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102d Congress 2d Session

H. R. 5503

[Report No. 102-626]

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

IN THE HOUSE OF REPRESENTATIVES

June 29, 1992

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

A BILL

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 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:
TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau of Land Management, $531,967,000 and $2,500,000 from unobligated balances appropriated under this heading in Public Law 99–591 for insect and disease control projects, including grasshoppers, which balances may be applied to any activity provided for under this heading and of which the following amounts shall remain available until expended: not to exceed $1,450,000 to be derived from the special receipt account established by section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–6a(i)), and $33,500,000 for the Automated Land and Mineral Record System Project: Provided, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau of Land Management or its contractors; and in addition, $12,430,000 for Mining Law
Administration program operations to remain available through September 30, 1993, to be reduced by amounts collected by the Bureau of Land Management and credited to this appropriation from annual mining claim holding fees: Provided further, That the sum herein appropriated shall be reduced as mining claim holding fees are received during fiscal year 1993 so as to result in a final fiscal year 1993 appropriation estimated at not more than $531,967,000: Provided further, That in addition to funds otherwise available, not to exceed $5,000,000 from annual mining claim holding fees shall be credited to this account for the costs of administering the mining claim holding fee program, and shall remain available until expended: Provided further, That none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws or to issue a patent for any mining or mill site claim located under the general mining laws unless the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before the date of enactment of this Act, and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims and sections 2329,
2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by that date.

FIRE PROTECTION

For necessary expenses for fire management, emergency rehabilitation, firefighting, fire presuppression, and other related emergency actions by the Department of the Interior, $119,560,000, to remain available until expended: Provided, That such funds also are to be available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That unexpended balances of amounts previously appropriated for this purpose under the heading "Firefighting", Bureau of Land Management, may be transferred to and merged with this appropriation and accounted for as one appropriation for the same time period as originally enacted.

EMERGENCY DEPARTMENT OF THE INTERIOR

FIREFIGHTING FUND

For emergency rehabilitation and wildfire suppression activities of the Department of the Interior, $113,640,000, to remain available until expended: Provided, That such funds also are to be available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes:
Provided further, That notwithstanding any other provision of law, persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation.

In addition, for emergency rehabilitation and wildfire suppression activities of the Department of the Interior, $51,200,000, to remain available until expended: Provided, That these funds, or any portion thereof, shall be available beginning in fiscal year 1993 only (1) to the extent that the President notifies the Congress of his designation of any or all of these amounts as emergency requirements under the Balanced Budget and Emergency Deficit Control Act of 1985; and (2) if the amounts annually appropriated under this heading, but not designated as emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985, have been at least equal to the most recent ten-year historical average, less any enacted cost saving program reforms: Provided further, That Congress hereby designates these amounts as emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONSTRUCTION AND ACCESS

For acquisition of lands and interests therein, and construction of buildings, recreation facilities, roads,
trails, and appurtenant facilities, $13,225,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976 (31 U.S.C. 6901-07), $105,000,000, of which not to exceed $400,000 shall be available for administrative expenses.

LAND ACQUISITION

For expenses necessary to carry out the provisions of sections 205, 206, and 318(d) of Public Law 94-579 including administrative expenses and acquisition of lands or waters, or interests therein, $25,940,000 to be derived from the Land and Water Conservation Fund, to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; $83,122,000, to remain available until expended: Provided, That 25 per centum of the aggregate of all receipts during the current fiscal
year from the reveded Oregon and California Railroad
grant lands is hereby made a charge against the Oregon
and California land grant fund and shall be transferred
to the General Fund in the Treasury in accordance with
the provisions of the second paragraph of subsection (b)

RANGE IMPROVEMENTS

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

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related
to processing application documents and other authoriza-
tions for use and disposal of public lands and resources,
for costs of providing copies of official public land docu-
ments, for monitoring construction, operation, and termin-
ation of facilities in conjunction with use authorizations,
and for rehabilitation of damaged property, such amounts
as may be collected under sections 209(b), 304(a), 304(b),
305(a), and 504(g) of the Act approved October 21, 1976
(43 U.S.C. 1701), and sections 101 and 203 of Public
Law 93–153, to be immediately available until expended:
Provided, That notwithstanding any provision to the con-
trary of section 305(a) of the Act of October 21, 1976
(43 U.S.C. 1735(a)), any moneys that have been or will
be received pursuant to that section, whether as a result
of forfeiture, compromise, or settlement, if not appropriate
for refund pursuant to section 305(c) of that Act (43
U.S.C. 1735(c)), shall be available and may be expended
under the authority of this or subsequent appropriations
Acts by the Secretary to improve, protect, or rehabilitate
any public lands administered through the Bureau of
Land Management which have been damaged by the ac-
tion of a resource developer, purchaser, permittee, or any
unauthorized person, without regard to whether all mon-
ey collected from each such forfeiture, compromise, or
settlement are used on the exact lands damage to which
led to the forfeiture, compromise, or settlement: Provided
further, That such moneys are in excess of amounts need-
ed to repair damage to the exact land for which collected.
MISCELLANEOUS TRUST FUNDS

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

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau of Land Management; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed $10,000: Provided, That appropriations herein made for Bureau of Land Management expenditures in connection with the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands (other than
1 expenditures made under the appropriation "Oregon and
2 California grant lands") shall be reimbursed to the Gen-
3 eral Fund of the Treasury from the 25 per centum re-
4 ferred to in subsection (c), title II, of the Act approved
5 August 28, 1937 (50 Stat. 876), of the special fund des-
6 ignated the "Oregon and California land grant fund" and
7 section 4 of the Act approved May 24, 1939 (53 Stat.
8 754), of the special fund designated the "Coos Bay Wagon
9 Road grant fund": Provided further, That appropriations
10 herein made may be expended for surveys of Federal lands
11 and on a reimbursable basis for surveys of Federal lands
12 and for protection of lands for the State of Alaska: Pro-
13 vided further, That an appeal of any reductions in grazing
14 allotments on public rangelands must be taken within thir-
15 ty days after receipt of a final grazing allotment decision.
16 Reductions of up to 10 per centum in grazing allotments
17 shall become effective when so designated by the Secretary
18 of the Interior. Upon appeal any proposed reduction in
19 excess of 10 per centum shall be suspended pending final
20 action on the appeal, which shall be completed within two
21 years after the appeal is filed: Provided further, That not-
22 withstanding 44 U.S.C. 501, the Bureau may, under coop-
23 erative cost-sharing and partnership arrangements au-
24 thorized by law, procure printing services from cooperators
25 in connection with jointly-produced publications for which
the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: Provided further, That notwithstanding any other provisions of law, that effective upon the date of enactment of this Act for the fiscal year 1993 and every year thereafter, for each unpatented mining claim, mill or tunnel site on federally owned lands, in lieu of the assessment work requirements contained in the Mining Law of 1872 (30 U.S.C. 28–28(e)), and the filing requirements contained in Section 314(a) of the Federal Land Policy and Management Act of 1976 (FLPMA) (43 U.S.C. 1744(a)) and the related requirements of Section 314(c) of FLPMA (43 U.S.C. 1744(c)), the claimant shall pay an annual holding fee of $100.00 to the Secretary of the Interior or his designee on or before August 31 of each year in order for the claimant to hold such unpatented mining claim, mill or tunnel site for the following year beginning on September 1: Provided further, That the fee established by this Act in lieu of the assessment work requirements for the assessment year ending at noon on September 1, 1993, shall be due and payable to the Secretary on or before June 30, 1993, except that such fee otherwise due and payable for this period shall be waived by the Secretary or his designee if the claimant files an affidavit of assessment work by
June 30, 1993, showing the labor required by 30 U.S.C. 28 was completed for the assessment year ending at noon September 1, 1993, before the effective date of this Act: Provided further, That such fee otherwise due and payable for the assessment year ending at noon on September 1, 1993, for mill and tunnel sites shall be waived by the Secretary or his designee if the claimant files a notice of intention to hold the site by June 30, 1993: Provided further, That for every unpatented mining claim, mill or tunnel site located after the date of enactment of this Act, the locator shall pay $100.00 to the Secretary of the Interior or his designee at the time the location notice is recorded with the Bureau of Land Management to hold such claim for the year in which the location was made: Provided further, That the co-ownership provision of 30 U.S.C. 28 will remain in effect except that the annual holding fee shall replace the assessment work requirements and expenditures: Provided further, That failure to make the annual payment of the holding fee required by this Act shall conclusively constitute an abandonment of the unpatented mining claim, mill or tunnel site by the claimant: Provided further, That nothing in this Act shall change or modify the requirements of Section 314(b) of FLPMA (43 U.S.C. 1744(b)) or the requirements of Section 314(c) of FLPMA (43 U.S.C. 1744(c)) related to fil-
ings required by Section 314(b), which shall remain in ef-
fect. Provided further; That the Secretary of the Interior
shall promulgate rules and regulations to carry out the
purposes of this Section as soon as practicable after the
effective date of this Act.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

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

CONSTRUCTION AND ANADROMOUS FISH

For construction and acquisition of buildings and
other facilities required in the conservation, management,
investigation, protection, and utilization of sport fishery
and wildlife resources, and the acquisition of lands and
interests therein; $47,513,000, to remain available until
expended.

NATURAL RESOURCE DAMAGE ASSESSMENT AND
RESTORATION FUND

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

LAND ACQUISITION

For expenses necessary to carry out the provisions
of the Land and Water Conservation Fund Act of 1965,
as amended (16 U.S.C. 460l–4–11), including administra-
tive expenses, and for acquisition of land or waters, or in-
terest therein, in accordance with statutory authority ap-
plicable to the United States Fish and Wildlife Service,
and for activities authorized under Public Law 98–244 to
be carried out by the National Fish and Wildlife Founda-
tion, $67,397,000, to be derived from the Land and Water
Conservation Fund, to remain available until expended.

COOPERATIVE ENDANGERED SPECIES CONSERVATION
FUND

For expenses necessary to carry out the provisions
1543), as amended by Public Law 100–478, $6,621,000
for Grants to States, to be derived from the Cooperative
Endangered Species Conservation Fund, and to remain
available until expended.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of Octo-

REWARDS AND OPERATIONS

For expenses necessary to carry out the provisions
4201–4203, 4211–4213, 4221–4225, 4241–4245, and
1538), $1,201,000, to remain available until expended.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions
of the North American Wetlands Conservation Act, Public
1 Law 101–233, $7,500,000, and in fiscal year 1992 and
2 thereafter, amounts received during the immediately pre-
3 ceding fiscal year under section 6 of the Migratory Bird
4 Treaty Act (16 U.S.C. 707) as penalties or fines or from
5 forfeitures of property or collateral, to remain available
6 until expended.
7
8 ADMINISTRATIVE PROVISIONS
9 Appropriations and funds available to the United
10 States Fish and Wildlife Service shall be available for pur-
11 chase of not to exceed 130 passenger motor vehicles, of
12 which 112 are for replacement only (including 43 for po-
13 lice-type use); not to exceed $400,000 for payment, at the
14 discretion of the Secretary, for information, rewards, or
15 evidence concerning violations of laws administered by the
16 United States Fish and Wildlife Service, and mis-
17 cellaneous and emergency expenses of enforcement activi-
18 ties, authorized or approved by the Secretary and to be
19 accounted for solely on his certificate; repair of damage
20 to public roads within and adjacent to reservation areas
21 caused by operations of the United States Fish and Wild-
22 life Service; options for the purchase of land at not to ex-
23 ceed $1 for each option; facilities incident to such public
24 recreational uses on conservation areas as are consistent
25 with their primary purpose; and the maintenance and im-
26 provement of aquaria, buildings, and other facilities under
27 the jurisdiction of the United States Fish and Wildlife
Service and to which the United States has title, and which are utilized pursuant to law in connection with management and investigation of fish and wildlife resources:

Provided, That the United States Fish and Wildlife Service may accept donated aircraft as replacements for existing aircraft.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not to exceed $559,000 for the Roosevelt Campobello International Park Commission, and not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by Youth Conservation Corps as if authorized by the Act of August 13, 1970, as amended by Public Law 93–408, $992,059,000 without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), of which not to exceed $60,000,000 to remain available until expended is to be derived from the special fee account established pursuant to title V, section 5201, of Public Law 100–203:

Provided, That the National Park Service shall not enter
into future concessionaire contracts, including renewals,
that do not include a termination for cause clause that
provides for possible extinguishment of possessory inter-
ests excluding depreciated book value of concessionaire in-
vestments without compensation: *Provided further,* That
of the funds provided herein, $775,000 is available for the
National Institute for the Conservation of Cultural Prop-
erty: *Provided further,* That none of the funds appro-
priated in this Act may be used to implement any increase
in Government housing rental rates in excess of ten per
centum more than the rental rates which were in effect
on September 1, 1992, for such housing.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation pro-
grams, natural programs, cultural programs, environ-
mental compliance and review, and grant administration,
not otherwise provided for, $22,715,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the provisions
of the Historic Preservation Act of 1966 (80 Stat. 915),
as amended (16 U.S.C. 470), $36,931,000 to be derived
from the Historic Preservation Fund, established by sec-
tion 108 of that Act, as amended, to remain available for
obligation until September 30, 1994: *Provided,* That the
Trust Territory of the Pacific Islands is a State eligible
for Historic Preservation Fund matching grant assistance
as authorized under 16 U.S.C. 470w(2): Provided further,
That pursuant to section 105(1) of the Compact of Free
Association, Public Law 99–239, the Federated States of
Micronesia and the Republic of the Marshall Islands shall
also be considered States for purposes of this appropri-
tion.

CONSTRUCTION

For construction, improvements, repair or replace-
ment of physical facilities, without regard to the Act of
August 24, 1912, as amended (16 U.S.C. 451),
$237,806,000, to remain available until expended, and
$7,705,000 to be derived from amounts made available
under this head in Public Law 99–190 for engineering and
construction of the Burr Trail National Rural Scenic
Road: Provided, That not to exceed $7,000,000 shall be
paid to the Army Corps of Engineers for modifications au-
thorized by section 104 of the Everglades National Park
Protection and Expansion Act of 1989: Provided further,
That of the funds provided under this heading,
$1,700,000 shall be available for site acquisition and site
preparation for the Lincoln Center in Springfield, Illinois.

LAND AND WATER CONSERVATION FUND
(RESCISSION)

The contract authority provided for fiscal year 1993
by 16 U.S.C. 460l–10a is rescinded.
LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l-4-11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with statutory authority applicable to the National Park Service, $106,500,000 to be derived from the Land and Water Conservation Fund, to remain available until expended, of which $28,456,000 is for the State assistance program including $3,456,000 to administer the State assistance program: Provided, That of the amounts previously appropriated to the Secretary’s contingency fund for grants to States $75,000 shall be available in 1993 for administrative expenses of the State grant program.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

For expenses necessary for operating and maintaining the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, $13,556,000, of which $6,500,000 shall remain available until expended.

ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR COMMISSION

For operation of the Illinois and Michigan Canal National Heritage Corridor Commission, $250,000.
ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 445 passenger motor vehicles, of which 307 shall be for replacement only, including not to exceed 345 for police-type use, 15 buses, and 4 ambulances; to provide, notwithstanding any other provision of law, at a cost not exceeding $750,000, transportation for children in nearby communities to and from any unit of the National Park System used in connection with organized recreation and interpretive programs of the National Park Service; options for the purchase of land at not to exceed $1 for each option; and for the procurement and delivery of medical services within the jurisdiction of units of the National Park System: Provided, That any funds available to the National Park Service may be used, with the approval of the Secretary, to maintain law and order in emergency and other unforeseen law enforcement situations and conduct emergency search and rescue operations in the National Park System: Provided further, That none of the funds in this Act may be used to upgrade the Burr Trail National Rural Scenic Road in Utah: Provided further, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided further, That the National Park
Service may use helicopters and motorized equipment at Death Valley National Monument for removal of feral burros and horses: Provided further, That notwithstanding any other provision of law, the National Park Service may recover all costs of providing necessary services associated with special use permits, such reimbursements to be credited to the appropriation current at that time: Provided further, That none of the funds appropriated to the National Park Service may be used to process permits necessary for construction of a bridge to Ellis Island: Provided further, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project: Provided further, That the Secretary of the Interior, acting through the Director of the National Park Service, may
enter into a cooperative agreement with the William O.
Douglas Outdoor Classroom under which the Secretary
may expend Federal funds on non-Federal property for
environmental education purposes: Provided further, That
funds previously appropriated for acquisition of a
landscaped parking lot for the Martin Luther King Na-
tional Historic Site may be used by the National Park
Service to acquire the vacant lot on the north side of Irwin
Street between Jackson and Boulevard as specified in
Public Law 100–202.

UNITED STATES GEOLOGICAL SURVEY
SURVEYS, INVESTIGATIONS, AND RESEARCH
For expenses necessary for the United States Geo-
logical Survey to perform surveys, investigations, and re-
search covering topography, geology, hydrology, and the
mineral and water resources of the United States, its Ter-
ritories and possessions, and other areas as authorized by
law (43 U.S.C. 31, 1332 and 1340); classify lands as to
their mineral and water resources; give engineering super-
vision to power permittees and Federal Energy Regulatory
Commission licensees; administer the minerals exploration
program (30 U.S.C. 641); and publish and disseminate
data relative to the foregoing activities; $587,668,000, of
which $64,032,000 shall be available only for cooperation
with States or municipalities for water resources investiga-
tions: Provided, That no part of this appropriation shall
be used to pay more than one-half the cost of any topo-
graphic mapping or water resources investigations carried
on in cooperation with any State or municipality.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geo-
logical Survey shall be available for purchase of not to ex-
cede 22 passenger motor vehicles, for replacement only;
reimbursement to the General Services Administration for
security guard services; contracting for the furnishing of
topographic maps and for the making of geophysical or
other specialized surveys when it is administratively deter-
mined that such procedures are in the public interest; con-
struction and maintenance of necessary buildings and ap-
урtenant facilities; acquisition of lands for gauging sta-
tions and observation wells; expenses of the United States
National Committee on Geology; and payment of com-
ensation and expenses of persons on the rolls of the Unit-
ed States Geological Survey appointed, as authorized by
law, to represent the United States in the negotiation and
administration of interstate compacts: Provided, That ac-
tivities funded by appropriations herein made may be ac-
accomplished through the use of contracts, grants, or coop-
erative agreements as defined in Public Law 95–224.
MINERALS MANAGEMENT SERVICE

LEASING AND ROYALTY MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only; $197,514,000, of which not less than $67,115,000 shall be available for royalty management activities; and an amount not to exceed $5,000,000 for the Technical Information Management System of Outer Continental Shelf (OCS) Lands Activity, to be credited to this appropriation and to remain available until expended, from additions to current preset receipts and from additional fee collections relating to OCS administrative activities performed by the Minerals Management Service over and above what the Minerals Management Service currently collects to offset its costs for these activities:

Provided, That $1,500,000 for computer acquisitions shall remain available until September 30, 1994: Provided further, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721 (b) and (d): Provided further, That not
1 to exceed $3,000 shall be available for reasonable expenses
2 related to promoting volunteer beach and marine cleanup
3 activities: Provided further, That notwithstanding any
4 other provision of law, $10,000 under this head shall be
5 available for refunds of overpayments in connection with
6 certain Indian leases in which the Director of the Minerals
7 Management Service concurred with the claimed refund
8 due: Provided further, That notwithstanding any other
9 provision of law, $155,275,000 shall be deducted from
10 Federal onshore mineral leasing receipts prior to the divi-
11 sion and distribution of such receipts between the States
12 and the Treasury and shall be credited to miscellaneous
13 receipts of the Treasury: Provided further, That, not-
14 withstanding any other provision of law, in fiscal year
15 1993 and thereafter, the Minerals Management Service
16 shall have the authority to collect and expend all collec-
17 tions from user fees resulting from the Minerals Manage-
18 ment Service providing the services of its Oil and Hazard-
19 ous Materials Simulated Environmental Test Tank testing
20 facility in Leonardo, New Jersey, and these collections
21 shall be credited to this account to remain available until
22 expended, and used to offset operation and maintenance
23 costs associated with providing such services: Provided fur-
24 ther, That the fifth proviso under the heading "Leasing
25 and Royalty Management" for the Minerals Management
Service in Public Law 101–512 (104 Stat. 1926) is amended by striking the words “this account” after the words “shall be credited to” and inserting in lieu thereof “the leasing and royalty management account of the Minerals Management Service”.

OIL SPILL RESEARCH

For necessary expenses to carry out the purposes of the Oil Spill Liability Trust Fund, pursuant to Title VII of the Oil Pollution Act of 1990, $5,377,000, which shall be derived from the Fund, to be available until expended, to carry out the purposes of the Fund in accordance with Title VII of that Act.

BUREAU OF MINES

MINES AND MINERALS

For expenses necessary for conducting inquiries, technological investigations, and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs; to foster and encourage private enterprise in the development of mineral resources and the prevention of waste in the mining, minerals, metal, and mineral reclamation industries; to inquire into the economic conditions affecting those industries; to promote health and safety in mines and the mineral industry through research; and for other related purposes as authorized by law, $173,056,000, of which $107,506,000 shall remain
available until expended: Provided, That none of the funds in this or any other Act may be used for the closure or consolidation of any research centers or the sale of any of the helium facilities currently in operation.

ADMINISTRATIVE PROVISIONS

The Secretary is authorized to accept lands, buildings, equipment, other contributions, and fees from public and private sources, and to prosecute projects using such contributions and fees in cooperation with other Federal, State or private agencies: Provided, That the Bureau of Mines is authorized, during the current fiscal year, to sell directly or through any Government agency, including corporations, any metal or mineral product that may be manufactured in pilot plants operated by the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not to exceed 15 passenger motor vehicles, of which 11 shall be for replacement only; $112,674,000, and notwithstanding 31 U.S.C. 3302, an additional amount shall be credited to this account, to remain available until
1 expended, from performance bond forfeitures in fiscal year
2 1993: Provided, That notwithstanding any other provision
3 of law, the Secretary of the Interior, pursuant to regula-
4 tions, may utilize directly or through grants to States,
5 moneys collected in fiscal year 1993 pursuant to the as-
6 sessment of civil penalties under section 518 of the Sur-
7 face Mining Control and Reclamation Act of 1977 (30
8 U.S.C. 1268), to reclaim lands adversely affected by coal
9 mining practices after August 3, 1977, to remain available
10 until expended: Provided further, That notwithstanding
11 any other provisions of law, appropriations for the Office
12 of Surface Mining Reclamation and Enforcement may pro-
13 vide for the travel and per diem expenses of State and
14 tribal personnel attending Office of Surface Mining Recl-
15 lamation and Enforcement sponsored training: Provided
16 further, That the funds provided herein to implement and
17 operate the Applicant Violator System shall be used only
18 to the extent that system is in compliance with the Janu-
19 ary 24, 1990 Settlement Agreement between Save Our
20 Cumberland Mountains, Inc. and Manuel Lujan, Jr., Sec-
21 retary, United States Department of the Interior, et al.
22
23 ABANDONED MINE RECLAMATION FUND
24
25 For necessary expenses to carry out the provisions
26 of title IV of the Surface Mining Control and Reclamation
27 Act of 1977, Public Law 95–87, as amended, including
28 the purchase of not more than 22 passenger motor vehi-
cles, of which 16 shall be for replacement only,
$188,041,000 to be derived from receipts of the Aban-
donated Mine Reclamation Fund and to remain available
until expended: Provided, That of the funds herein pro-
vided up to $22,000,000 may be used for the emergency
program authorized by section 410 of Public Law 95–87,
as amended, of which no more than 25 per centum shall
be used for emergency reclamation projects in any one
State and funds for Federally-administered emergency
reclamation projects under this proviso shall not exceed
$15,000,000: Provided further, That 23 full-time equiva-
lent positions are to be maintained in the Anthracite Recl-
amation Program at the Wilkes-Barre Field Office: Pro-
vided further, That pursuant to Public Law 97–365, the
Department of the Interior is authorized to utilize up to
20 per centum from the recovery of the delinquent debt
owed to the United States Government to pay for con-
tracts to collect these debts.

ADMINISTRATIVE PROVISION

None of the funds available to the Office of Surface
Mining Reclamation and Enforcement shall be expended
to create or maintain more than one Deputy Director posi-
tion.
For operation of Indian programs by direct expenditure, contracts, cooperative agreements, and grants including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment of care, tuition, assistance, and other expenses of Indians in boarding homes, or institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; for the general administration of the Bureau of Indian Affairs, including such expenses in field offices; maintaining of Indian reservation roads as defined in section 101 of title 23, United States Code; and construction, repair, and improvement of Indian housing, $1,354,151,000, including $271,038,000 for school operations costs of Bureau-funded schools and other education programs which shall become available for obligation on
July 1, 1993, and shall remain available for obligation until September 30, 1994, and $53,954,000 for housing improvement and road maintenance, to remain available until expended, and of which, funds obligated as grants to schools pursuant to Public Law 100–297 shall be made on July 1 and December 1 in lieu of the payments authorized to be made on October 1 and January 1 of each calendar year, and of which not to exceed $71,954,000 for higher education scholarships, adult vocational training, and assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall remain available for obligation until September 30, 1994; and the funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1993 as authorized by the Indian Self-Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.), or grants authorized by the Indian Education Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall remain available until expended by the contractor or grantee; and of which $2,000,000 for litigation support shall remain available until expended, $4,937,000 for self-governance tribal compacts shall be made available on completion and submission of such compacts to the Congress, and shall remain available until expended; and of which $1,190,000 for expenses necessary to carry out the
provisions of section 19(a) of Public Law 93–531 (25 U.S.C. 640d–18(a)), shall remain available until expended: Provided, That none of the funds appropriated to the Bureau of Indian Affairs shall be expended as matching funds for programs funded under section 103(b)(2) of the Carl D. Perkins Vocational Education Act: Provided further, That $200,000 of the funds made available in this Act shall be available for cyclical maintenance of tribally owned fish hatcheries and related facilities: Provided further, That none of the funds in this Act shall be used by the Bureau of Indian Affairs to transfer funds under a contract with any third party for the management of tribal or individual Indian trust funds until the funds held in trust for all such tribes or individuals have been audited and reconciled to the earliest possible date, the results of such reconciliation have been certified by an independent party as the most complete reconciliation of such funds possible, and the affected tribe or individual has been provided with an accounting of such funds: Provided further, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with the accounting of such funds from which the beneficiary can determine whether there has been a loss:
Provided further, That $300,000 of the amounts provided for education program management shall be available for a grant to the Close Up Foundation: Provided further, That the Task Force on Bureau of Indian Affairs Reorganization shall continue activities under its charter as adopted and amended on April 17, 1991: Provided further, That any reorganization proposal shall not be implemented until the Task Force has reviewed it and recommended its implementation to the Secretary and such proposal has been submitted to and approved by the Committees on Appropriations, except that the Bureau may submit a reorganization proposal related only to management improvements, along with Task Force comments or recommendations to the Committees on Appropriations for review and disposition by the Committees: Provided further, That to provide funding uniformity within a Self-Governance Compact, any funds provided in this Act with availability for more than one year may be reprogrammed to one year availability but shall remain available within the Compact until expended: Provided further, That notwithstanding any other provision of law, Indian tribal governments may, by appropriate changes in eligibility criteria or by other means, change eligibility for general assistance or change the amount of general assistance payments for individuals who are otherwise deemed eligible
for general assistance payments so long as such changes
are applied in a consistent manner to individuals similarly
situated: Provided further, That any savings realized by
such changes shall be available for use in meeting other
priorities of the tribes: Provided further, That the obli-
gated and unobligated balances associated with the hous-
ing improvement program and the road maintenance pro-
gram shall be transferred to this account from “Construction”, and shall remain available until expended.

CONSTRUCTION

For construction, major repair, and improvement of
irrigation and power systems, buildings, utilities, and
other facilities, including architectural and engineering
services by contract; acquisition of lands and interests in
lands; and preparation of lands for farming, $152,446,000, to remain available until expended: Provided, That $1,482,000 of the funds made available in this Act shall be available for rehabilitation of tribally owned
fish hatcheries and related facilities: Provided further,
That such amounts as may be available for the construc-
tion of the Navajo Indian Irrigation Project may be trans-
ferred to the Bureau of Reclamation: Provided further,
That not to exceed 6 per centum of contract authority
available to the Bureau of Indian Affairs from the Federal
Highway Trust Fund may be used to cover the road pro-
gram management costs of the Bureau of Indian Affairs:
1 Provided further, That none of the funds available to the
2 Bureau of Indian Affairs in this or any other Act shall
3 be used to transfer, through agreement, memorandum of
4 understanding, demonstration project or other method,
5 the Safety of Dams program of the Bureau of Indian Af-
6 fairs to the Bureau of Reclamation: Provided further, That
7 nothing herein shall prevent the Bureau of Indian Affairs
8 or tribes from using, on a case-by-case basis, the technical
9 expertise of the Bureau of Reclamation: Provided further,
10 That none of the funds provided for the Safety of Dams
11 program are available for transfer pursuant to sections
12 101 and 102 of this Act.
13
14 MISCELLANEOUS PAYMENTS TO INDIANS
15
16 For miscellaneous payments to Indian tribes and in-
17 dividuals pursuant to Public Laws 98–500, 99–264, 100–
19 100–585 and 102–171, including funds for necessary ad-
20 ministrative expenses, $39,109,000, to remain available
21 until expended: Provided, That of the funds provided here-
22 in $4,000,000 shall be available (1) to liquidate obligations
23 owed tribal and individual Indian payees of any checks
24 cancelled pursuant to section 1003 of the Competitive
25 Equality Banking Act of 1987 (Public Law 100–86 (101
26 Stat. 659)), 31 U.S.C. 3334(b), and (2) to restore to Indi-
27 vidual Indian Monies trust funds amounts invested in de-
28 faulted savings and loan associations not covered by Fed-
eral deposit insurance, including any interest on these amounts that may have been earned, but was not because of the default and the Bureau's delay in restoring the amounts lost.

NAVAJO REHABILITATION TRUST FUND

For Navajo tribal rehabilitation and improvement activities in accordance with the provisions of section 32(d) of Public Law 93–531, as amended (25 U.S.C. 640d–30), including necessary administrative expenses, $4,000,000, to remain available until expended.

TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

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

INDIAN DIRECT LOAN PROGRAM ACCOUNT

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, including the cost of modifying loans, of expert assistance loans authorized by the Act of November 4, 1963, as amended, and the cost of direct loans authorized by the Indian Financing Act of 1974, as amended, $2,500,000. Provided, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $11,300,000.
INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans $8,864,000, as authorized by the Indian Financing Act of 1974, as amended: Provided, That such costs including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal any part of which is to be guaranteed not to exceed $68,800,000.

In addition, for administrative expenses necessary to carry out the guaranteed loan program, $906,000, which may be transferred to and merged with the appropriations for Operation of Indian Programs.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, the Technical Assistance of Indian Enterprises account, the Indian Direct Loan Program account, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 258 passenger carrying motor vehicles, of which not to exceed 212 shall be for replacement only.

TERRITORIAL AND INTERNATIONAL AFFAIRS

ADMINISTRATION OF TERRITORIES

For expenses necessary for the administration of territories under the jurisdiction of the Department of the
Interior, $81,151,000, of which (1) $77,105,000 shall be available until expended for technical assistance, including maintenance assistance, drug interdiction and abuse prevention, and brown tree snake control and research; late charges and payments of the annual interest rate differential required by the Federal Financing Bank, under terms of the second refinancing of an existing loan to the Guam Power Authority, as authorized by law (Public Law 98–454; 98 Stat. 1732); grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $4,046,000 shall be available for salaries and expenses of the Office of Territorial and International Affairs: Provided, That the territorial and local governments herein provided for are authorized to make purchases through the General Services Administration: Provided further, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or
instrumentalities established or utilized by such govern-
ments, shall be audited by the General Accounting Office,
in accordance with chapter 35 of title 31, United States
Code: Provided further, That Northern Mariana Islands
Covenant grant funding shall be provided according to
those terms of the Agreement of the Special Repre-
sentatives on Future United States Financial Assistance
for the Northern Mariana Islands approved by Public Law
99–396, except that should the Secretary of the Interior
believe that the performance standards of such agreement
are not being met, operations funds may be withheld, but
only by Act of Congress as required by Public Law 99–
396: Provided further, That $1,025,000 of the amounts
provided for technical assistance shall be available for a
grant to the Close Up Foundation: Provided further, That
the funds for the program of operations and maintenance
improvement are appropriated to institutionalize routine
operations and maintenance of capital infrastructure in
American Samoa, Guam, the Virgin Islands, the Common-
wealth of the Northern Mariana Islands, the Republic of
Palau, the Republic of the Marshall Islands, and the Fed-
erated States of Micronesia through assessments of long-
range operations and maintenance needs, improved capa-
bility of local operations and maintenance institutions and
agencies (including management and vocational education
training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory's commitment to timely maintenance of its capital assets).

TRUST TERRITORY OF THE PACIFIC ISLANDS

For expenses necessary for the Department of the Interior in administration of the Trust Territory of the Pacific Islands pursuant to the Trusteeship Agreement approved by joint resolution of July 18, 1947 (61 Stat. 397), and the Act of June 30, 1954 (68 Stat. 330), as amended (90 Stat. 299; 91 Stat. 1159; 92 Stat. 495), and grants to the Trust Territory of the Pacific Islands, in addition to local revenues, for support of governmental functions; $26,796,000, to remain available until expended, including $18,596,000 for operations of the Government of Palau: Provided, That all financial transactions of the Trust Territory, including such transactions of all agencies or instrumentalities established or utilized by such Trust Territory, shall be audited by the General Accounting Office in accordance with chapter 35 of title 31, United States Code: Provided further, That the government of the Trust Territory of the Pacific Islands is authorized to make purchases through the General Services Administration: Provided further, That all Government operations funds appropriated and obligated for the Republic of Palau under this account for fiscal year 1993 shall be credited as an
offset against fiscal year 1993 payments made pursuant to the legislation approving the Palau Compact of Free Association (Public Law 99–658), if such Compact is implemented before October 1, 1993: **Provided further,** That not less than $300,000 of the grants to the Republic of Palau, for support of governmental functions, shall be dedicated to the College of Micronesia in accordance with the agreement between the Micronesian entities.

**COMPACT OF FREE ASSOCIATION**

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compacts of Free Association, $20,457,000, to remain available until expended, as authorized by Public Law 99–239: **Provided,** That the effective date of the Palau Compact for purposes of economic assistance pursuant to the Palau Compact of Free Association, Public Law 99–658, shall be the effective date of the Palau Compact as determined pursuant to section 101 of Public Law 101–219.

**DEPARTMENTAL OFFICES**

**OFFICE OF THE SECRETARY**

**SALARIES AND EXPENSES**

For necessary expenses of the Office of the Secretary of the Interior, $63,857,000, of which not to exceed
$7,500 may be for official reception and representation expenses.

Office of the Solicitor

Salaries and Expenses

For necessary expenses of the Office of the Solicitor, $31,941,000.

Office of Inspector General

Salaries and Expenses

For necessary expenses of the Office of Inspector General, $23,741,000.

Construction Management

Salaries and Expenses

For necessary expenses of the Office of Construction Management, $2,191,000.

National Indian Gaming Commission

Salaries and Expenses

For necessary expenses of the National Indian Gaming Commission, pursuant to Public Law 100–497, $2,190,000.

Administrative Provisions

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 18 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus property: Provided, That notwithstanding any other provision of law, existing aircraft being replaced may

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be sold, with proceeds derived or trade-in value used to
offset the purchase price for the replacement aircraft: Pro-
vided further, That no programs funded with appropriated
funds in the "Office of the Secretary", "Office of the So-
lícitor", and "Office of Inspector General" may be aug-
mented through the Working Capital Fund or the Consoli-
dated Working Fund.

GENERAL PROVISIONS, DEPARTMENT OF THE
INTERIOR

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

Sec. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any
other activity in the same manner as authorized by sections 1535 and 1536 of title 31, U.S.C.: Provided, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

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

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

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

SEC. 107. No funds provided in this title may be used to detail any employee to an organization unless such detail is in accordance with Office of Personnel Management regulations.

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

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

SEC. 110. No funds provided in this title may be expended by the Department of the Interior for the conduct of preleasing and leasing activities in the Eastern Gulf of Mexico for Outer Continental Shelf Lease Sale 137 or for Sale 151 in the April 1992 proposal for the Outer Con-
tinental Shelf Natural Gas and Oil Resource Management

SEC. 111. No funds provided in this title may be ex-
pended by the Department of the Interior for the conduct
of preleasing and leasing activities in the Atlantic for
Outer Continental Shelf Lease Sale 164 in the April 1992
proposal for the Outer Continental Shelf Natural Gas and
Oil Resource Management Comprehensive Program,

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

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

SEC. 114. Notwithstanding any other provision of
law, recordation and processing of claimed rights-of-way
under Revised Statutes section 2477 (43 U.S.C. 932) shall
be undertaken according to the procedures in section 15,
H.R. 1096, as passed the House on July 23, 1991.
Sec. 115. None of the funds in this Act may be used to process permits necessary for the construction of jetties at Oregon Inlet, North Carolina, until an environmental impact statement has been completed.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

Forest Service

For necessary expenses of forest research as authorized by law, $186,657,000, to remain available until September 30, 1994.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with, and providing technical and financial assistance to States, Territories, possessions, and others; and for forest pest management activities, $136,929,000, to remain available until expended, as authorized by law.

EMERGENCY PEST SUPPRESSION FUND

For necessary expenses for emergency suppression of pests, $42,315,000, to remain available until expended: Provided, That these funds, or any portion thereof, shall be available beginning in fiscal year 1993 only to the extent that the President notifies the Congress of his designation of any or all of these amounts as emergency requirements under section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985: Pro-
vided further, That Congress hereby designates these amounts as emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for administrative expenses associated with the management of funds provided under the heads "Forest Research", "State and Private Forestry", "National Forest System", "Construction", "Forest Service Fire Protection", "Emergency Forest Service Firefighting Fund", and "Land Acquisition", $1,320,937,000, to remain available for obligation until September 30, 1994, and including 65 per centum of all monies received during the prior fiscal year as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 460l–6a(i)): Provided, That unobligated and unexpended balances in the National Forest System account at the end of fiscal year 1992, shall be merged with and made a part of the fiscal year 1993 National Forest System appropriation, and shall remain available for obligation until September 30, 1994: Provided further, That timber volume authorized or scheduled for sale during fiscal year 1992, but which re-
mains unsold at the end of fiscal year 1992, shall be of-
fered for sale during fiscal year 1993 in addition to the
fiscal year 1993 timber sale volume to the extent possible:
Provided further, That up to $5,000,000 of the funds pro-
vided herein for road maintenance shall be available for
the planned obliteration of roads which are no longer
needed.

FOREST SERVICE FIRE PROTECTION

For necessary expenses for firefighting on or adjacent
to National Forest System lands or other lands under fire
protection agreement, and for forest fire management and
presuppression on National Forest System lands,
$192,785,000, to remain available until expended: Pro-
vided, That unexpended balances of amounts previously
appropriated for this purpose under the heading "Forest
Service Firefighting", Forest Service, may be transferred
to and merged with this appropriation and accounted for
as one appropriation for the same time period as originally
enacted.

EMERGENCY FOREST SERVICE FIREFIGHTING FUND

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

In addition, for necessary expenses for emergency rehabilitation, presuppression due to emergencies, and wild-
fire suppression activities of the Forest Service, $188,000,000, to remain available until expended: Pro-
vided, That these funds, or any portion thereof, shall be available beginning in fiscal year 1993 only (1) to the ex-
tent that the President notifies the Congress of his des-
ignation of any or all of these amounts as emergency re-
quirements under the Balanced Budget and Emergency Deficit Control Act of 1985; and (2) if the amounts annu-
ally appropriated under this heading, but not designated as emergency requirements pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985, have been at least equal to the most recent ten-year historical average, less any en-
acted cost saving program reforms: Provided further, That Congress hereby designates these amounts as emergency requirements pursuant to section 251(b)(2)(D) of the Bal-

CONSTRUCTION

For necessary expenses of the Forest Service, not otherwise provided for, for construction, $241,449,000, to remain available until expended, of which $82,401,000 is
for construction and acquisition of buildings and other fa-
cilities; and $159,048,000 is for construction and repair
of forest roads and trails by the Forest Service as author-
Provided, That funds becoming available in fiscal year
1993 under the Act of March 4, 1913 (16 U.S.C. 501)
shall be transferred to the General Fund of the Treasury
of the United States: Provided further, That not to exceed
$110,669,000, to remain available until expended, may be
obligated for the construction of forest roads by timber
purchasers.

LAND ACQUISITION

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

ACQUISITION OF LANDS FOR NATIONAL FORESTS

SPECIAL ACTS

For acquisition of lands within the exterior bound-
aries of the Cache, Uinta, and Wasatch National Forests,
Utah; the Toiyabe National Forest, Nevada; and the An-
1 geles, San Bernardino, Sequoia, and Cleveland National
2 Forests, California, as authorized by law, $1,190,000, to
3 be derived from forest receipts.
4 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES
5 For acquisition of lands, to be derived from funds de-
6 posited by State, county, or municipal governments, public
7 school districts, or other public school authorities pursuant
8 to the Act of December 4, 1967, as amended (16 U.S.C.
9 484a), to remain available until expended.
10 RANGE BETTERMENT FUND
11 For necessary expenses of range rehabilitation, pro-
12 tection, and improvement, 50 per centum of all moneys
13 received during the prior fiscal year, as fees for grazing
14 domestic livestock on lands in National Forests in the six-
15 teen Western States, pursuant to section 401(b)(1) of
16 Public Law 94–579, as amended, to remain available until
17 expended, of which not to exceed 6 per centum shall be
18 available for administrative expenses associated with on-
19 the-ground range rehabilitation, protection, and improve-
20 ments.
21 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
22 RANGELAND RESEARCH
23 For expenses authorized by 16 U.S.C. 1643(b),
24 $105,000, to remain available until expended, to be de-
25 rived from the fund established pursuant to the above Act.
ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (a) purchase of not to exceed 127 passenger motor vehicles of which 31 will be used primarily for law enforcement purposes and of which 101 shall be for replacement only, of which acquisition of 81 passenger motor vehicles shall be from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed two for replacement only, and acquisition of 47 aircraft from excess sources; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (b) services pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $100,000 for employment under 5 U.S.C. 3109; (c) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (d) acquisition of land, waters, and interests therein, pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); (e) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, 558a note); and (f) for debt collection contracts in accordance with 31 U.S.C. 3718(e).
None of the funds made available under this Act shall be obligated or expended to change the boundaries of any region, to abolish any region, to move or close any regional office for research, State and private forestry, or National Forest System administration of the Forest Service, Department of Agriculture, without the consent of the House and Senate Committees on Appropriations and the Committee on Agriculture, Nutrition, and Forestry in the United States Senate and the Committee on Agriculture in the United States House of Representatives.

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

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

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Office of International Cooperation and Development in connection with forest and
rangeland research, technical information, and assistance
in foreign countries, and shall be available to support for-
ery and related natural resource activities outside the
United States and its territories and possessions, includ-
ing technical assistance, education and training, and co-
operation with United States and international organiza-
tions.

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

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

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

Notwithstanding any other provision of law, any ap-
propriations or funds available to the Forest Service may
be used to disseminate program information to private and public individuals and organizations through the use of nonmonetary items of nominal value and to provide nonmonetary awards of nominal value and to incur necessary expenses for the nonmonetary recognition of private individuals and organizations that make contributions to Forest Service programs.

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

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

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

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

None of the funds made available to the Forest Serv-
ice in this Act shall be expended for the purpose of admin-
istering a special use authorization permitting land use
and occupancy and surface disturbing activities for any project to be constructed on Rock Creek, Madera County, California, until a study has been completed and submitted to the Congress by the Forest Service in consultation with the United States Fish and Wildlife Service, the United States Army Corps of Engineers, the California State Water Resources Control Board, the California Department of Fish and Game and other interested public parties regarding the project’s potential cumulative impacts on the environment, together with a finding that there will be no substantial adverse impact on the environment. Findings from the study must be presented at no less than three public meetings.

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

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

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

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

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

Notwithstanding any other provision of law, the For-
est Service shall establish an office in Ohio for the purpose 
of representing and administering the Wayne National 
Forest on a forest-wide basis.

The Forest Service may offer for sale salvageable 
timber in Region 6 in fiscal year 1993, unless it can be
demonstrated that the offering of a sale will cause det-

riment to a species listed as threatened or endangered.

Pursuant to section 405(a) and (b), and section 410(a) and (b) of Public Law 101–593, funds up to $500,000 for start-up expenses and $537,000 for matching funds shall be available to establish a National Forest Foundation. Funding shall be limited to $78,000 from Forest Research, $90,000 from State and Private Forestry, $638,000 from National Forest System, $90,000 from Forest Service Fire Protection, and $141,000 from Construction.

DEPARTMENT OF ENERGY

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, $412,597,000, to remain available until expended, of which $3,100,000 is available for the fuels program and $600,000 to be derived by transfer from previously appropriated and unobligated balances in the "Fossil Energy Construction" account: Provided, That no part of the sum
herein made available shall be used for the field testing
of nuclear explosives in the recovery of oil and gas: Pro-
vided further, That section 303 of Public Law 97–257 is
further amended by changing the number for the Pitts-
burgh Energy Technology Center to “285”, changing the
number for the Morgantown Energy Technology Center
to “270”, and inserting at the end of enumeration (2)
“and not less than 27 employees shall be assigned to the
Bartlesville Project Office;”.

Of the funds herein provided, $32,800,000 is for im-
plementation of the June 1984 multiyear, cost-shared
magnetohydrodynamics program targeted on proof-of-con-
cept testing: Provided, That 35 per centum private sector
cash or in-kind contributions shall be required for obliga-
tions in fiscal year 1993: Provided further, That existing
facilities, equipment, and supplies, or previously expended
research or development funds are not cost-sharing for the
purposes of this appropriation, except as amortized, depre-
ciated, or expended in normal business practice: Provided
further, That cost-sharing shall not be required for the
costs of constructing or operating Government-owned fa-
cilities or for the costs of Government organizations, Na-
tional Laboratories, or universities and such costs shall
not be used in calculating the required percentage for pri-
ivate sector contributions: Provided further, That private
sector contribution percentages need not be met on each
contract but must be met in total for each fiscal year.

ALTERNATIVE FUELS PRODUCTION
(INCLUDING TRANSFER OF FUNDS)

Monies received as investment income on the prin-
cipal amount in the Great Plains Project Trust at the
Norwest Bank of North Dakota, in such sums as are
earned as of October 1, 1992, shall be deposited in this
account and immediately transferred to the General Fund
of the Treasury. Monies received as revenue sharing from
the operation of the Great Plains Gasification Plant shall
be immediately transferred to the General Fund of the
Treasury.

NAVAL PETROLEUM AND OIL SHALE RESERVES

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

ENERGY CONSERVATION

For necessary expenses in carrying out energy con-
servation activities, $591,859,000, to remain available
until expended, including, notwithstanding any other pro-
vision of law, the excess amount for fiscal year 1993 deter-
mined under the provisions of section 3003(d) of Public
$240,365,000 shall be for use in energy conservation pro-
grams as defined in section 3008(3) of Public Law 99–
509 (15 U.S.C. 4507) and shall not be available until ex-
cess amounts are determined under the provisions of sec-
Provided further, That notwithstanding section 3003(d)(2)
of Public Law 99–509 such sums shall be allocated to the
eligible programs in the same proportion for each program
as in fiscal year 1992: Provided further, That $2,000,000
of the amount under this heading shall be for metal cast-
ing research consistent with the provisions of Public Law
101–425: Provided further, That $18,091,000 of the
amount provided under this heading shall be available for
continuing research and development efforts begun under
title II of the Interior and Related Agencies portion of
the joint resolution entitled "Joint Resolution making fur-
ther continuing appropriations for the fiscal year 1986,
and for other purposes", approved December 19, 1985
(Public Law 99–190), and implementation of steel and
aluminum research authorized by Public Law 100–680:
Provided further, That existing facilities, equipment, and
supplies, or previously expended research or development
funds are not accepted as contributions for the purposes
of this appropriation, except as amortized, depreciated, or
expensed in normal business practice: Provided further,
That the total Federal expenditure under this proviso shall
be repaid up to one and one-half times from the proceeds
of the commercial sale, lease, manufacture, or use of tech-
nologies developed under this proviso, at a rate of one-
fourth of all net proceeds: Provided further, That up to
$38,700,000 of the amount provided under this head is
for electric and hybrid vehicle battery research to be con-
ducted on a cooperative basis with non-Federal entities,
such amounts to be available only as matched on an equal
basis by such entities: Provided further, That the Depart-
ment of Energy, for a period of up to five years after the
completion of individual projects may provide appropriate
protections, including exemptions from subchapter II of
chapter 5 of title 5, United States Code, against the dis-
semination of information that results from activities con-
ducted by the United States Advanced Battery Consortium or its contractors and that would be a trade secret on commercial or financial information that is privileged or confidential if the information had been obtained from and first produced by a non-Federal party participating in the United States Advanced Battery Consortium.

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Economic Regulatory Administration and the Office of Hearings and Appeals, $14,565,000, to remain available until expended.

EMERGENCY PREPAREDNESS

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

STRATEGIC PETROLEUM RESERVE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $176,600,000, to remain available until expended, including $125,625,000 to be derived by transfer from funds deposited in the "SPR petroleum account" as a result of the Desert Storm sale of the Strategic Petroleum
Reserve, as authorized under 42 U.S.C. 6241: Provided, That appropriations herein made shall not be available for leasing of facilities for the storage of crude oil for the Strategic Petroleum Reserve unless the quantity of oil stored in or deliverable to Government-owned storage facilities by virtue of contractual obligations is equal to 700,000,000 barrels.

SPR PETROLEUM ACCOUNT

Notwithstanding 42 U.S.C. 6240(d) the United States share of crude oil in Naval Petroleum Reserve Numbered 1 (Elk Hills) may be sold or otherwise disposed of to other than the Strategic Petroleum Reserve: Provided, That no funds available in fiscal year 1993 in this, or any previous or subsequent appropriations Act, or made available in this account pursuant to 42 U.S.C. 6247(b) as a result of any drawdown and distribution of the Reserve under the provisions of 42 U.S.C. 6241 may be used in fiscal year 1993 for leasing, exchanging, or otherwise acquiring other than by direct purchase crude oil from a foreign government, a foreign State-owned oil company, or an agent of either except pursuant to the procedures of section 174, part C, title I of the Energy Policy and Conservation Act (42 U.S.C. 6211 et seq.), as contained in section 6 of Public Law 101–383: Provided further,
That outlays in fiscal year 1993 resulting from the use of funds in this account shall not exceed $145,000,000.

ENERGY INFORMATION ADMINISTRATION (INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the activities of the Energy Information Administration, $83,427,000, to remain available until expended, of which $44,000,000 shall be derived from available unobligated balances in the Biomass Energy Development account.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in an appropriations Act.
The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private, or foreign: Provided, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: Provided further, That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: Provided further, That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.
The Secretary of Energy may transfer to the Emergency Preparedness appropriation such funds as are necessary to meet any unforeseen emergency needs from any funds available to the Department of Energy from this Act.

Notwithstanding any other provision of law, the Secretary of Energy may enter into a contract, agreement, or arrangement, including, but not limited to, a Management and Operating Contract as defined in the Federal Acquisition Regulations (17.601), with a profit-making or non-profit entity to conduct activities at the Department of Energy's research facilities at Bartlesville, Oklahoma.

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

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles III and XXVI and section 208 of the Public Health Service Act with respect to the Indian Health Service, in-
including hire of passenger motor vehicles and aircraft; pur-
chase of medical equipment; purchase of reprints; pur-
chase, renovation, and erection of modular buildings; pay-
ments for telephone service in private residences in the
field, when authorized under regulations approved by the
Secretary; $1,559,615,000, together with payments re-
ceived during the fiscal year pursuant to 42 U.S.C.
300aaa–2 for services furnished by the Indian Health
Service: Provided, That notwithstanding any other law or
regulation, funds transferred from the Department of
Housing and Urban Development to the Indian Health
Service shall be administered under Public Law 86–121
(the Indian Sanitation Facilities Act): Provided further,
That funds made available to tribes and tribal organiza-
tions through grants and contracts authorized by the In-
dian Self-Determination and Education Assistance Act of
1975 (88 Stat. 2203; 25 U.S.C. 450), shall be deemed
to be obligated at the time of the grant or contract award
and thereafter shall remain available to the tribe or tribal
organization without fiscal year limitation: Provided fur-
ther, That of the funds provided for new, continuation, and
expanded grants, contracts, or cooperative agreements
under Public Law 93–638, an appropriate amount shall
be reserved and available only for contract support costs:
Provided further, That $12,000,000 shall remain available
until expended, for the Indian Catastrophic Health Emergency Fund: Provided further, That $323,404,000 for contract medical care shall remain available for expenditure until September 30, 1994: Provided further, That of the funds provided, not less than $11,077,000 shall be used to carry out a loan repayment program under which Federal, State, and commercial-type educational loans for physicians and other health professionals will be repaid at a rate not to exceed $35,000 per year of obligated service in return for full-time clinical service: Provided further, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall be available for two fiscal years after the fiscal year in which they were collected, for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): Provided further, That of the funds provided, $6,000,000 shall remain available until expended, for the Indian Self-Determination Fund, which shall be available for the transi-
tional costs of initial or expanded tribal contracts, grants or cooperative agreements with the Indian Health Service under the provisions of the Indian Self-Determination Act: Provided further, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for expenditure until September 30, 1994: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act and Public Law 100–713 shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended.

INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act and the Indian Health Care Improvement Act, and for expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Deter-
mination Act, the Indian Health Care Improvement Act, and titles III and XXVI and section 208 of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, including hire of passenger motor vehicles and aircraft; purchase of reprints; purchase and erection of modular buildings; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary, $338,596,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376, and for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902), and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved con-
duct, supervision, or management of those functions or ac-
tivities: Provided, That in accordance with the provisions
of the Indian Health Care Improvement Act, non-Indian
patients may be extended health care at all tribally admin-
istered or Indian Health Service facilities, subject to
charges, and the proceeds along with funds recovered
under the Federal Medical Care Recovery Act (42 U.S.C.
2651–53) shall be credited to the account of the facility
providing the service and shall be available without fiscal
year limitation: Provided further, That funds appropriated
to the Indian Health Service in this Act, except those used
for administrative and program direction purposes, shall
not be subject to limitations directed at curtailing Federal
travel and transportation: Provided further, That with the
exception of Indian Health Service units which currently
have a billing policy, the Indian Health Service shall not
initiate any further action to bill Indians in order to collect
from third-party payers nor to charge those Indians who
may have the economic means to pay unless and until such
time as Congress has agreed upon a specific policy to do
so and has directed the Indian Health Service to imple-
ment such a policy: Provided further, That personnel ceil-
ings may not be imposed on the Indian Health Service
nor may any action be taken to reduce the full-time equiv-
alent level of the Indian Health Service by the elimination
of temporary employees by reduction in force, hiring freeze
or any other means without the review and approval of
the Committees on Appropriations: Provided further, That
none of the funds made available to the Indian Health
Service in this Act shall be used to implement the final
rule published in the Federal Register on September 16,
1987, by the Department of Health and Human Services,
relating to eligibility for the health care services of the
Indian Health Service until the Indian Health Service has
submitted a budget request reflecting the increased costs
associated with the proposed final rule, and such request
has been included in an appropriations Act and enacted
into law: Provided further, That funds made available in
this Act are to be apportioned to the Indian Health Serv-
ice as appropriated in this Act, and accounted for in the
appropriation structure set forth in this Act: Provided fur-
ther, That the appropriation structure for the Indian
Health Service may not be altered without the advance
approval of the House and Senate Committees on Appro-
priations.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

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

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $28,935,000, to remain available until expended: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be provided with more than
one new or replacement home: Provided further, That the
Office shall relocate any certified eligible relocatees who
have selected and received an approved homesite on the
Navajo reservation or selected a replacement residence off
the Navajo reservation or on the land acquired pursuant

Institute of American Indian and Alaska Native
Culture and Arts Development

Payment to the Institute

For payment to the Institute of American Indian and
Alaska Native Culture and Arts Development, as autho-
ized by Public Law 99-498, as amended (20 U.S.C. 56,
Part A), $9,812,000, of which not to exceed $350,000 for
Federal matching contributions, to remain available until
expended, shall be paid to the Institute endowment fund:
Provided, That of the funds made available, $1,500,000
is provided as a Federal matching contribution to the cap-
ital endowment fund: Provided further, That not-
withstanding any other provision of law, the annual budg-
et proposal and justification for the Institute shall be sub-
mitted to the Congress concurrently with the submission
of the President's Budget to the Congress: Provided
further, That the Institute shall act as its own certifying
officer.
For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed thirty years), and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; up to 5 replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees; $298,656,000, of which not to exceed $27,633,000 for the instrumentation program, collections acquisition, Museum Support Center equipment and move, exhibition reinstallation, the National Museum of the American Indian, and the repatriation of skeletal remains program shall remain available until expended and, including such funds as may be necessary to support American overseas research centers and a total of $125,000 for the Council of American Overseas Research Centers: Provided, That funds appropriated herein are available for advance pay-
ments to independent contractors performing research services or participating in official Smithsonian presentations: *Provided further, That none of the funds appropriated herein shall be made available for acquisition of land at the Smithsonian Environmental Research Center before the date of the enactment of an Act authorizing the use of funds for that purpose.*

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, by contract or otherwise, $7,900,000, to remain available until expended.

REPAIR AND RESTORATION OF BUILDINGS

For necessary expenses of repair and restoration of buildings owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $10,000 for services as authorized by 5 U.S.C. 3109, $24,400,000, to remain available until expended: *Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or restoration of buildings of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.*
CONSTRUCTION

For necessary expenses for construction, $17,330,000, to remain available until expended.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals,
firms, or organizations at such rates or prices and under
such terms and conditions as the Gallery may deem prop-
er, $51,663,000, of which not to exceed $3,120,000 for
the special exhibition program shall remain available until
expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS
For necessary expenses of repair, restoration and
renovation of buildings, grounds and facilities owned or
occupied by the National Gallery of Art, by contract or
otherwise, as authorized $3,600,000, to remain available
until expended: Provided, That contracts awarded for envi-
ronmental systems, protection systems, and exterior repair
or renovation of buildings of the National Gallery of Art
may be negotiated with selected contractors and awarded
on the basis of contractor qualifications as well as price.

WOODROW WILSON INTERNATIONAL CENTER FOR
SCHOLARS
SALARIES AND EXPENSES
For expenses necessary in carrying out the provisions
1356) including hire of passenger vehicles and services as
authorized by 5 U.S.C. 3109, $6,252,000.
NATIONAL FOUNDATION ON THE ARTS AND THE
HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and Humanities Act of 1965, as amended, $147,634,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups and individuals pursuant to section 5(e) of the Act, and for administering the functions of the Act.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $31,300,000, to remain available until September 30, 1994, to the National Endowment for the Arts, of which $13,300,000 shall be available for purposes of section 5(l): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.
NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $152,108,000 shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, of which $5,600,000 for the Office of Preservation shall remain available until September 30, 1994.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $26,826,000, to remain available until September 30, 1994, of which $14,700,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.
For carrying out title II of the Arts, Humanities, and Cultural Affairs Act of 1976, as amended, $29,000,000, including not to exceed $250,000 as authorized by 20 U.S.C. 965(b).

Administrative Provisions

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

Commission of Fine Arts

Salaries and Expenses

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

National Capital Arts and Cultural Affairs

For necessary expenses as authorized by Public Law 99-190 (99 Stat. 1261; 20 U.S.C. 956a), as amended, $7,000,000.
1 ADVISORY COUNCIL ON HISTORIC PRESERVATION

2 SALARIES AND EXPENSES

3 For expenses made necessary by the Act establishing
4 an Advisory Council on Historic Preservation, Public Law
5 89–665, as amended, $2,757,000: Provided, That none of
6 these funds shall be available for the compensation of Ex-
7 ecutive Level V or higher positions.

8 NATIONAL CAPITAL PLANNING COMMISSION

9 SALARIES AND EXPENSES

10 For necessary expenses, as authorized by the Na-
12 including services as authorized by 5 U.S.C. 3109 and not
13 to exceed $50,000 for expenses necessary to fund an in-
14 crease in the pay level for all appointed members to a rate
15 which is equivalent to the rate for Executive Schedule
16 Level IV, $5,400,000.

17 FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

18 SALARIES AND EXPENSES

19 For necessary expenses of the Franklin Delano Roo-
20 sevelt Memorial Commission, established by the Act of Au-
21 gust 11, 1955 (69 Stat. 694), as amended by Public Law
22 92–332 (86 Stat. 401), $535,000, to remain available
Pennsylvania Avenue Development Corporation

Salaries and Expenses

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

Public Development

For public development activities and projects in accordance with the development plan as authorized by section 17(b) of Public Law 92–578, as amended, $4,947,000, to remain available until expended.

Land Acquisition and Development Fund

The Pennsylvania Avenue Development Corporation is authorized to borrow from the Treasury of the United States $6,500,000, pursuant to the terms and conditions in paragraph 10, section 6, of Public Law 92–576, as amended.

United States Holocaust Memorial Council

Holocaust Memorial Council

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96–388, as amended, $21,450,000: Provided, That none of these funds shall be available for the compensation of Executive Level V or higher positions.

Title III—General Provisions

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

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

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

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

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

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

SEC. 307. No assessments may be levied against any
program, budget activity, subactivity, or project funded by
this Act unless notice of such assessments and the basis
therefor are presented to the Committees on Appropriations
and are approved by such Committees.

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

SEC. 309. None of the funds provided by this Act
to the United States Fish and Wildlife Service may be ob-
ligated or expended to plan for, conduct, or supervise deer
1 hunting on the Loxahatchee National Wildlife Refuge and
2 the Mason Neck National Wildlife Refuge.
3 Sec. 310. None of the funds in this Act may be used
4 to plan, prepare, or offer for sale timber from trees classi-
5 fied as giant sequoia (sequoiadendron giganteum) which
6 are located on National Forest System or Bureau of Land
7 Management lands until an environmental assessment has
8 been completed and the giant sequoia management imple-
9 mentation plan is approved. In any event, timber harvest
10 within the identified groves will be done only to enhance
11 and perpetuate giant sequoia. There will be no harvesting
12 of giant sequoia specimen trees. Removal of hazard, insect,
13 disease and fire killed giant sequoia other than specimen
14 trees is permitted.
15 Sec. 311. None of the funds appropriated by this Act
16 may be used to ensure that hardwood saw timber har-
17 vested from Federal lands east of the 100th meridian is
18 marked in such a manner as to make it readily identifiable
19 at all times before its manufacture.
20 Sec. 312. Section 401 of the Federal Land Policy
21 and Management Act of 1976 (43 U.S.C. 1751), is hereby
22 amended by adding at the end the following new sub-
23 sections:
24 "(e)(1) Notwithstanding any other provision of law,
25 the Secretary of Agriculture, with respect to National For-
est lands in the 16 contiguous western states (except Na-
tional Grasslands) administered by the United States For-
est Service where domestic livestock grazing is permitted
under applicable law, and the Secretary of the Interior
with respect to public domain lands administered by the
Bureau of Land Management where domestic livestock
grazing is permitted under applicable law, shall establish
beginning with the grazing season which commences on
March 1, 1993, an annual domestic livestock grazing fee
equal to fair market value: Provided, That the fee charged
for any given year shall not increase nor decrease by more
than 33.3 percent from the previous year’s grazing fee.
“(2)(A) For purposes of this subsection, the term
‘fair market value’ is defined as follows:

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

“(B) For the purposes of subparagraph (A)—
“(i) the term ‘Forage Value Index’ means the
Forage Value Index (FVI) computed annually by the
Economic Research Service, United States Depart-
ment of Agriculture, and set with the 1992 FVI
equal to 100; and
“(ii) the term ‘Appraised Base Value’ means
the 1983 Appraisal Value conclusions for mature
cattle and horses (expressed in dollars per head or
pair month), as determined in the 1986 report prepared jointly by the Secretary of Agriculture and the Secretary of the Interior entitled ‘Grazing Fee Review and Evaluation’, dated February 1986, on a westwide basis using the lowest appraised value of the pricing areas adjusted for advanced payment and indexed to 1992.

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

“(d) The grazing advisory boards established pursuant to Secretarial action, notice of which was published in the Federal Register on May 14, 1986 (51 Fed. Reg. 17874), are hereby abolished, and the advisory functions exercised by such boards, shall, after the date of enactment of this sentence, be exercised only by the appropriate councils established under this section.

“(e) Funds appropriated pursuant to section 5 of the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1904) or any other provision of law related to disposition of the Federal share of receipts from fees for grazing on public domain lands or National Forest lands in the contiguous western States shall be used for restoration and enhancement of fish and wildlife habitat, for restoration and improved management of riparian areas, and
for implementation and enforcement of applicable land
management plans, allotment plans, and regulations re-
garding the use of such lands for domestic livestock graz-
ing. Such funds shall be distributed as the Secretary con-
cerned deems advisable after consultation and coordina-
tion with the advisory councils established pursuant to sec-
tion 309 of this Act and other interested parties.”.

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

Sec. 314. None of the funds provided in this Act may
be expended by the Forest Service or the Bureau of Land
Management to increase fees charged for communication
site use of lands administered by the Forest Service or
Bureau of Land Management by more than 15 per centum
per user in fiscal year 1993 over the levels in effect on
January 1, 1989.

Sec. 315. Notwithstanding any other provision of
law, payments to States pursuant to 16 U.S.C. 500 for
National Forests affected by decisions relating to the
Northern Spotted Owl from fiscal year 1993 receipts shall
not be less than 85 per centum of the average annual pay-

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ments to States, based on receipts collected on those Na-
tional Forests during the five-year baseline period of fiscal
years 1986 through 1990: Provided, That in no event shall
these payments exceed the total amount of receipts col-
lected from the affected National Forests during fiscal
year 1993.

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

Sec. 317. Notwithstanding any other provision of
law, in fiscal year 1993 and thereafter, appropriations or
funds available to the Department of the Interior or the
Forest Service, Department of Agriculture, may be used
to reimburse employees for the cost of State licenses and
certification fees pursuant to their employment and that
are necessary to comply with State or Federal laws, regu-
lations, or requirements.

Sec. 318. No part of any appropriation under this
Act shall be available to the Secretaries of the Interior
and Agriculture for use for any sale hereafter made of un-
processed timber from Federal lands in the State of Texas
which will be exported by the purchaser: Provided, That
this limitation shall not apply to specific quantities of
1 grades and species of timber which said Secretaries deter-
2 mine are surplus to domestic lumber and plywood manu-
3 facturing needs.
4 This Act may be cited as the "Department of the In-
5 terior and Related Agencies Appropriations Act, 1993".
Sect. 316. Funds appropriated to the Forest Service shall be available for the treatment of and providing technical assistance to rural communities for sustainable rural development, unless specifically appropriated otherwise.

Sec. 317. Unless otherwise provided by law, in fiscal years 1992 and thereafter, appropriations or funds available to the Secretary of the Interior or the Forest Service, Department of Agriculture, may be used to reimburse employees for the cost of their travel and subsistence for payment to employees and that it is unnecessary to comply with laws or Federal laws, regulations, or requirements thereto.

Sec. 318. No part of any appropriation under this act shall be available to the Secretary of the Interior and Agriculture for use for any use hereafter made of lumber processed timber from Federal lands by the State of Texas which will be exported by the process of pulping. That this limitation shall not apply to specified quantities of
A BILL

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

June 29, 1992
Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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102d Congress
2d Session

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