac-  
8 count, and the Indian Guaranteed Loan Program account)  
9 shall be available for expenses of exhibits, and purchase  
10 of not to exceed 258 passenger carrying motor vehicles,  
11 of which not to exceed 212 shall be for replacement only.

### 12 TERRITORIAL AND INTERNATIONAL AFFAIRS

#### 13 ADMINISTRATION OF TERRITORIES

14 For expenses necessary for the administration of ter-  
15 ritories under the jurisdiction of the Department of the  
16 Interior, ~~\$81,151,000~~ \$78,831,000, of which (1)  
17 ~~\$77,105,000~~ \$74,205,000 shall be available until expended  
18 for technical assistance, including maintenance assistance,  
19 *disaster recovery*, drug interdiction and abuse prevention,  
20 and brown tree snake control and research; late charges  
21 and payments of the annual interest rate differential re-  
22 quired by the Federal Financing Bank, under terms of  
23 the second refinancing of an existing loan to the Guam  
24 Power Authority, as authorized by law (Public Law 98-  
25 454; 98 Stat. 1732); grants to the judiciary in American  
26 Samoa for compensation and expenses, as authorized by

1 law (48 U.S.C. 1661(c)); grants to the Government of  
2 American Samoa, in addition to current local revenues, for  
3 construction and support of governmental functions;  
4 grants to the Government of the Virgin Islands as author-  
5 ized by law; grants to the Government of Guam, as au-  
6 thorized by law; and grants to the Government of the  
7 Northern Mariana Islands as authorized by law (Public  
8 Law 94-241; 90 Stat. 272); and (2) ~~\$4,046,000~~  
9 \$4,626,000 shall be available for salaries and expenses of  
10 the Office of Territorial and International Affairs: *Pro-*  
11 *vided*, That the territorial and local governments herein  
12 provided for are authorized to make purchases through the  
13 General Services Administration: *Provided further*, That  
14 all financial transactions of the territorial and local gov-  
15 ernments herein provided for, including such transactions  
16 of all agencies or instrumentalities established or utilized  
17 by such governments, shall be audited by the General Ac-  
18 counting Office, in accordance with chapter 35 of title 31,  
19 United States Code: *Provided further*, That Northern Mar-  
20 iana Islands Covenant grant funding shall be provided ac-  
21 cording to those terms of the Agreement of the Special  
22 Representatives on Future United States Financial Assist-  
23 ance for the Northern Mariana Islands approved by Public  
24 Law 99-396, except that should the Secretary of the Inte-  
25 rior believe that the performance standards of such agree-

1 ment are not being met, operations funds may be withheld,  
2 but only by Act of Congress as required by Public Law  
3 99-396: *Provided further*, That \$1,025,000 of the  
4 amounts provided for technical assistance shall be avail-  
5 able for a grant to the Close Up Foundation: *Provided*  
6 *further*, That the funds for the program of operations and  
7 maintenance improvement are appropriated to institu-  
8 tionalize routine operations and maintenance of capital in-  
9 frastructure in American Samoa, Guam, the Virgin Is-  
10 lands, the Commonwealth of the Northern Mariana Is-  
11 lands, the Republic of Palau, the Republic of the Marshall  
12 Islands, and the Federated States of Micronesia through  
13 assessments of long-range operations and maintenance  
14 needs, improved capability of local operations and mainte-  
15 nance institutions and agencies (including management  
16 and vocational education training), and project-specific  
17 maintenance (with territorial participation and cost shar-  
18 ing to be determined by the Secretary based on the indi-  
19 vidual territory's commitment to timely maintenance of its  
20 capital assets).

21 TRUST TERRITORY OF THE PACIFIC ISLANDS

22 For expenses necessary for the Department of the In-  
23 terior in administration of the Trust Territory of the Pa-  
24 cific Islands pursuant to the Trusteeship Agreement ap-  
25 proved by joint resolution of July 18, 1947 (61 Stat. 397),  
26 and the Act of June 30, 1954 (68 Stat. 330), as amended

1 (90 Stat. 299; 91 Stat. 1159; 92 Stat. 495), and grants  
2 to the Trust Territory of the Pacific Islands, in addition  
3 to local revenues, for support of governmental functions;  
4 ~~\$26,796,000~~ \$20,809,000, to remain available until ex-  
5 pended, including ~~\$18,596,000~~ \$18,009,000 for operations  
6 of the Government of Palau: *Provided*, That all financial  
7 transactions of the Trust Territory, including such trans-  
8 actions of all agencies or instrumentalities established or  
9 utilized by such Trust Territory, shall be audited by the  
10 General Accounting Office in accordance with chapter 35  
11 of title 31, United States Code: *Provided further*, That the  
12 government of the Trust Territory of the Pacific Islands  
13 is authorized to make purchases through the General  
14 Services Administration: *Provided further*, That all Gov-  
15 ernment operations funds appropriated and obligated for  
16 the Republic of Palau under this account for fiscal year  
17 1993 shall be credited as an offset against fiscal year 1993  
18 payments made pursuant to the legislation approving the  
19 Palau Compact of Free Association (Public Law 99-658),  
20 if such Compact is implemented before October 1, 1993:  
21 *Provided further*, That not less than \$300,000 of the  
22 grants to the Republic of Palau, for support of govern-  
23 mental functions, shall be dedicated to the College of Mi-  
24 cronesia in accordance with the agreement between the  
25 Micronesian entities.

## 1 COMPACT OF FREE ASSOCIATION

2 For economic assistance and necessary expenses for  
3 the Federated States of Micronesia and the Republic of  
4 the Marshall Islands as provided for in sections 122, 221,  
5 223, 232, and 233 of the Compacts of Free Association,  
6 \$20,457,000, to remain available until expended, as au-  
7 thorized by Public Law 99-239: *Provided*, That the effec-  
8 tive date of the Palau Compact for purposes of economic  
9 assistance pursuant to the Palau Compact of Free Asso-  
10 ciation, Public Law 99-658, shall be the effective date of  
11 the Palau Compact as determined pursuant to section 101  
12 of Public Law 101-219.

## 13 DEPARTMENTAL OFFICES

## 14 OFFICE OF THE SECRETARY

## 15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of the Secretary  
17 of the Interior, ~~\$63,633,000~~ \$65,904,000, of which not to  
18 exceed \$7,500 may be for official reception and rep-  
19 resentation expenses.

## 20 OFFICE OF THE SOLICITOR

## 21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of the Solicitor,  
23 ~~\$31,941,000~~ \$31,468,000.

## 1 OFFICE OF INSPECTOR GENERAL

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Inspector  
4 General, ~~\$23,741,000~~ \$23,958,000.

## 5 CONSTRUCTION MANAGEMENT

## 6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of Construction  
8 Management, ~~\$2,191,000~~ \$2,260,000.

## 9 NATIONAL INDIAN GAMING COMMISSION

## 10 SALARIES AND EXPENSES

11 For necessary expenses of the National Indian Gam-  
12 ing Commission, pursuant to Public Law 100-497,  
13 ~~\$2,190,000~~ \$2,480,000.

## 14 ADMINISTRATIVE PROVISIONS

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

1 mented through the Working Capital Fund or the Consoli-  
2 dated Working Fund.

3 GENERAL PROVISIONS, DEPARTMENT OF THE  
4 INTERIOR

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

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



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

1 at the time of receipt thereof: *Provided further*, That for  
2 emergency rehabilitation and wildfire suppression activi-  
3 ties, no funds shall be made available under this authority  
4 until funds appropriated to the "Emergency Department  
5 of the Interior Firefighting Fund" shall have been ex-  
6 hausted: *Provided further*, That all funds used pursuant  
7 to this section are hereby designated by Congress to be  
8 "emergency requirements" pursuant to section  
9 251(b)(2)(D) of the Balanced Budget and Emergency  
10 Deficit Control Act of 1985 and must be replenished by  
11 a supplemental appropriation which must be requested as  
12 promptly as possible: *Provided further*, That such replen-  
13 ishment funds shall be used to reimburse, on a pro rata  
14 basis, accounts from which emergency funds were trans-  
15 ferred.

16 SEC. 103. Appropriations made in this title shall be  
17 available for operation of warehouses, garages, shops, and  
18 similar facilities, wherever consolidation of activities will  
19 contribute to efficiency or economy, and said appropria-  
20 tions shall be reimbursed for services rendered to any  
21 other activity in the same manner as authorized by sec-  
22 tions 1535 and 1536 of title 31, U.S.C.: *Provided*, That  
23 reimbursements for costs and supplies, materials, equip-  
24 ment, and for services rendered may be credited to the

1 appropriation current at the time such reimbursements  
2 are received.

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

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

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

24 SEC. 107. No funds provided in this title may be used  
25 to detail any employee to an organization unless such de-

1 tail is in accordance with Office of Personnel Management  
2 regulations.

3 SEC. 108. No funds provided in this title may be ex-  
4 pended by the Department of the Interior for the conduct  
5 of offshore leasing and related activities placed under re-  
6 striction in the President's moratorium statement of June  
7 26, 1990, in the areas of Northern, Central, and Southern  
8 California; the North Atlantic; Washington and Oregon;  
9 and the Eastern Gulf of Mexico south of 26 degrees north  
10 latitude and east of 86 degrees west longitude.

11 SEC. 109. No funds provided in this title may be ex-  
12 pended by the Department of the Interior for the conduct  
13 of leasing, or the approval or permitting of any drilling  
14 or other exploration activity, on lands within the North  
15 Aleutian Basin planning area.

16 SEC. 110. No funds provided in this title may be ex-  
17 pended by the Department of the Interior for the conduct  
18 of preleasing and leasing activities in the Eastern Gulf of  
19 Mexico for Outer Continental Shelf Lease Sale 137 or for  
20 Sale 151 in the April 1992 proposal for the Outer Con-  
21 tinental Shelf Natural Gas and Oil Resource Management  
22 Comprehensive Program, 1992-1997.

23 SEC. 111. No funds provided in this title may be ex-  
24 pended by the Department of the Interior for the conduct  
25 of preleasing and leasing activities in the Atlantic for

1 Outer Continental Shelf Lease Sale 164 in the April 1992  
 2 proposal for the Outer Continental Shelf Natural Gas and  
 3 Oil Resource Management Comprehensive Program,  
 4 1992–1997.

5       SEC. 112. None of the funds made available by this  
 6 Act may be used for the implementation or financing of  
 7 agreements or arrangements with entities for the manage-  
 8 ment of all lands, waters, and interests therein on  
 9 Matagorda Island, Texas, which were purchased by the  
 10 Department of the Interior with federally appropriated  
 11 amounts from the Land and Water Conservation Fund.

12       SEC. 113. The provision of section 112 shall not  
 13 apply if the transfer of management or control is ratified  
 14 by law.

## 15                   TITLE II—RELATED AGENCIES

### 16                   DEPARTMENT OF AGRICULTURE

#### 17                               FOREST SERVICE

#### 18                               FOREST RESEARCH

19       For necessary expenses of forest research as author-  
 20 ized by law, ~~\$186,657,000~~ \$178,723,000, to remain avail-  
 21 able until September 30, 1994.

#### 22                               STATE AND PRIVATE FORESTRY

23       For necessary expenses of cooperating with, and pro-  
 24 viding technical and financial assistance to States, Terri-  
 25 tories, possessions, and others; and for forest pest man-

1 agement activities, ~~\$136,929,000~~ \$160,591,000, to remain  
2 available until expended, as authorized by law.

3 EMERGENCY PEST SUPPRESSION FUND

4 For necessary expenses for emergency suppression of  
5 pests, ~~\$42,315,000~~ \$20,000,000, to remain available until  
6 expended: *Provided*, That these funds, or any portion  
7 thereof, shall be available beginning in fiscal year 1993  
8 only to the extent that the President notifies the Congress  
9 *in an official budget request* of his designation of any or  
10 all of these amounts as emergency requirements under  
11 section 251(b)(2)(D) of the Balanced Budget and Emer-  
12 gency Deficit Control Act of 1985: *Provided further*, That  
13 Congress hereby designates these amounts as emergency  
14 requirements pursuant to section 251(b)(2)(D) of the Bal-  
15 anced Budget and Emergency Deficit Control Act of 1985.

16 NATIONAL FOREST SYSTEM

17 For necessary expenses of the Forest Service, not  
18 otherwise provided for, for management, protection, im-  
19 provement, and utilization of the National Forest System,  
20 and for administrative expenses associated with the man-  
21 agement of funds provided under the heads "Forest Re-  
22 search", "State and Private Forestry", "National Forest  
23 System", "Construction", "Forest Service Fire Protec-  
24 tion", "Emergency Forest Service Firefighting Fund",  
25 and "Land Acquisition", ~~\$1,312,937,000~~ \$1,306,077,000,  
26 to remain available for obligation until September 30,

1 1994, and including 65 per centum of all monies received  
2 during the prior fiscal year as fees collected under the  
3 Land and Water Conservation Fund Act of 1965, as  
4 amended, in accordance with section 4 of the Act (16  
5 U.S.C. 4601-6a(i)): *Provided*, That unobligated and unex-  
6 pended balances in the National Forest System account  
7 at the end of fiscal year 1992, shall be merged with and  
8 made a part of the fiscal year 1993 National Forest Sys-  
9 tem appropriation, and shall remain available for obliga-  
10 tion until September 30, 1994: *Provided further*, That tim-  
11 ber volume authorized or scheduled for sale during fiscal  
12 year 1992, but which remains unsold at the end of fiscal  
13 year 1992, shall be offered for sale during fiscal year 1993  
14 in addition to the fiscal year 1993 timber sale volume to  
15 the extent possible: *Provided further*, That up to  
16 \$5,000,000 of the funds provided herein for road mainte-  
17 nance shall be available for the planned obliteration of  
18 roads which are no longer needed.

#### 19 FOREST SERVICE FIRE PROTECTION

20 For necessary expenses for firefighting on or adjacent  
21 to National Forest System lands or other lands under fire  
22 protection agreement, and for forest fire management and  
23 presuppression on National Forest System lands,  
24 ~~\$192,785,000~~ \$188,785,000, to remain available until ex-  
25 pended: *Provided*, That unexpended balances of amounts

1 previously appropriated for this purpose under the head-  
2 ing "Forest Service Firefighting", Forest Service, may be  
3 transferred to and merged with this appropriation and ac-  
4 counted for as one appropriation for the same time period  
5 as originally enacted.

#### 6 EMERGENCY FOREST SERVICE FIREFIGHTING FUND

7 For necessary expenses for emergency rehabilitation,  
8 presuppression due to emergencies or economic efficiency,  
9 and wildfire suppression activities of the Forest Service,  
10 \$187,000,000, to remain available until expended: *Pro-*  
11 *vided*, That such funds are available for repayment of ad-  
12 vances from other appropriation accounts previously  
13 transferred for such purposes.

14 In addition, for necessary expenses for emergency re-  
15 habilitation, presuppression due to emergencies, and wild-  
16 fire suppression activities of the Forest Service,  
17 \$188,000,000, to remain available until expended: *Pro-*  
18 *vided*, That these funds, or any portion thereof, shall be  
19 available beginning in fiscal year 1993 only (1) to the ex-  
20 tent that the President notifies the Congress *in an official*  
21 *budget request* of his designation of any or all of these  
22 amounts as emergency requirements under the Balanced  
23 Budget and Emergency Deficit Control Act of 1985; and  
24 (2) if the amounts annually appropriated under this head-  
25 ing, but not designated as emergency requirements pursu-



1 ant to section 251(b)(2)(D) of the Balanced Budget and  
2 Emergency Deficit Control Act of 1985, have been at least  
3 equal to the most recent ten-year historical average, less  
4 any enacted cost saving program reforms: *Provided fur-*  
5 *ther*, That Congress hereby designates these amounts as  
6 emergency requirements pursuant to section 251(b)(2)(D)  
7 of the Balanced Budget and Emergency Deficit Control  
8 Act of 1985.

9 CONSTRUCTION

10 For necessary expenses of the Forest Service, not  
11 otherwise provided for, for construction, ~~\$241,449,000~~  
12 \$256,570,000, to remain available until expended, of which  
13 ~~\$82,401,000~~ \$84,063,000 is for construction and acqui-  
14 sition of buildings and other facilities; and ~~\$159,048,000~~  
15 \$172,507,000 is for construction and repair of forest roads  
16 and trails by the Forest Service as authorized by 16  
17 U.S.C. 532-538 and 23 U.S.C. 101 and 205: *Provided*,  
18 That funds becoming available in fiscal year 1993 under  
19 the Act of March 4, 1913 (16 U.S.C. 501) shall be trans-  
20 ferred to the General Fund of the Treasury of the United  
21 States: *Provided further*, That not to exceed  
22 \$110,669,000, to remain available until expended, may be  
23 obligated for the construction of forest roads by timber  
24 purchasers.

## 1 LAND ACQUISITION

2 For expenses necessary to carry out the provisions  
3 of the Land and Water Conservation Fund Act of 1965,  
4 as amended (16 U.S.C. 4601-4-11), including administra-  
5 tive expenses, and for acquisition of land or waters, or in-  
6 terest therein, in accordance with statutory authority ap-  
7 plicable to the Forest Service, ~~\$62,072,000~~ \$62,490,000,  
8 to be derived from the Land and Water Conservation  
9 Fund, to remain available until expended.

## 10 ACQUISITION OF LANDS FOR NATIONAL FORESTS

## 11 SPECIAL ACTS

12 For acquisition of lands within the exterior bound-  
13 aries of the Cache, Uinta, and Wasatch National Forests,  
14 Utah; the Toiyabe National Forest, Nevada; and the An-  
15 geles, San Bernardino, Sequoia, and Cleveland National  
16 Forests, California, as authorized by law, \$1,190,000, to  
17 be derived from forest receipts.

## 18 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

19 For acquisition of lands, to be derived from funds de-  
20 posited by State, county, or municipal governments, public  
21 school districts, or other public school authorities pursuant  
22 to the Act of December 4, 1967, as amended (16 U.S.C.  
23 484a), to remain available until expended.

## 1 RANGE BETTERMENT FUND

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

## 12 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND

## 13 RANGELAND RESEARCH

14 For expenses authorized by 16 U.S.C. 1643(b),  
15 \$105,000, to remain available until expended, to be de-  
16 rived from the fund established pursuant to the above Act.

## 17 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

18 Appropriations to the Forest Service for the current  
19 fiscal year shall be available for: (a) purchase of not to  
20 exceed 127 passenger motor vehicles of which 31 will be  
21 used primarily for law enforcement purposes and of which  
22 101 shall be for replacement only, of which acquisition of  
23 81 passenger motor vehicles shall be from excess sources,  
24 and hire of such vehicles; operation and maintenance of  
25 aircraft, the purchase of not to exceed two for replacement

1 only, and acquisition of 47 aircraft from excess sources;  
2 notwithstanding other provisions of law, existing aircraft  
3 being replaced may be sold, with proceeds derived or  
4 trade-in value used to offset the purchase price for the  
5 replacement aircraft; (b) services pursuant to the second  
6 sentence of section 706(a) of the Organic Act of 1944 (7  
7 U.S.C. 2225), and not to exceed \$100,000 for employment  
8 under 5 U.S.C. 3109; (c) purchase, erection, and alter-  
9 ation of buildings and other public improvements (7  
10 U.S.C. 2250); (d) acquisition of land, waters, and inter-  
11 ests therein, pursuant to the Act of August 3, 1956 (7  
12 U.S.C. 428a); (e) for expenses pursuant to the Volunteers  
13 in the National Forest Act of 1972 (16 U.S.C. 558a,  
14 558d, 558a note); and (f) for debt collection contracts in  
15 accordance with 31 U.S.C. 3718(c).

16       None of the funds made available under this Act shall  
17 be obligated or expended to change the boundaries of any  
18 region, to abolish any region, to move or close any regional  
19 office for research, State and private forestry, or National  
20 Forest System administration of the Forest Service, De-  
21 partment of Agriculture, without the consent of the House  
22 and Senate Committees on Appropriations and the Com-  
23 mittee on Agriculture, Nutrition, and Forestry in the  
24 United States Senate and the Committee on Agriculture  
25 in the United States House of Representatives.

1 Any appropriations or funds available to the Forest  
2 Service may be advanced to the Forest Service Firefight-  
3 ing appropriation and may be used for forest firefighting  
4 and the emergency rehabilitation of burned-over lands  
5 under its jurisdiction: *Provided*, That no funds shall be  
6 made available under this authority until funds appro-  
7 priated to the "Emergency Forest Service Firefighting  
8 Fund" shall have been exhausted.

9 The appropriation structure for the Forest Service  
10 may not be altered without advance approval of the House  
11 and Senate Committees on Appropriations.

12 Funds appropriated to the Forest Service shall be  
13 available for assistance to or through the Agency for Inter-  
14 national Development and the Office of International Co-  
15 operation and Development in connection with forest and  
16 rangeland research, technical information, and assistance  
17 in foreign countries, and shall be available to support for-  
18 estry and related natural resource activities outside the  
19 United States and its territories and possessions, includ-  
20 ing technical assistance, education and training, and co-  
21 operation with United States and international organiza-  
22 tions.

23 All funds received for timber salvage sales may be  
24 credited to the Forest Service Permanent Appropriations  
25 to be expended for timber salvage sales from any national

1 forest, and for timber sales preparation to replace sales lost  
2 to fire or other causes, and sales preparation to replace sales  
3 inventory on the shelf for any national forest to a level suffi-  
4 cient to maintain new sales availability equal to a rolling  
5 five-year average of the total sales offerings, and for design,  
6 engineering, and supervision of construction of roads lost  
7 to fire or other causes associated with the timber sales pro-  
8 gram described above: Provided, That notwithstanding any  
9 other provision of law, moneys received from the timber sal-  
10 vage sales program in fiscal year 1993 and subsequent fiscal  
11 years shall be considered as money received for purposes  
12 of computing and distributing 25 per centum payments to  
13 local governments under 16 U.S.C. 500, as amended.

14       None of the funds made available to the Forest Serv-  
15 ice under this Act shall be subject to transfer under the  
16 provisions of section 702(b) of the Department of Agri-  
17 culture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C.  
18 147b unless the proposed transfer is approved in advance  
19 by the House and Senate Committees on Appropriations  
20 in compliance with the reprogramming procedures con-  
21 tained in House Report 102-116.

22       No funds appropriated to the Forest Service shall be  
23 transferred to the Working Capital Fund of the Depart-  
24 ment of Agriculture without the approval of the Chief of  
25 the Forest Service.

1       Notwithstanding any other provision of law, any ap-  
2 propriations or funds available to the Forest Service may  
3 be used to disseminate program information to private and  
4 public individuals and organizations through the use of  
5 nonmonetary items of nominal value and to provide  
6 nonmonetary awards of nominal value and to incur nec-  
7 essary expenses for the nonmonetary recognition of private  
8 individuals and organizations that make contributions to  
9 Forest Service programs.

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

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

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

9 None of the funds made available to the Forest Serv-  
10 ice in this Act shall be expended for the purpose of issuing  
11 a special use authorization permitting land use and occu-  
12 pancy and surface disturbing activities for any project to  
13 be constructed on Lewis Fork Creek in Madera County,  
14 California, at the site above, and adjacent to, Corlieu Falls  
15 bordering the Lewis Fork Creek National Recreation Trail  
16 until the studies required in Public Law 100-202 have  
17 been submitted to the Congress: *Provided*, That any spe-  
18 cial use authorization shall not be executed prior to the  
19 expiration of thirty calendar days (not including any day  
20 in which either House of Congress is not in session be-  
21 cause of adjournment of more than three calendar days  
22 to a day certain) from the receipt of the required studies  
23 by the Speaker of the House of Representatives and the  
24 President of the Senate.



1 None of the funds made available to the Forest Serv-  
2 ice in this Act shall be expended for the purpose of admin-  
3 istering a special use authorization permitting land use  
4 and occupancy and surface disturbing activities for any  
5 project to be constructed on Rock Creek, Madera County,  
6 California, until a study has been completed and submit-  
7 ted to the Congress by the Forest Service in consultation  
8 with the United States Fish and Wildlife Service, the  
9 United States Army Corps of Engineers, the California  
10 State Water Resources Control Board, the California De-  
11 partment of Fish and Game and other interested public  
12 parties regarding the project's potential cumulative im-  
13 pacts on the environment, together with a finding that  
14 there will be no substantial adverse impact on the environ-  
15 ment. Findings from the study must be presented at no  
16 less than three public meetings.

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

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

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

11       ~~None of the funds available in this Act shall be used~~  
12 ~~for preparation of timber sales on the Shawnee National~~  
13 ~~Forest, Illinois.~~

14       Notwithstanding section 14 of the National Forest  
15 Management Act of 1976 (16 U.S.C. 472a), the Secretary  
16 of Agriculture may negotiate sales of Pacific yew at not  
17 less than appraised value, to parties manufacturing taxol  
18 in the United States in accordance with the requirements  
19 of section 505 of the Food, Drug, and Cosmetic Act (21  
20 U.S.C. 355) for use in humans. Moneys received from the  
21 sale of Pacific yew are hereby appropriated and made  
22 available until expended by the Forest Service to fund the  
23 costs associated with the harvest of Pacific yew.

24       ~~Notwithstanding any other provision of law, the For-~~  
25 ~~est Service shall establish an office in Ohio for the purpose~~

1 of representing and administering the Wayne National  
2 Forest on a forest-wide basis.

3 The Forest Service may offer for sale salvageable  
4 timber in Region 6 in fiscal year 1993. *Provided, That*  
5 for forests known to contain the Northern spotted owl,  
6 such salvage sales may be offered as long as the offering  
7 of such sale will not render the area unsuitable as habitat  
8 for the Northern spotted owl.

9 *Timber salvage activity in spotted owl habitat is to*  
10 *be done in full compliance with existing environmental and*  
11 *forest management laws.*

12 Pursuant to section 405(a) and (b), and section  
13 410(a) and (b) of Public Law 101-593, funds up to  
14 \$500,000 for start-up expenses and \$537,000 for match-  
15 ing funds shall be available to establish a National Forest  
16 Foundation. Funding shall be limited to \$78,000 from  
17 Forest Research, \$90,000 from State and Private For-  
18 estry, \$638,000 from National Forest System, \$90,000  
19 from Forest Service Fire Protection, and \$141,000 from  
20 Construction.

21 *As a pilot effort, for the purpose of achieving eco-*  
22 *logically defensible management practices, the Kaibab,*  
23 *Dixie, Coconino and Tonto National Forests are authorized*  
24 *to apply the value or a reasonable portion of the value of*  
25 *timber removed under a stewardship end result contract as*

1 an offset against the cost of stewardship services received  
2 including, but not limited to, site preparation, replanting,  
3 silviculture programs, recreation, wildlife habitat enhance-  
4 ment, and other multiple-use enhancements on selected  
5 projects. Timber removed shall count toward meeting the  
6 Congressional expectations for the annual timber harvest.  
7 The tract value of the timber removed shall be considered  
8 as money received for purposes of computing 25 per centum  
9 payments to local governments under 16 U.S.C. 500. Such  
10 payments shall be made directly to the local government  
11 by the contractor. The amount and timing of the payment  
12 shall be specified in the contract by the Forest Service.

13 Hereafter, funds appropriated to the Department of  
14 Agriculture, Forest Service may be used to pay transpor-  
15 tation, lodging, and subsistence expenses of employees who  
16 assist scientific, professional, or technical employees and  
17 who are bona fide students of accredited colleges or univer-  
18 sities who are pursuing courses related to the field in which  
19 employed.

## 20 DEPARTMENT OF ENERGY

### 21 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

#### 22 (INCLUDING TRANSFER OF FUNDS)

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

1 Law 95-91), including the acquisition of interest, includ-  
2 ing defensible and equitable interests in any real property  
3 or any facility or for plant or facility acquisition or expan-  
4 sion, ~~\$412,597,000~~ \$422,669,000, to remain available until  
5 expended, of which \$3,100,000 is available for the fuels  
6 program ~~and \$600,000 to be derived by transfer from pre-~~  
7 ~~viously appropriated and unobligated balances in the~~  
8 ~~“Fossil Energy Construction” account: Provided, That no~~  
9 part of the sum herein made available shall be used for  
10 the field testing of nuclear explosives in the recovery of  
11 oil and gas: *Provided further, That section 303 of Public*  
12 *Law 97-257 is further amended by changing the number*  
13 *for the Pittsburgh Energy Technology Center to “285”,*  
14 *changing the number for the Morgantown Energy Tech-*  
15 *nology Center to “270”, and inserting at the end of enu-*  
16 *meration (2) “and not less than 27 employees shall be as-*  
17 *signed to the Bartlesville Project Office;”, inserting as*  
18 *enumeration (3) “Not less than 170 employees shall be as-*  
19 *signed to the Office of the Strategic Petroleum Reserve;” and*  
20 *inserting as enumeration (4) “Not less than 91 employees*  
21 *shall be assigned to the Office of the Naval Petroleum Re-*  
22 *serves”.*

23 *Of the funds provided herein, \$2,000,000 shall be*  
24 *available for a grant for the National Research Center for*  
25 *Coal and Energy.*

1 Of the funds herein provided, ~~\$32,800,000~~  
2 \$29,000,000 is for implementation of the June 1984  
3 multiyear, cost-shared magnetohydrodynamics program  
4 targeted on proof-of-concept testing: *Provided*, That 35  
5 per centum private sector cash or in-kind contributions  
6 shall be required for obligations in fiscal year 1993: *Pro-*  
7 *vided further*, That existing facilities, equipment, and sup-  
8 plies, or previously expended research or development  
9 funds are not cost-sharing for the purposes of this appro-  
10 priation, except as amortized, depreciated, or expended in  
11 normal business practice: *Provided further*, That cost-  
12 sharing shall not be required for the costs of constructing  
13 or operating Government-owned facilities or for the costs  
14 of Government organizations, National Laboratories, or  
15 universities and such costs shall not be used in calculating  
16 the required percentage for private sector contributions:  
17 *Provided further*, That private sector contribution percent-  
18 ages need not be met on each contract but must be met  
19 in total for each fiscal year.

20 ALTERNATIVE FUELS PRODUCTION

21 (INCLUDING TRANSFER OF FUNDS)

22 Monies received as investment income on the prin-  
23 cipal amount in the Great Plains Project Trust at the  
24 Norwest Bank of North Dakota, in such sums as are  
25 earned as of October 1, 1992, shall be deposited in this

1 account and immediately transferred to the General Fund  
2 of the Treasury. Monies received as revenue sharing from  
3 the operation of the Great Plains Gasification Plant shall  
4 be immediately transferred to the General Fund of the  
5 Treasury.

#### 6 NAVAL PETROLEUM AND OIL SHALE RESERVES

7 For necessary expenses in carrying out naval petro-  
8 leum and oil shale reserve activities, \$238,094,000, to re-  
9 main available until expended: *Provided*, That not-  
10 withstanding any other provision of law, revenues received  
11 from use and operation of the Naval Petroleum Reserves  
12 Numbered 1, 2, and 3 and the Naval Oil Shale Reserves  
13 and estimated to total \$525,853,000 for fiscal year 1993  
14 shall be retained and used for the specific purpose of off-  
15 setting costs incurred by the Department in carrying out  
16 naval petroleum and oil shale reserve activities: *Provided*  
17 *further*, That the sum herein appropriated shall be reduced  
18 as such revenues are received so as to result in a final  
19 fiscal year 1993 appropriation estimated at not more than  
20 \$0.

#### 21 ENERGY CONSERVATION

22 For necessary expenses in carrying out energy con-  
23 servation activities, ~~\$591,859,000~~ \$571,288,000, to remain  
24 available until expended, including, notwithstanding any  
25 other provision of law, the excess amount for fiscal year

1 1993 determined under the provisions of section 3003(d)  
2 of Public Law 99-509 (15 U.S.C. 4502): *Provided*, That  
3 ~~\$240,365,000~~ \$220,150,000 shall be for use in energy con-  
4 servation programs as defined in section 3008(3) of Public  
5 Law 99-509 (15 U.S.C. 4507) and shall not be available  
6 until excess amounts are determined under the provisions  
7 of section 3003(d) of Public Law 99-509 (15 U.S.C.  
8 4502): *Provided further*, That notwithstanding section  
9 3003(d)(2) of Public Law 99-509 such sums shall be allo-  
10 cated to the eligible programs in the same proportion for  
11 each program as in fiscal year 1992: *Provided further*,  
12 That ~~\$2,000,000~~ \$1,000,000 of the amount under this  
13 heading shall be for metal casting research consistent with  
14 the provisions of Public Law 101-425: *Provided further*,  
15 That ~~\$18,091,000~~ \$17,991,000 of the amount provided  
16 under this heading shall be available for continuing re-  
17 search and development efforts begun under title II of the  
18 Interior and Related Agencies portion of the joint resolu-  
19 tion entitled "Joint Resolution making further continuing  
20 appropriations for the fiscal year 1986, and for other pur-  
21 poses", approved December 19, 1985 (Public Law 99-  
22 190), and implementation of steel and aluminum research  
23 authorized by Public Law 100-680: *Provided further*, That  
24 existing facilities, equipment, and supplies, or previously  
25 expended research or development funds are not accepted



1 as contributions for the purposes of this appropriation, ex-  
2 cept as amortized, depreciated, or expensed in normal  
3 business practice: *Provided further*, That the total Federal  
4 expenditure under this proviso shall be repaid up to one  
5 and one-half times from the proceeds of the commercial  
6 sale, lease, manufacture, or use of technologies developed  
7 under this proviso, at a rate of one-fourth of all net pro-  
8 ceeds: *Provided further*, That up to ~~\$38,700,000~~  
9 \$28,700,000 of the amount provided under this head is for  
10 electric and hybrid vehicle battery research to be con-  
11 ducted on a cooperative basis with non-Federal entities,  
12 such amounts to be available only as matched on an equal  
13 basis by such entities: *Provided further*, That the Depart-  
14 ment of Energy, for a period of up to five years after the  
15 completion of individual projects may provide appropriate  
16 protections, including exemptions from subchapter II of  
17 chapter 5 of title 5, United States Code, against the dis-  
18 semination of information that results from activities con-  
19 ducted by the United States Advanced Battery Consor-  
20 tium or its contractors, *or participants in the hybrid vehi-*  
21 *cle propulsion development program and their contractors*  
22 and that would be a trade secret on commercial or finan-  
23 cial information that is privileged or confidential if the in-  
24 formation had been obtained from and first produced by  
25 a non-Federal party participating in the United States Ad-

1 vanced Battery Consortium *or in the hybrid vehicle propul-*  
2 *sion development program.*

3 ECONOMIC REGULATION

4 For necessary expenses in carrying out the activities  
5 of the Economic Regulatory Administration and the Office  
6 of Hearings and Appeals, \$14,565,000, to remain avail-  
7 able until expended.

8 EMERGENCY PREPAREDNESS

9 For necessary expenses in carrying out emergency  
10 preparedness activities, \$9,247,000, to remain available  
11 until expended.

12 STRATEGIC PETROLEUM RESERVE

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses for Strategic Petroleum Re-  
15 serve facility development and operations and program  
16 management activities pursuant to the Energy Policy and  
17 Conservation Act of 1975, as amended (42 U.S.C. 6201  
18 et seq.), \$176,600,000, to remain available until expended,  
19 including \$125,625,000 to be derived by transfer from  
20 funds deposited in the "SPR petroleum account" as a re-  
21 sult of the Desert Storm sale of the Strategic Petroleum  
22 Reserve, as authorized under 42 U.S.C. 6241: *Provided,*  
23 That appropriations herein made shall not be available for  
24 leasing of facilities for the storage of crude oil for the  
25 Strategic Petroleum Reserve unless the quantity of oil

1 stored in or deliverable to Government-owned storage fa-  
2 cilities by virtue of contractual obligations is equal to  
3 700,000,000 barrels.

4 SPR PETROLEUM ACCOUNT

5 Notwithstanding 42 U.S.C. 6240(d) the United  
6 States share of crude oil in Naval Petroleum Reserve  
7 Numbered 1 (Elk Hills) may be sold or otherwise disposed  
8 of to other than the Strategic Petroleum Reserve: ~~Pro-~~  
9 ~~vided, That no funds available in fiscal year 1993 in this,~~  
10 ~~or any previous or subsequent appropriations Act, or made~~  
11 ~~available in this account pursuant to 42 U.S.C. 6247(b)~~  
12 ~~as a result of any drawdown and distribution of the Re-~~  
13 ~~serve under the provisions of 42 U.S.C. 6241 may be used~~  
14 ~~in fiscal year 1993 for leasing, exchanging, or otherwise~~  
15 ~~acquiring other than by direct purchase crude oil from a~~  
16 ~~foreign government, a foreign State-owned oil company,~~  
17 ~~or an agent of either except pursuant to the procedures~~  
18 ~~of section 174, part C, title I of the Energy Policy and~~  
19 ~~Conservation Act (42 U.S.C. 6211 et seq.), as contained~~  
20 ~~in section 6 of Public Law 101-383: Provided, That the~~  
21 ~~Secretary of Energy may contract, without regard to 42~~  
22 ~~U.S.C. 6249(b)(2)(B) and 6244b: Provided further, That re-~~  
23 ~~strictions on leasing, exchanging, or otherwise acquiring ex-~~  
24 ~~cept by direct purchase crude oil from a foreign government,~~  
25 ~~a foreign sale-owned oil company, or an agent of either~~

1 *which are contained under the SPR Petroleum heading in*  
2 *Public Law 101-512 shall not apply for fiscal year 1993:*  
3 *Provided further, That the requirements of 42 U.S.C. 6240*  
4 *(d) and (g) shall not apply in fiscal year 1993: Provided*  
5 *further, That outlays in fiscal year 1993 resulting from*  
6 *the use of funds in this account shall not exceed*  
7 ~~\$145,000,000~~ \$137,000,000.

8 ENERGY INFORMATION ADMINISTRATION

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses in carrying out the activities  
11 of the Energy Information Administration, ~~\$83,427,000~~  
12 \$82,627,000, to remain available until expended, of which  
13 ~~\$44,000,000~~ \$49,000,000 shall be derived from available  
14 unobligated balances in the Biomass Energy Development  
15 account: *Provided, That any of the funds remaining in the*  
16 *Biomass Energy Development account shall be available to*  
17 *the Department of Energy for administering the alcohol*  
18 *fuels loan guarantee program.*

19 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

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

10 The Secretary is authorized to accept lands, build-  
11 ings, equipment, and other contributions from public and  
12 private sources and to prosecute projects in cooperation  
13 with other agencies, Federal, State, private, or foreign:  
14 *Provided*, That revenues and other moneys received by or  
15 for the account of the Department of Energy or otherwise  
16 generated by sale of products in connection with projects  
17 of the Department appropriated under this Act may be  
18 retained by the Secretary of Energy, to be available until  
19 expended, and used only for plant construction, operation,  
20 costs, and payments to cost-sharing entities as provided  
21 in appropriate cost-sharing contracts or agreements: *Pro-*  
22 *vided further*, That the remainder of revenues after the  
23 making of such payments shall be covered into the Treas-  
24 ury as miscellaneous receipts: *Provided further*, That any  
25 contract, agreement, or provision thereof entered into by

1 the Secretary pursuant to this authority shall not be exe-  
2 cuted prior to the expiration of 30 calendar days (not in-  
3 cluding any day in which either House of Congress is not  
4 in session because of adjournment of more than three cal-  
5 endar days to a day certain) from the receipt by the  
6 Speaker of the House of Representatives and the Presi-  
7 dent of the Senate of a full comprehensive report on such  
8 project, including the facts and circumstances relied upon  
9 in support of the proposed project.

10 The Secretary of Energy may transfer to the Emer-  
11 gency Preparedness appropriation such funds as are nec-  
12 essary to meet any unforeseen emergency needs from any  
13 funds available to the Department of Energy from this  
14 Act.

15 Notwithstanding any other provision of law, the Sec-  
16 retary of Energy may enter into a contract, agreement,  
17 or arrangement, including, but not limited to, a Manage-  
18 ment and Operating Contract as defined in the Federal  
19 Acquisition Regulations (17.601), with a profit-making or  
20 non-profit entity to conduct activities at the Department  
21 of Energy's research facilities at Bartlesville, Oklahoma.

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

1 DEPARTMENT OF HEALTH AND HUMAN  
2 SERVICES

3 INDIAN HEALTH SERVICE

4 INDIAN HEALTH SERVICES

5 For expenses necessary to carry out the Act of Au-  
6 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-  
7 tion Act, the Indian Health Care Improvement Act, and  
8 titles III and XXVI and section 208 of the Public Health  
9 Service Act with respect to the Indian Health Service, in-  
10 cluding hire of passenger motor vehicles and aircraft; pur-  
11 chase of medical equipment; purchase of reprints; pur-  
12 chase, renovation, and erection of modular buildings; pay-  
13 ments for telephone service in private residences in the  
14 field, when authorized under regulations approved by the  
15 Secretary; ~~\$1,559,615,000~~ \$1,518,553,000, together with  
16 payments received during the fiscal year pursuant to 42  
17 U.S.C. 300aaa-2 for services furnished by the Indian  
18 Health Service: *Provided*, That notwithstanding any other  
19 law or regulation, funds transferred from the Department  
20 of Housing and Urban Development to the Indian Health  
21 Service shall be administered under Public Law 86-121  
22 (the Indian Sanitation Facilities Act): *Provided further*,  
23 That funds made available to tribes and tribal organiza-  
24 tions through grants and contracts authorized by the In-  
25 dian Self-Determination and Education Assistance Act of

1 1975 (88 Stat. 2203; 25 U.S.C. 450), shall be deemed  
2 to be obligated at the time of the grant or contract award  
3 and thereafter shall remain available to the tribe or tribal  
4 organization without fiscal year limitation: ~~Provided fur-~~  
5 ~~ther,~~ That of the funds provided for new, continuation, and  
6 expanded grants, contracts, or cooperative agreements  
7 under Public Law ~~93-638~~, an appropriate amount shall  
8 be reserved and available only for contract support costs:  
9 *Provided further,* That \$12,000,000 shall remain available  
10 until expended, for the Indian Catastrophic Health Emer-  
11 gency Fund: *Provided further,* That ~~\$323,404,000~~  
12 ~~\$318,249,000~~ for contract medical care shall remain avail-  
13 able for expenditure until September 30, 1994: *Provided*  
14 *further,* That of the funds provided, not less than  
15 \$11,077,000 shall be used to carry out a loan repayment  
16 program under which Federal, State, and commercial-type  
17 educational loans for physicians and other health profes-  
18 sionals will be repaid at a rate not to exceed \$35,000 per  
19 year of obligated service in return for full-time clinical  
20 service: *Provided further,* That funds provided in this Act  
21 may be used for one-year contracts and grants which are  
22 to be performed in two fiscal years, so long as the total  
23 obligation is recorded in the year for which the funds are  
24 appropriated: *Provided further,* That the amounts collected  
25 by the Secretary of Health and Human Services under the



1 authority of title IV of the Indian Health Care Improve-  
2 ment Act shall be available for two fiscal years after the  
3 fiscal year in which they were collected, for the purpose  
4 of achieving compliance with the applicable conditions and  
5 requirements of titles XVIII and XIX of the Social Secu-  
6 rity Act (exclusive of planning, design, or construction of  
7 new facilities): *Provided further*, That of the funds pro-  
8 vided, ~~\$6,000,000~~ \$5,000,000 shall remain available until  
9 expended, for the Indian Self-Determination Fund, which  
10 shall be available for the transitional costs of initial or ex-  
11 panded tribal contracts, grants or cooperative agreements  
12 with the Indian Health Service under the provisions of the  
13 Indian Self-Determination Act: *Provided further*, That  
14 funding contained herein, and in any earlier appropria-  
15 tions Acts for scholarship programs under the Indian  
16 Health Care Improvement Act (25 U.S.C. 1613) shall re-  
17 main available for expenditure until September 30, 1994:  
18 *Provided further*, That amounts received by tribes and  
19 tribal organizations under title IV of the Indian Health  
20 Care Improvement Act and Public Law 100-713 shall be  
21 reported and accounted for and available to the receiving  
22 tribes and tribal organizations until expended.

#### 23 INDIAN HEALTH FACILITIES

24 For construction, major repair, improvement, and  
25 equipment of health and related auxiliary facilities, includ-

1 ing quarters for personnel; preparation of plans, specifica-  
2 tions, and drawings; acquisition of sites, purchase and  
3 erection of modular buildings, and purchases of trailers;  
4 and for provision of domestic and community sanitation  
5 facilities for Indians, as authorized by section 7 of the Act  
6 of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-  
7 Determination Act and the Indian Health Care Improve-  
8 ment Act, and for expenses necessary to carry out the Act  
9 of August 5, 1954 (68 Stat. 674), the Indian Self-Deter-  
10 mination Act, the Indian Health Care Improvement Act,  
11 and titles III and XXVI and section 208 of the Public  
12 Health Service Act with respect to environmental health  
13 and facilities support activities of the Indian Health Serv-  
14 ice, including hire of passenger motor vehicles and air-  
15 craft; purchase of reprints; purchase and erection of mod-  
16 ular buildings; payments for telephone service in private  
17 residences in the field, when authorized under regulations  
18 approved by the Secretary, ~~\$338,596,000~~ \$329,079,000, to  
19 remain available until expended: *Provided*, That not-  
20 withstanding any other provision of law, funds appro-  
21 priated for the planning, design, construction or ren-  
22 ovation of health facilities for the benefit of an Indian  
23 tribe or tribes may be used to purchase land for sites to  
24 construct, improve, or enlarge health or related facilities.

## 1 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

2 Appropriations in this Act to the Indian Health Serv-  
3 ice shall be available for services as authorized by 5 U.S.C.  
4 3109 but at rates not to exceed the per diem rate equiva-  
5 lent to the maximum rate payable for senior-level positions  
6 under 5 U.S.C. 5376, and for uniforms or allowances  
7 therefor as authorized by law (5 U.S.C. 5901–5902), and  
8 for expenses of attendance at meetings which are con-  
9 cerned with the functions or activities for which the appro-  
10 priation is made or which will contribute to improved con-  
11 duct, supervision, or management of those functions or ac-  
12 tivities: *Provided*, That in accordance with the provisions  
13 of the Indian Health Care Improvement Act, non-Indian  
14 patients may be extended health care at all tribally admin-  
15 istered or Indian Health Service facilities, subject to  
16 charges, and the proceeds along with funds recovered  
17 under the Federal Medical Care Recovery Act (42 U.S.C.  
18 2651–53) shall be credited to the account of the facility  
19 providing the service and shall be available without fiscal  
20 year limitation: *Provided further*, That funds appropriated  
21 to the Indian Health Service in this Act, except those used  
22 for administrative and program direction purposes, shall  
23 not be subject to limitations directed at curtailing Federal  
24 travel and transportation: *Provided further*, That with the  
25 exception of Indian Health Service units which currently

1 have a billing policy, the Indian Health Service shall not  
2 initiate any further action to bill Indians in order to collect  
3 from third-party payers nor to charge those Indians who  
4 may have the economic means to pay unless and until such  
5 time as Congress has agreed upon a specific policy to do  
6 so and has directed the Indian Health Service to imple-  
7 ment such a policy: *Provided further*, That personnel ceil-  
8 ings may not be imposed on the Indian Health Service  
9 nor may any action be taken to reduce the full-time equiv-  
10 alent level of the Indian Health Service by the elimination  
11 of temporary employees by reduction in force, hiring freeze  
12 or any other means without the review and approval of  
13 the Committees on Appropriations: *Provided further*, That  
14 none of the funds made available to the Indian Health  
15 Service in this Act shall be used to implement the final  
16 rule published in the Federal Register on September 16,  
17 1987, by the Department of Health and Human Services,  
18 relating to eligibility for the health care services of the  
19 Indian Health Service until the Indian Health Service has  
20 submitted a budget request reflecting the increased costs  
21 associated with the proposed final rule, and such request  
22 has been included in an appropriations Act and enacted  
23 into law: *Provided further*, That funds made available in  
24 this Act are to be apportioned to the Indian Health Serv-  
25 ice as appropriated in this Act, and accounted for in the

1 appropriation structure set forth in this Act: *Provided fur-*  
2 *ther*, That the appropriation structure for the Indian  
3 Health Service may not be altered without the advance  
4 approval of the House and Senate Committees on Appro-  
5 priations.

## 6 DEPARTMENT OF EDUCATION

### 7 OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

#### 8 INDIAN EDUCATION

9 For necessary expenses to carry out, to the extent  
10 not otherwise provided, the Indian Education Act of 1988,  
11 ~~\$81,274,000~~ \$81,205,000, of which \$59,813,000 shall be  
12 for subpart 1, \$16,838,000 shall be for subparts 2 and  
13 3, and \$1,200,000 shall be for collection and analyses of  
14 data on Indian education: *Provided*, That \$1,750,000  
15 available pursuant to section 5323 of the Act shall remain  
16 available for obligation until September 30, 1994.

## 17 OTHER RELATED AGENCIES

### 18 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

#### 19 SALARIES AND EXPENSES

20 For necessary expenses of the Office of Navajo and  
21 Hopi Indian Relocation as authorized by Public Law 93-  
22 531, ~~\$28,935,000~~ \$27,935,000, to remain available until  
23 expended: *Provided*, That funds provided in this or any  
24 other appropriations Act are to be used to relocate eligible  
25 individuals and groups including evictees from District 6,

1 Hopi-partitioned lands residents, those in significantly  
2 substandard housing, and all others certified as eligible  
3 and not included in the preceding categories: *Provided fur-*  
4 *ther*, That none of the funds contained in this or any other  
5 Act may be used by the Office of Navajo and Hopi Indian  
6 Relocation to evict any single Navajo or Navajo family  
7 who, as of November 30, 1985, was physically domiciled  
8 on the lands partitioned to the Hopi Tribe unless a new  
9 or replacement home is provided for such household: *Pro-*  
10 *vided further*, That no relocatee will be provided with more  
11 than one new or replacement home: *Provided further*, That  
12 the Office shall relocate any certified eligible relocatees  
13 who have selected and received an approved homesite on  
14 the Navajo reservation or selected a replacement residence  
15 off the Navajo reservation or on the land acquired pursu-  
16 ant to 25 U.S.C. 640d-10.

17 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE  
18 CULTURE AND ARTS DEVELOPMENT

19 PAYMENT TO THE INSTITUTE

20 For payment to the Institute of American Indian and  
21 Alaska Native Culture and Arts Development, as author-  
22 ized by Public Law 99-498, as amended (20 U.S.C. 56,  
23 Part A), ~~\$9,812,000~~ \$8,512,000, of which not to exceed  
24 \$350,000 for Federal matching contributions, to remain  
25 available until expended, shall be paid to the Institute en-

1 dowment fund: *Provided*, That of the funds made avail-  
2 able, \$1,500,000 is provided as a Federal matching con-  
3 tribution to the capital endowment fund: *Provided further*,  
4 That notwithstanding any other provision of law, the an-  
5 nual budget proposal and justification for the Institute  
6 shall be submitted to the Congress concurrently with the  
7 submission of the President's Budget to the Congress:  
8 *Provided further*, That the Institute shall act as its own  
9 certifying officer.

10 SMITHSONIAN INSTITUTION

11 SALARIES AND EXPENSES

12 For necessary expenses of the Smithsonian Institu-  
13 tion, as authorized by law, including research in the fields  
14 of art, science, and history; development, preservation, and  
15 documentation of the National Collections; presentation of  
16 public exhibits and performances; collection, preparation,  
17 dissemination, and exchange of information and publica-  
18 tions; conduct of education, training, and museum assist-  
19 ance programs; maintenance, alteration, operation, lease  
20 (for terms not to exceed thirty years), and protection of  
21 buildings, facilities, and approaches; not to exceed  
22 \$100,000 for services as authorized by 5 U.S.C. 3109; up  
23 to 5 replacement passenger vehicles; purchase, rental, re-  
24 pair, and cleaning of uniforms for employees;  
25 ~~\$298,656,000~~ \$290,645,000, of which not to exceed

1 ~~\$27,633,000~~ \$27,481,000 for the instrumentation pro-  
2 gram, collections acquisition, Museum Support Center  
3 equipment and move, exhibition reinstallation, the Na-  
4 tional Museum of the American Indian, and the repatri-  
5 ation of skeletal remains program shall remain available  
6 until expended and, including such funds as may be nec-  
7 essary to support American overseas research centers and  
8 a total of \$125,000 for the Council of American Overseas  
9 Research Centers: *Provided*, That funds appropriated  
10 herein are available for advance payments to independent  
11 contractors performing research services or participating  
12 in official Smithsonian presentations: *Provided further*,  
13 That none of the funds appropriated herein shall be made  
14 available for acquisition of land at the Smithsonian Envi-  
15 ronmental Research Center before the date of the enact-  
16 ment of an Act authorizing the use of funds for that pur-  
17 pose.

18 CONSTRUCTION AND IMPROVEMENTS, NATIONAL

19 ZOOLOGICAL PARK

20 For necessary expenses of planning, construction, re-  
21 modeling, and equipping of buildings and facilities at the  
22 National Zoological Park, by contract or otherwise,  
23 \$7,900,000, to remain available until expended.

24 REPAIR AND RESTORATION OF BUILDINGS

25 For necessary expenses of repair and restoration of  
26 buildings owned or occupied by the Smithsonian Institu-



1 tion, by contract or otherwise, as authorized by section  
2 2 of the Act of August 22, 1949 (63 Stat. 623), including  
3 not to exceed \$10,000 for services as authorized by 5  
4 U.S.C. 3109, ~~\$24,400,000~~ \$24,900,000, to remain avail-  
5 able until expended: *Provided*, That contracts awarded for  
6 environmental systems, protection systems, and exterior  
7 repair or restoration of buildings of the Smithsonian Insti-  
8 tution may be negotiated with selected contractors and  
9 awarded on the basis of contractor qualifications as well  
10 as price.

#### 11 CONSTRUCTION

12 For necessary expenses for construction,  
13 ~~\$17,330,000~~ \$18,100,000, to remain available until ex-  
14 pended.

#### 15 NATIONAL GALLERY OF ART

#### 16 SALARIES AND EXPENSES

17 For the upkeep and operations of the National Gal-  
18 lery of Art, the protection and care of the works of art  
19 therein, and administrative expenses incident thereto, as  
20 authorized by the Act of March 24, 1937 (50 Stat. 51),  
21 as amended by the public resolution of April 13, 1939  
22 (Public Resolution 9, Seventy-sixth Congress), including  
23 services as authorized by 5 U.S.C. 3109; payment in ad-  
24 vance when authorized by the treasurer of the Gallery for  
25 membership in library, museum, and art associations or  
26 societies whose publications or services are available to

1 members only, or to members at a price lower than to the  
2 general public; purchase, repair, and cleaning of uniforms  
3 for guards, and uniforms, or allowances therefor, for other  
4 employees as authorized by law (5 U.S.C. 5901–5902);  
5 purchase or rental of devices and services for protecting  
6 buildings and contents thereof, and maintenance, alter-  
7 ation, improvement, and repair of buildings, approaches,  
8 and grounds; and purchase of services for restoration and  
9 repair of works of art for the National Gallery of Art by  
10 contracts made, without advertising, with individuals,  
11 firms, or organizations at such rates or prices and under  
12 such terms and conditions as the Gallery may deem prop-  
13 er, ~~\$51,663,000~~ \$51,438,000, of which not to exceed  
14 \$3,120,000 for the special exhibition program shall remain  
15 available until expended.

16 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

17 For necessary expenses of repair, restoration and  
18 renovation of buildings, grounds and facilities owned or  
19 occupied by the National Gallery of Art, by contract or  
20 otherwise, as authorized ~~\$3,600,000~~ \$3,750,000, to remain  
21 available until expended: *Provided*, That contracts award-  
22 ed for environmental systems, protection systems, and ex-  
23 terior repair or renovation of buildings of the National  
24 Gallery of Art may be negotiated with selected contractors  
25 and awarded on the basis of contractor qualifications as  
26 well as price.

1 WOODROW WILSON INTERNATIONAL CENTER FOR  
2 SCHOLARS  
3 SALARIES AND EXPENSES

4 For expenses necessary in carrying out the provisions  
5 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.  
6 1356) including hire of passenger vehicles and services as  
7 authorized by 5 U.S.C. 3109, \$6,252,000.

8 NATIONAL FOUNDATION ON THE ARTS AND THE  
9 HUMANITIES

10 NATIONAL ENDOWMENT FOR THE ARTS

11 GRANTS AND ADMINISTRATION

12 For necessary expenses to carry out the National  
13 Foundation on the Arts and the Humanities Act of 1965,  
14 as amended, ~~\$145,839,000~~ \$144,245,000 shall be available  
15 to the National Endowment for the Arts for the support  
16 of projects and productions in the arts through assistance  
17 to groups and individuals pursuant to section 5(c) of the  
18 Act, and for administering the functions of the Act.

19 MATCHING GRANTS

20 To carry out the provisions of section 10(a)(2) of the  
21 National Foundation on the Arts and the Humanities Act  
22 of 1965, as amended, ~~\$30,116,000~~ \$30,500,000, to remain  
23 available until September 30, 1994, to the National En-  
24 dowment for the Arts, of which ~~\$13,300,000~~ \$13,000,000  
25 shall be available for purposes of section 5(l): *Provided,*  
26 That this appropriation shall be available for obligation

1 only in such amounts as may be equal to the total amounts  
2 of gifts, bequests, and devises of money, and other prop-  
3 erty accepted by the Chairman or by grantees of the En-  
4 dowment under the provisions of section 10(a)(2), sub-  
5 sections 11(a)(2)(A) and 11(a)(3)(A) during the current  
6 and preceding fiscal years for which equal amounts have  
7 not previously been appropriated.

8 NATIONAL ENDOWMENT FOR THE HUMANITIES

9 GRANTS AND ADMINISTRATION

10 For necessary expenses to carry out the National  
11 Foundation on the Arts and the Humanities Act of 1965,  
12 as amended, ~~\$152,108,000~~ \$152,669,000 shall be available  
13 to the National Endowment for the Humanities for sup-  
14 port of activities in the humanities, pursuant to section  
15 7(c) of the Act, and for administering the functions of the  
16 Act, of which ~~\$5,600,000~~ \$3,750,000 for the Office of  
17 Preservation shall remain available until September 30,  
18 1994.

19 MATCHING GRANTS

20 To carry out the provisions of section 10(a)(2) of the  
21 National Foundation on the Arts and the Humanities Act  
22 of 1965, as amended, ~~\$26,826,000~~ \$26,009,000, to remain  
23 available until September 30, 1994, of which ~~\$14,700,000~~  
24 \$14,000,000 shall be available to the National Endowment  
25 for the Humanities for the purposes of section 7(h): *Pro-*  
26 *vided*, That this appropriation shall be available for obliga-

1 tion only in such amounts as may be equal to the total  
2 amounts of gifts, bequests, and devises of money, and  
3 other property accepted by the Chairman or by grantees  
4 of the Endowment under the provisions of subsections  
5 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-  
6 ceding fiscal years for which equal amounts have not pre-  
7 viously been appropriated.

## 8 INSTITUTE OF MUSEUM SERVICES

### 9 GRANTS AND ADMINISTRATION

10 For carrying out title II of the Arts, Humanities, and  
11 Cultural Affairs Act of 1976, as amended, \$29,000,000,  
12 including not to exceed \$250,000 as authorized by 20  
13 U.S.C. 965(b).

### 14 ADMINISTRATIVE PROVISIONS

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

## 22 COMMISSION OF FINE ARTS

### 23 SALARIES AND EXPENSES

24 For expenses made necessary by the Act establishing  
25 a Commission of Fine Arts (40 U.S.C. 104), \$791,000.

## 1 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

2 For necessary expenses as authorized by Public Law  
3 99-190 (99 Stat. 1261; 20 U.S.C. 956a), as amended,  
4 \$7,000,000.

## 5 ADVISORY COUNCIL ON HISTORIC PRESERVATION

## 6 SALARIES AND EXPENSES

7 For expenses made necessary by the Act establishing  
8 an Advisory Council on Historic Preservation, Public Law  
9 89-665, as amended, \$2,757,000: *Provided*, That none of  
10 these funds shall be available for the compensation of Ex-  
11 ecutive Level V or higher positions.

## 12 NATIONAL CAPITAL PLANNING COMMISSION

## 13 SALARIES AND EXPENSES

14 For necessary expenses, as authorized by the Na-  
15 tional Capital Planning Act of 1952 (40 U.S.C. 71-71i),  
16 including services as authorized by 5 U.S.C. 3109 and not  
17 to exceed \$50,000 for expenses necessary to fund an in-  
18 crease in the pay level for all appointed members to a rate  
19 which is equivalent to the rate for Executive Schedule  
20 Level IV, ~~\$5,400,000~~ \$6,100,000.

## 21 FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

## 22 SALARIES AND EXPENSES

23 For necessary expenses of the Franklin Delano Roo-  
24 sevelt Memorial Commission, established by the Act of Au-  
25 gust 11, 1955 (69 Stat. 694), as amended by Public Law

1 92-332 (86 Stat. 401), \$535,000, to remain available  
2 until September 30, 1994.

3 PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

4 SALARIES AND EXPENSES

5 For necessary expenses, as authorized by section  
6 17(a) of Public Law 92-578, as amended, \$2,686,000 for  
7 operating and administrative expenses of the Corporation.

8 PUBLIC DEVELOPMENT

9 For public development activities and projects in ac-  
10 cordance with the development plan as authorized by sec-  
11 tion 17(b) of Public Law 92-578, as amended, ~~\$4,947,000~~  
12 \$4,847,000, to remain available until expended.

13 LAND ACQUISITION AND DEVELOPMENT FUND

14 The Pennsylvania Avenue Development Corporation  
15 is authorized to borrow from the Treasury of the United  
16 States ~~\$6,500,000~~ \$2,500,000, pursuant to the terms and  
17 conditions in paragraph 10, section 6, of Public Law 92-  
18 576, as amended.

19 UNITED STATES HOLOCAUST MEMORIAL COUNCIL

20 HOLOCAUST MEMORIAL COUNCIL

21 For expenses of the Holocaust Memorial Council, as  
22 authorized by Public Law 96-388, as amended,  
23 ~~\$21,450,000~~. *Provided*, That none of these funds shall be  
24 available for the compensation of Executive Level V or  
25 higher positions \$18,504,000.

## 1 TITLE III—GENERAL PROVISIONS

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

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

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

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



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

6 SEC. 306. None of the funds provided in this Act  
7 shall be used to evaluate, consider, process, or award oil,  
8 gas, or geothermal leases on Federal lands in the Mount  
9 Baker-Snoqualmie National Forest, State of Washington,  
10 within the hydrographic boundaries of the Cedar River  
11 municipal watershed upstream of river mile 21.6, the  
12 Green River municipal watershed upstream of river mile  
13 61.0, the North Fork of the Tolt River proposed municipal  
14 watershed upstream of river mile 11.7, and the South  
15 Fork Tolt River municipal watershed upstream of river  
16 mile 8.4.

17 SEC. 307. No assessments may be levied against any  
18 program, budget activity, subactivity, or project funded by  
19 this Act unless notice of such assessments and the basis  
20 therefor are presented to the Committees on Appropria-  
21 tions and are approved by such Committees.

22 SEC. 308. Employment funded by this Act shall not  
23 be subject to any personnel ceiling or other personnel re-  
24 striction for permanent or other than permanent employ-  
25 ment except as provided by law.

1       SEC. 309. None of the funds provided by this Act  
2 to the United States Fish and Wildlife Service may be ob-  
3 ligated or expended to plan for, conduct, or supervise deer  
4 hunting on the Loxahatchee National Wildlife Refuge.

5       SEC. 310. None of the funds in this Act may be used  
6 to plan, prepare, or offer for sale timber from trees classi-  
7 fied as giant sequoia (*sequoiadendron giganteum*) which  
8 are located on National Forest System or Bureau of Land  
9 Management lands until an environmental assessment has  
10 been completed and the giant sequoia management imple-  
11 mentation plan is approved. In any event, timber harvest  
12 within the identified groves will be done only to enhance  
13 and perpetuate giant sequoia. There will be no harvesting  
14 of giant sequoia specimen trees. Removal of hazard, insect,  
15 disease and fire killed giant sequoia other than specimen  
16 trees is permitted.

17       SEC. 311. None of the funds appropriated by this Act  
18 may be used to ensure that hardwood saw timber har-  
19 vested from Federal lands east of the 100th meridian is  
20 marked in such a manner as to make it readily identifiable  
21 at all times before its manufacture.

22       ~~SEC. 312. Section 401 of the Federal Land Policy~~  
23 ~~and Management Act of 1976 (43 U.S.C. 1751), is hereby~~  
24 ~~amended by adding at the end the following new sub-~~  
25 ~~sections:~~

1       “(e)(1) Notwithstanding any other provision of law,  
 2 the Secretary of Agriculture, with respect to National For-  
 3 est lands in the 16 contiguous western states (except Na-  
 4 tional Grasslands) administered by the United States For-  
 5 est Service where domestic livestock grazing is permitted  
 6 under applicable law, and the Secretary of the Interior  
 7 with respect to public domain lands administered by the  
 8 Bureau of Land Management where domestic livestock  
 9 grazing is permitted under applicable law, shall establish  
 10 beginning with the grazing season which commences on  
 11 March 1, 1993, an annual domestic livestock grazing fee  
 12 equal to fair market value. *Provided*, That the fee charged  
 13 for any given year shall not increase nor decrease by more  
 14 than 33.3 percent from the previous year’s grazing fee.

15       “(2)(A) For purposes of this subsection, the term  
 16 ‘fair market value’ is defined as follows:

$$\text{Fair Market Value} = \frac{\text{Appraised Base Value} \times \text{Forage Value Index}}{100}$$

17       “(B) For the purposes of subparagraph (A)—

18               “(i) the term ‘Forage Value Index’ means the  
 19 Forage Value Index (FVI) computed annually by the  
 20 Economic Research Service, United States Depart-  
 21 ment of Agriculture, and set with the 1992 FVI  
 22 equal to 100; and

1           “(ii) the term ‘Appraised Base Value’ means  
2           the 1983 Appraisal Value conclusions for mature  
3           cattle and horses (expressed in dollars per head or  
4           pair month), as determined in the 1986 report pre-  
5           pared jointly by the Secretary of Agriculture and the  
6           Secretary of the Interior entitled ‘Grazing Fee Re-  
7           view and Evaluation’, dated February 1986, on a  
8           westwide basis using the lowest appraised value of  
9           the pricing areas adjusted for advanced payment  
10          and indexed to 1992.

11          “(3) Executive Order No. 12548, dated February 14,  
12          1986, shall not apply to grazing fees established pursuant  
13          to this Act.

14          “(d) The grazing advisory boards established pursu-  
15          ant to Secretarial action, notice of which was published  
16          in the Federal Register on May 14, 1986 (51 Fed. Reg.  
17          17874), are hereby abolished, and the advisory functions  
18          exercised by such boards, shall, after the date of enact-  
19          ment of this sentence, be exercised only by the appropriate  
20          councils established under this section.

21          “(e) Funds appropriated pursuant to section 5 of the  
22          Public Rangelands Improvement Act of 1978 (43 U.S.C.  
23          1904) or any other provision of law related to disposition  
24          of the Federal share of receipts from fees for grazing on  
25          public domain lands or National Forest lands in the 16

1 contiguous western States shall be used for restoration  
2 and enhancement of fish and wildlife habitat, for res-  
3 toration and improved management of riparian areas, and  
4 for implementation and enforcement of applicable land  
5 management plans, allotment plans, and regulations re-  
6 garding the use of such lands for domestic livestock graz-  
7 ing. Such funds shall be distributed as the Secretary con-  
8 cerned deems advisable after consultation and coordina-  
9 tion with the advisory councils established pursuant to sec-  
10 tion 309 of this Act and other interested parties.”

11 *SEC. 312. Such sums as may be necessary for Federal*  
12 *employee pay raises for programs funded by this Act or sub-*  
13 *sequent Interior and Related Agencies Appropriations Acts*  
14 *hereafter shall be absorbed within the levels appropriated*  
15 *in such Acts.*

16 *SEC. 313. Notwithstanding any other provision of*  
17 *law, the Secretary of the Interior shall transfer to the De-*  
18 *partment of Health and Human Services the Pine Hill*  
19 *School Health Center in Pine Hill, New Mexico for Indian*  
20 *health purposes, and compensation for such transfer is*  
21 *waived.*

22 *SEC. 314. None of the funds provided in this Act may*  
23 *be expended by the Forest Service or the Bureau of Land*  
24 *Management to increase fees charged for communication*  
25 *site use of lands administered by the Forest Service or*

1 Bureau of Land Management by more than 15 per centum  
2 per user in fiscal year 1993 over the levels in effect on  
3 January 1, 1989.

4 SEC. 315. Notwithstanding any other provision of  
5 law, payments to States pursuant to 16 U.S.C. 500 for  
6 National Forests affected by decisions relating to the  
7 Northern Spotted Owl from fiscal year 1993 receipts shall  
8 not be less than 85 per centum of the average annual pay-  
9 ments to States, based on receipts collected on those Na-  
10 tional Forests during the five-year baseline period of fiscal  
11 years 1986 through 1990: *Provided*, That in no event shall  
12 these payments exceed the total amount of receipts col-  
13 lected from the affected National Forests during fiscal  
14 year 1993.

15 SEC. 316. Funds appropriated to the Forest Service  
16 shall be available for interactions with and providing tech-  
17 nical assistance to rural communities for sustainable rural  
18 development outside the boundaries of National Forest  
19 System lands.

20 SEC. 317. Notwithstanding any other provision of  
21 law, in fiscal year 1993 and thereafter, appropriations or  
22 funds available to the Department of the Interior or the  
23 Forest Service, Department of Agriculture, may be used  
24 to reimburse employees for the cost of State licenses and  
25 certification fees pursuant to their employment and that

1 are necessary to comply with State or Federal laws, regu-  
2 lations, or requirements.

3       SEC. 318. No part of any appropriation under this  
4 Act shall be available to the Secretaries of the Interior  
5 and Agriculture for use for any sale hereafter made of un-  
6 processed timber from Federal lands in the State of Texas  
7 which will be exported by the purchaser: *Provided*, That  
8 this limitation shall not apply to specific quantities of  
9 grades and species of timber which said Secretaries deter-  
10 mine are surplus to domestic lumber and plywood manu-  
11 facturing needs.

12       SEC. ~~319~~ 318. Notwithstanding any other provision  
13 of law, the payment to be made by the United States Gov-  
14 ernment pursuant to the provision of subsection (a) of title  
15 II of the Act of August 28, 1937 (50 Stat. 876) to the  
16 Oregon and California land-grant counties in the State of  
17 Oregon from fiscal year 1993 receipts derived from the  
18 Oregon and California grant lands shall not be less than  
19 85 percent of the average annual payment made to those  
20 counties of their share of the Oregon and California land-  
21 grant receipts collected during the five-year baseline pe-  
22 riod of fiscal years 1986 through 1990: *Provided*, That  
23 in no event shall this payment exceed the total amount  
24 of receipts collected from the Oregon and California grant  
25 lands during fiscal year 1993.

1        **SEC. 320.** The amounts otherwise provided in this  
2 Act for the following accounts and activities are hereby  
3 reduced by the following amounts:

4                    **DEPARTMENT OF THE INTERIOR**

5                            **BUREAU OF LAND MANAGEMENT**

6                                    **MANAGEMENT OF LANDS AND RESOURCES**

7            **Expenses, \$9,754,000.**

8                                    **NATIONAL PARK SERVICE**

9                                    **OPERATION OF THE NATIONAL PARK SYSTEM**

10          **Expenses, \$12,372,000.**

11                                    **CONSTRUCTION**

12          **Expenses, \$2,424,422.**

13                                    **UNITED STATES GEOLOGICAL SURVEY**

14                                    **SURVEYS, INVESTIGATIONS, AND RESEARCH**

15          **Expenses, \$4,646,000.**

16                                    **BUREAU OF MINES**

17                                    **MINES AND MINERALS**

18          **Expenses, \$2,661,000.**

19                                    **OFFICE OF SURFACE MINING RECLAMATION AND**

20                                    **ENFORCEMENT**

21                                    **REGULATION AND TECHNOLOGY**

22          **Expenses, \$808,000.**

23                                    **BUREAU OF INDIAN AFFAIRS**

24                                    **OPERATION OF INDIAN PROGRAMS**

25          **Expenses, \$12,583,000.**



1 CONSTRUCTION

2 Expenses, \$579,000.

3 **RELATED AGENCIES**

4 **DEPARTMENT OF ENERGY**

5 **FOSSIL ENERGY RESEARCH AND DEVELOPMENT**

6 Expenses, \$690,000.

7 **STRATEGIC PETROLEUM RESERVE**

8 Expenses, \$805,000.

9 **OTHER RELATED AGENCIES**

10 **NATIONAL GALLERY OF ART**

11 Salaries and expenses, \$694,000.

12 **SEC. 321. BUY AMERICAN REQUIREMENTS.**

13 (a) **COMPLIANCE WITH BUY AMERICAN ACT.**—No  
 14 funds appropriated or transferred pursuant to this Act  
 15 may be expended by an entity unless the entity agrees that  
 16 in expending the assistance the entity will comply with sec-  
 17 tions 2 through 4 of the Act of March 3, 1933 (41 U.S.C.  
 18 10a–10e, popularly known as the “Buy American Act”).

19 (b) **PURCHASE OF AMERICAN-MADE EQUIPMENT**  
 20 **AND PRODUCTS.**—

21 (1) **IN GENERAL.**—In the case of any equip-  
 22 ment or product that may be authorized to be pur-  
 23 chased with financial assistance provided under this  
 24 Act, it is the sense of the Congress that entities re-  
 25 ceiving the assistance should, in expending the as-

1       sistance, purchase only American-made equipment  
2       and products.

3               (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—

4       In providing financial assistance under this Act, the  
5       Secretary shall provide to each recipient of the as-  
6       sistance a notice describing the statement made in  
7       paragraph (1) by the Congress.

8       SEC. 322. None of the funds made available in this  
9       Act may be used to record or process any claimed rights-  
10      of-way under section 2477 of the Revised Statutes (43  
11      U.S.C. 932).

12       This Act may be cited as the “Department of the In-  
13      terior and Related Agencies Appropriations Act, 1993”.

Passed the House of Representatives July 23, 1992.

Attest:                      DONNALD K. ANDERSON,

*Clerk.*





Calendar No. 572

102D CONGRESS  
2D SESSION

# H. R. 5503

[Report No. 102-345]

## AN ACT

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes.

JULY 28 (legislative day, JULY 23), 1992

Received; read twice and referred to the Committee on Appropriations

JULY 29 (legislative day, JULY 23), 1992

Reported with amendments