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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:

1 TITLE I—DEPARTMENT OF THE INTERIOR

2 BUREAU OF LAND MANAGEMENT

3 MANAGEMENT OF LANDS AND RESOURCES

4 For expenses necessary for protection, use, improve-
5 ment, development, disposal, cadastral surveying, classi-
6 fication, and performance of other functions, including
7 maintenance of facilities, as authorized by law, in the
8 management of lands and their resources under the juris-
9 diction of the Bureau of Land Management, including the
10 general administration of the Bureau of Land Manage-
11 ment, \$531,967,000 and \$2,500,000 from unobligated
12 balances appropriated under this heading in Public Law
13 99-591 for insect and disease control projects, including
14 grasshoppers, which balances may be applied to any activ-
15 ity provided for under this heading and of which the fol-
16 lowing amounts shall remain available until expended: not
17 to exceed \$1,450,000 to be derived from the special receipt
18 account established by section 4 of the Land and Water
19 Conservation Fund Act of 1965, as amended (16 U.S.C.
20 4601-6a(i)), and \$33,500,000 for the Automated Land
21 and Mineral Record System Project: *Provided*, That ap-
22 propriations herein made shall not be available for the de-
23 struction of healthy, unadopted, wild horses and burros
24 in the care of the Bureau of Land Management or its con-
25 tractors; and in addition, \$12,430,000 for Mining Law

1 Administration program operations to remain available
2 through September 30, 1993, to be reduced by amounts
3 collected by the Bureau of Land Management and credited
4 to this appropriation from annual mining claim holding
5 fees: *Provided further*, That the sum herein appropriated
6 shall be reduced as mining claim holding fees are received
7 during fiscal year 1993 so as to result in a final fiscal
8 year 1993 appropriation estimated at not more than
9 \$531,967,000: *Provided further*, That in addition to funds
10 otherwise available, not to exceed \$5,000,000 from annual
11 mining claim holding fees shall be credited to this account
12 for the costs of administering the mining claim holding
13 fee program, and shall remain available until expended:
14 *Provided further*, That none of the funds appropriated or
15 otherwise made available pursuant to this Act shall be ob-
16 ligated or expended to accept or process applications for
17 a patent for any mining or mill site claim located under
18 the general mining laws or to issue a patent for any min-
19 ing or mill site claim located under the general mining
20 laws unless the Secretary of the Interior determines that,
21 for the claim concerned: (1) a patent application was filed
22 with the Secretary on or before the date of enactment of
23 this Act, and (2) all requirements established under sec-
24 tions 2325 and 2326 of the Revised Statutes (30 U.S.C.
25 29 and 30) for vein or lode claims and sections 2329,

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

5 FIRE PROTECTION

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

19 EMERGENCY DEPARTMENT OF THE INTERIOR

20 FIREFIGHTING FUND

21 For emergency rehabilitation and wildfire suppres-
22 sion activities of the Department of the Interior,
23 \$113,640,000, to remain available until expended: *Pro-*
24 *vided*, That such funds also are to be available for repay-
25 ment of advances to other appropriation accounts from
26 which funds were previously transferred for such purposes:

1 *Provided further*, That notwithstanding any other provi-
2 sion of law, persons hired pursuant to 43 U.S.C. 1469
3 may be furnished subsistence and lodging without cost
4 from funds available from this appropriation.

5 In addition, for emergency rehabilitation and wildfire
6 suppression activities of the Department of the Interior,
7 \$51,200,000, to remain available until expended: *Pro-*
8 *vided*, That these funds, or any portion thereof, shall be
9 available beginning in fiscal year 1993 only (1) to the ex-
10 tent that the President notifies the Congress of his des-
11 ignation of any or all of these amounts as emergency re-
12 quirements under the Balanced Budget and Emergency
13 Deficit Control Act of 1985; and (2) if the amounts annu-
14 ally appropriated under this heading, but not designated
15 as emergency requirements pursuant to section
16 251(b)(2)(D) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985, have been at least equal to
18 the most recent ten-year historical average, less any en-
19 acted cost saving program reforms: *Provided further*, That
20 Congress hereby designates these amounts as emergency
21 requirements pursuant to section 251(b)(2)(D) of the Bal-
22 anced Budget and Emergency Deficit Control Act of 1985.

23 CONSTRUCTION AND ACCESS

24 For acquisition of lands and interests therein, and
25 construction of buildings, recreation facilities, roads,

1 trails, and appurtenant facilities, \$13,225,000, to remain
2 available until expended.

3 PAYMENTS IN LIEU OF TAXES

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

8 LAND ACQUISITION

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

15 OREGON AND CALIFORNIA GRANT LANDS

16 For expenses necessary for management, protection,
17 and development of resources and for construction, oper-
18 ation, and maintenance of access roads, reforestation, and
19 other improvements on the revested Oregon and California
20 Railroad grant lands, on other Federal lands in the Or-
21 egon and California land-grant counties of Oregon, and
22 on adjacent rights-of-way; and acquisition of lands or in-
23 terests therein including existing connecting roads on or
24 adjacent to such grant lands; \$83,122,000, to remain
25 available until expended: *Provided*, That 25 per centum
26 of the aggregate of all receipts during the current fiscal

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

7 RANGE IMPROVEMENTS

8 For rehabilitation, protection, and acquisition of
9 lands and interests therein, and improvement of Federal
10 rangelands pursuant to section 401 of the Federal Land
11 Policy and Management Act of 1976 (43 U.S.C. 1701),
12 notwithstanding any other Act, sums equal to 50 per cen-
13 tum of all moneys received during the prior fiscal year
14 under sections 3 and 15 of the Taylor Grazing Act (43
15 U.S.C. 315 et seq.) and the amount designated for range
16 improvements from grazing fees and mineral leasing re-
17 ceipts from Bankhead-Jones lands transferred to the De-
18 partment of the Interior pursuant to law, but not less than
19 \$10,747,000, to remain available until expended: *Pro-*
20 *vided*, That not to exceed \$600,000 shall be available for
21 administrative expenses.

22 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

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

1 ments, for monitoring construction, operation, and termi-
2 nation of facilities in conjunction with use authorizations,
3 and for rehabilitation of damaged property, such amounts
4 as may be collected under sections 209(b), 304(a), 304(b),
5 305(a), and 504(g) of the Act approved October 21, 1976
6 (43 U.S.C. 1701), and sections 101 and 203 of Public
7 Law 93-153, to be immediately available until expended:
8 *Provided*, That notwithstanding any provision to the con-
9 trary of section 305(a) of the Act of October 21, 1976
10 (43 U.S.C. 1735(a)), any moneys that have been or will
11 be received pursuant to that section, whether as a result
12 of forfeiture, compromise, or settlement, if not appropriate
13 for refund pursuant to section 305(c) of that Act (43
14 U.S.C. 1735(c)), shall be available and may be expended
15 under the authority of this or subsequent appropriations
16 Acts by the Secretary to improve, protect, or rehabilitate
17 any public lands administered through the Bureau of
18 Land Management which have been damaged by the ac-
19 tion of a resource developer, purchaser, permittee, or any
20 unauthorized person, without regard to whether all mon-
21 eys collected from each such forfeiture, compromise, or
22 settlement are used on the exact lands damage to which
23 led to the forfeiture, compromise, or settlement: *Provided*
24 *further*, That such moneys are in excess of amounts need-
25 ed to repair damage to the exact land for which collected.

1 MISCELLANEOUS TRUST FUNDS

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

10 ADMINISTRATIVE PROVISIONS

11 Appropriations for the Bureau of Land Management
12 shall be available for purchase, erection, and dis-
13 mantlement of temporary structures, and alteration and
14 maintenance of necessary buildings and appurtenant fa-
15 cilities to which the United States has title; up to
16 \$100,000 for payments, at the discretion of the Secretary,
17 for information or evidence concerning violations of laws
18 administered by the Bureau of Land Management; mis-
19 cellaneous and emergency expenses of enforcement activi-
20 ties authorized or approved by the Secretary and to be
21 accounted for solely on his certificate, not to exceed
22 \$10,000: *Provided*, That appropriations herein made for
23 Bureau of Land Management expenditures in connection
24 with the revested Oregon and California Railroad and
25 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

1 the cooperators share the cost of printing either in cash
2 or in services, and the Bureau determines the cooperator
3 is capable of meeting accepted quality standards: *Provided*
4 *further*, That notwithstanding any other provisions of law,
5 that effective upon the date of enactment of this Act for
6 the fiscal year 1993 and every year thereafter, for each
7 unpatented mining claim, mill or tunnel site on federally
8 owned lands, in lieu of the assessment work requirements
9 contained in the Mining Law of 1872 (30 U.S.C. 28–
10 28(e)), and the filing requirements contained in Section
11 314(a) of the Federal Land Policy and Management Act
12 of 1976 (FLPMA) (43 U.S.C. 1744(a)) and the related
13 requirements of Section 314(c) of FLPMA (43 U.S.C.
14 1744(c)), the claimant shall pay an annual holding fee of
15 \$100.00 to the Secretary of the Interior or his designee
16 on or before August 31 of each year in order for the claim-
17 ant to hold such unpatented mining claim, mill or tunnel
18 site for the following year beginning on September 1: *Pro-*
19 *vided further*, That the fee established by this Act in lieu
20 of the assessment work requirements for the assessment
21 year ending at noon on September 1, 1993, shall be due
22 and payable to the Secretary on or before June 30, 1993,
23 except that such fee otherwise due and payable for this
24 period shall be waived by the Secretary or his designee
25 if the claimant files an affidavit of assessment work by

1 June 30, 1993, showing the labor required by 30 U.S.C.
2 28 was completed for the assessment year ending at noon
3 September 1, 1993, before the effective date of this Act:
4 *Provided further*, That such fee otherwise due and payable
5 for the assessment year ending at noon on September 1,
6 1993, for mill and tunnel sites shall be waived by the Sec-
7 retary or his designee if the claimant files a notice of in-
8 tention to hold the site by June 30, 1993: *Provided fur-*
9 *ther*, That for every unpatented mining claim, mill or tun-
10 nel site located after the date of enactment of this Act,
11 the locator shall pay \$100.00 to the Secretary of the Inte-
12 rior or his designee at the time the location notice is re-
13 corded with the Bureau of Land Management to hold such
14 claim for the year in which the location was made: *Pro-*
15 *vided further*, That the co-ownership provision of 30
16 U.S.C. 28 will remain in effect except that the annual
17 holding fee shall replace the assessment work require-
18 ments and expenditures: *Provided further*, That failure to
19 make the annual payment of the holding fee required by
20 this Act shall conclusively constitute an abandonment of
21 the unpatented mining claim, mill or tunnel site by the
22 claimant: *Provided further*, That nothing in this Act shall
23 change or modify the requirements of Section 314(b) of
24 FLPMA (43 U.S.C. 1744(b)) or the requirements of Sec-
25 tion 314(c) of FLPMA (43 U.S.C. 1744(c)) related to fil-

1 ings required by Section 314(b), which shall remain in ef-
2 fect: *Provided further*, That the Secretary of the Interior
3 shall promulgate rules and regulations to carry out the
4 purposes of this Section as soon as practicable after the
5 effective date of this Act.

6 UNITED STATES FISH AND WILDLIFE SERVICE

7 RESOURCE MANAGEMENT

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

1 resources from water development projects on the Lower
2 Snake River, and which shall remain available until ex-
3 pended; and of which \$1,000,000 shall be for contaminant
4 sample analysis, and shall remain available until expended.

5 CONSTRUCTION AND ANADROMOUS FISH

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

12 NATURAL RESOURCE DAMAGE ASSESSMENT AND

13 RESTORATION FUND

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

23 LAND ACQUISITION

24 For expenses necessary to carry out the provisions
25 of the Land and Water Conservation Fund Act of 1965,
26 as amended (16 U.S.C. 4601-4-11), including administra-

1 tive expenses, and for acquisition of land or waters, or in-
2 terest therein, in accordance with statutory authority ap-
3 plicable to the United States Fish and Wildlife Service,
4 and for activities authorized under Public Law 98-244 to
5 be carried out by the National Fish and Wildlife Founda-
6 tion, \$67,397,000, to be derived from the Land and Water
7 Conservation Fund, to remain available until expended.

8 COOPERATIVE ENDANGERED SPECIES CONSERVATION

9 FUND

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

16 NATIONAL WILDLIFE REFUGE FUND

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

19 REWARDS AND OPERATIONS

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

24 NORTH AMERICAN WETLANDS CONSERVATION FUND

25 For expenses necessary to carry out the provisions
26 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 ADMINISTRATIVE PROVISIONS

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

1 Service and to which the United States has title, and
2 which are utilized pursuant to law in connection with man-
3 agement and investigation of fish and wildlife resources:
4 *Provided*, That the United States Fish and Wildlife Serv-
5 ice may accept donated aircraft as replacements for exist-
6 ing aircraft.

7 NATIONAL PARK SERVICE

8 OPERATION OF THE NATIONAL PARK SYSTEM

9 For expenses necessary for the management, oper-
10 ation, and maintenance of areas and facilities adminis-
11 tered by the National Park Service (including special road
12 maintenance service to trucking permittees on a reimburs-
13 able basis), and for the general administration of the Na-
14 tional Park Service, including not to exceed \$559,000 for
15 the Roosevelt Campobello International Park Commission,
16 and not less than \$1,000,000 for high priority projects
17 within the scope of the approved budget which shall be
18 carried out by Youth Conservation Corps as if authorized
19 by the Act of August 13, 1970, as amended by Public Law
20 93-408, \$992,059,000 without regard to the Act of Au-
21 gust 24, 1912, as amended (16 U.S.C. 451), of which not
22 to exceed \$60,000,000 to remain available until expended
23 is to be derived from the special fee account established
24 pursuant to title V, section 5201, of Public Law 100-203:
25 *Provided*, That the National Park Service shall not enter

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

13 NATIONAL RECREATION AND PRESERVATION

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

18 HISTORIC PRESERVATION FUND

19 For expenses necessary in carrying out the provisions
20 of the Historic Preservation Act of 1966 (80 Stat. 915),
21 as amended (16 U.S.C. 470), \$36,931,000 to be derived
22 from the Historic Preservation Fund, established by sec-
23 tion 108 of that Act, as amended, to remain available for
24 obligation until September 30, 1994: *Provided*, That the
25 Trust Territory of the Pacific Islands is a State eligible
26 for Historic Preservation Fund matching grant assistance

1 as authorized under 16 U.S.C. 470w(2): *Provided further,*
2 That pursuant to section 105(1) of the Compact of Free
3 Association, Public Law 99-239, the Federated States of
4 Micronesia and the Republic of the Marshall Islands shall
5 also be considered States for purposes of this appropria-
6 tion.

7 CONSTRUCTION

8 For construction, improvements, repair or replace-
9 ment of physical facilities, without regard to the Act of
10 August 24, 1912, as amended (16 U.S.C. 451),
11 \$237,806,000, to remain available until expended, and
12 \$7,705,000 to be derived from amounts made available
13 under this head in Public Law 99-190 for engineering and
14 construction of the Burr Trail National Rural Scenic
15 Road: *Provided,* That not to exceed \$7,000,000 shall be
16 paid to the Army Corps of Engineers for modifications au-
17 thorized by section 104 of the Everglades National Park
18 Protection and Expansion Act of 1989: *Provided further,*
19 That of the funds provided under this heading,
20 \$1,700,000 shall be available for site acquisition and site
21 preparation for the Lincoln Center in Springfield, Illinois.

22 LAND AND WATER CONSERVATION FUND

23 (RESCISSION)

24 The contract authority provided for fiscal year 1993
25 by 16 U.S.C. 460l-10a is rescinded.

1 LAND ACQUISITION AND STATE ASSISTANCE

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

16 JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

17 For expenses necessary for operating and maintain-
18 ing the nonperforming arts functions of the John F. Ken-
19 nedy Center for the Performing Arts, \$13,556,000, of
20 which \$6,500,000 shall remain available until expended.

21 ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE

22 CORRIDOR COMMISSION

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

1 ADMINISTRATIVE PROVISIONS

2 Appropriations for the National Park Service shall be
3 available for the purchase of not to exceed 445 passenger
4 motor vehicles, of which 307 shall be for replacement only,
5 including not to exceed 345 for police-type use, 15 buses,
6 and 4 ambulances; to provide, notwithstanding any other
7 provision of law, at a cost not exceeding \$750,000, trans-
8 portation for children in nearby communities to and from
9 any unit of the National Park System used in connection
10 with organized recreation and interpretive programs of the
11 National Park Service; options for the purchase of land
12 at not to exceed \$1 for each option; and for the procure-
13 ment and delivery of medical services within the jurisdic-
14 tion of units of the National Park System: *Provided*, That
15 any funds available to the National Park Service may be
16 used, with the approval of the Secretary, to maintain law
17 and order in emergency and other unforeseen law enforce-
18 ment situations and conduct emergency search and rescue
19 operations in the National Park System: *Provided further*,
20 That none of the funds in this Act may be used to upgrade
21 the Burr Trail National Rural Scenic Road in Utah: *Pro-*
22 *vided further*, That none of the funds appropriated to the
23 National Park Service may be used to process any grant
24 or contract documents which do not include the text of
25 18 U.S.C. 1913: *Provided further*, That the National Park

1 Service may use helicopters and motorized equipment at
2 Death Valley National Monument for removal of feral bur-
3 ros and horses: *Provided further*, That notwithstanding
4 any other provision of law, the National Park Service may
5 recover all costs of providing necessary services associated
6 with special use permits, such reimbursements to be cred-
7 ited to the appropriation current at that time: *Provided*
8 *further*, That none of the funds appropriated to the Na-
9 tional Park Service may be used to process permits nec-
10 essary for construction of a bridge to Ellis Island: *Pro-*
11 *vided further*, That none of the funds appropriated to the
12 National Park Service may be used to implement an
13 agreement for the redevelopment of the southern end of
14 Ellis Island until such agreement has been submitted to
15 the Congress and shall not be implemented prior to the
16 expiration of 30 calendar days (not including any day in
17 which either House of Congress is not in session because
18 of adjournment of more than three calendar days to a day
19 certain) from the receipt by the Speaker of the House of
20 Representatives and the President of the Senate of a full
21 and comprehensive report on the development of the
22 southern end of Ellis Island, including the facts and cir-
23 cumstances relied upon in support of the proposed project:
24 *Provided further*, That the Secretary of the Interior, acting
25 through the Director of the National Park Service, may

1 enter into a cooperative agreement with the William O.
2 Douglas Outdoor Classroom under which the Secretary
3 may expend Federal funds on non-Federal property for
4 environmental education purposes: *Provided further*, That
5 funds previously appropriated for acquisition of a
6 landscaped parking lot for the Martin Luther King Na-
7 tional Historic Site may be used by the National Park
8 Service to acquire the vacant lot on the north side of Irwin
9 Street between Jackson and Boulevard as specified in
10 Public Law 100-202.

11 UNITED STATES GEOLOGICAL SURVEY

12 SURVEYS, INVESTIGATIONS, AND RESEARCH

13 For expenses necessary for the United States Geo-
14 logical Survey to perform surveys, investigations, and re-
15 search covering topography, geology, hydrology, and the
16 mineral and water resources of the United States, its Ter-
17 ritories and possessions, and other areas as authorized by
18 law (43 U.S.C. 31, 1332 and 1340); classify lands as to
19 their mineral and water resources; give engineering super-
20 vision to power permittees and Federal Energy Regulatory
21 Commission licensees; administer the minerals exploration
22 program (30 U.S.C. 641); and publish and disseminate
23 data relative to the foregoing activities; \$587,668,000, of
24 which \$64,032,000 shall be available only for cooperation
25 with States or municipalities for water resources investiga-

1 tions: *Provided*, That no part of this appropriation shall
2 be used to pay more than one-half the cost of any topo-
3 graphic mapping or water resources investigations carried
4 on in cooperation with any State or municipality.

5 ADMINISTRATIVE PROVISIONS

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

1 MINERALS MANAGEMENT SERVICE

2 LEASING AND ROYALTY MANAGEMENT

3 For expenses necessary for minerals leasing and envi-
4 ronmental studies, regulation of industry operations, and
5 collection of royalties, as authorized by law; for enforcing
6 laws and regulations applicable to oil, gas, and other min-
7 erals leases, permits, licenses and operating contracts; and
8 for matching grants or cooperative agreements; including
9 the purchase of not to exceed eight passenger motor vehi-
10 cles for replacement only; \$197,514,000, of which not less
11 than \$67,115,000 shall be available for royalty manage-
12 ment activities; and an amount not to exceed \$5,000,000
13 for the Technical Information Management System of
14 Outer Continental Shelf (OCS) Lands Activity, to be cred-
15 ited to this appropriation and to remain available until ex-
16 pended, from additions to current preset receipts and from
17 additional fee collections relating to OCS administrative
18 activities performed by the Minerals Management Service
19 over and above what the Minerals Management Service
20 currently collects to offset its costs for these activities:
21 *Provided*, That \$1,500,000 for computer acquisitions shall
22 remain available until September 30, 1994: *Provided fur-*
23 *ther*, That funds appropriated under this Act shall be
24 available for the payment of interest in accordance with
25 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

1 Service in Public Law 101-512 (104 Stat. 1926) is
2 amended by striking the words “this account” after the
3 words “shall be credited to” and inserting in lieu thereof
4 “the leasing and royalty management account of the Min-
5 erals Management Service”.

6 OIL SPILL RESEARCH

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

13 BUREAU OF MINES

14 MINES AND MINERALS

15 For expenses necessary for conducting inquiries,
16 technological investigations, and research concerning the
17 extraction, processing, use, and disposal of mineral sub-
18 stances without objectionable social and environmental
19 costs; to foster and encourage private enterprise in the de-
20 velopment of mineral resources and the prevention of
21 waste in the mining, minerals, metal, and mineral rec-
22 lamation industries; to inquire into the economic condi-
23 tions affecting those industries; to promote health and
24 safety in mines and the mineral industry through re-
25 search; and for other related purposes as authorized by
26 law, \$173,056,000, of which \$107,506,000 shall remain

1 available until expended: *Provided*, That none of the funds
2 in this or any other Act may be used for the closure or
3 consolidation of any research centers or the sale of any
4 of the helium facilities currently in operation.

5 ADMINISTRATIVE PROVISIONS

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

17 OFFICE OF SURFACE MINING RECLAMATION AND

18 ENFORCEMENT

19 REGULATION AND TECHNOLOGY

20 For necessary expenses to carry out the provisions
21 of the Surface Mining Control and Reclamation Act of
22 1977, Public Law 95-87, as amended, including the pur-
23 chase of not to exceed 15 passenger motor vehicles, of
24 which 11 shall be for replacement only; \$112,674,000, and
25 notwithstanding 31 U.S.C. 3302, an additional amount
26 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 Rec-
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 ABANDONED MINE RECLAMATION FUND

23 For necessary expenses to carry out the provisions
24 of title IV of the Surface Mining Control and Reclamation
25 Act of 1977, Public Law 95-87, as amended, including
26 the purchase of not more than 22 passenger motor vehi-

1 cles, of which 16 shall be for replacement only,
2 \$188,041,000 to be derived from receipts of the Aban-
3 doned Mine Reclamation Fund and to remain available
4 until expended: *Provided*, That of the funds herein pro-
5 vided up to \$22,000,000 may be used for the emergency
6 program authorized by section 410 of Public Law 95-87,
7 as amended, of which no more than 25 per centum shall
8 be used for emergency reclamation projects in any one
9 State and funds for Federally-administered emergency
10 reclamation projects under this proviso shall not exceed
11 \$15,000,000: *Provided further*, That 23 full-time equiva-
12 lent positions are to be maintained in the Anthracite Rec-
13 lamation Program at the Wilkes-Barre Field Office: *Pro-*
14 *vided further*, That pursuant to Public Law 97-365, the
15 Department of the Interior is authorized to utilize up to
16 20 per centum from the recovery of the delinquent debt
17 owed to the United States Government to pay for con-
18 tracts to collect these debts.

19 ADMINISTRATIVE PROVISION

20 None of the funds available to the Office of Surface
21 Mining Reclamation and Enforcement shall be expended
22 to create or maintain more than one Deputy Director posi-
23 tion.

1 BUREAU OF INDIAN AFFAIRS

2 OPERATION OF INDIAN PROGRAMS

3 For operation of Indian programs by direct expendi-
4 ture, contracts, cooperative agreements, and grants in-
5 cluding expenses necessary to provide education and wel-
6 fare services for Indians, either directly or in cooperation
7 with States and other organizations, including payment of
8 care, tuition, assistance, and other expenses of Indians in
9 boarding homes, or institutions, or schools; grants and
10 other assistance to needy Indians; maintenance of law and
11 order; management, development, improvement, and pro-
12 tection of resources and appurtenant facilities under the
13 jurisdiction of the Bureau of Indian Affairs, including pay-
14 ment of irrigation assessments and charges; acquisition of
15 water rights; advances for Indian industrial and business
16 enterprises; operation of Indian arts and crafts shops and
17 museums; development of Indian arts and crafts, as au-
18 thorized by law; for the general administration of the Bu-
19 reau of Indian Affairs, including such expenses in field
20 offices; maintaining of Indian reservation roads as defined
21 in section 101 of title 23, United States Code; and con-
22 struction, repair, and improvement of Indian housing,
23 \$1,354,151,000, including \$271,038,000 for school oper-
24 ations costs of Bureau-funded schools and other education
25 programs which shall become available for obligation on

1 July 1, 1993, and shall remain available for obligation
2 until September 30, 1994, and \$53,954,000 for housing
3 improvement and road maintenance, to remain available
4 until expended, and of which, funds obligated as grants
5 to schools pursuant to Public Law 100-297 shall be made
6 on July 1 and December 1 in lieu of the payments author-
7 ized to be made on October 1 and January 1 of each cal-
8 endar year, and of which not to exceed \$71,954,000 for
9 higher education scholarships, adult vocational training,
10 and assistance to public schools under the Act of April
11 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et
12 seq.), shall remain available for obligation until September
13 30, 1994; and the funds made available to tribes and tribal
14 organizations through contracts or grants obligated during
15 fiscal year 1993 as authorized by the Indian Self-Deter-
16 mination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et
17 seq.), or grants authorized by the Indian Education
18 Amendments of 1988 (25 U.S.C. 2001 and 2008A) shall
19 remain available until expended by the contractor or
20 grantee; and of which \$2,000,000 for litigation support
21 shall remain available until expended, \$4,937,000 for self-
22 governance tribal compacts shall be made available on
23 completion and submission of such compacts to the Con-
24 gress, and shall remain available until expended; and of
25 which \$1,190,000 for expenses necessary to carry out the

1 provisions of section 19(a) of Public Law 93-531 (25
2 U.S.C. 640d-18(a)), shall remain available until ex-
3 pended: *Provided*, That none of the funds appropriated to
4 the Bureau of Indian Affairs shall be expended as match-
5 ing funds for programs funded under section 103(b)(2)
6 of the Carl D. Perkins Vocational Education Act: *Provided*
7 *further*, That \$200,000 of the funds made available in this
8 Act shall be available for cyclical maintenance of tribally
9 owned fish hatcheries and related facilities: *Provided fur-*
10 *ther*, That none of the funds in this Act shall be used by
11 the Bureau of Indian Affairs to transfer funds under a
12 contract with any third party for the management of tribal
13 or individual Indian trust funds until the funds held in
14 trust for all such tribes or individuals have been audited
15 and reconciled to the earliest possible date, the results of
16 such reconciliation have been certified by an independent
17 party as the most complete reconciliation of such funds
18 possible, and the affected tribe or individual has been pro-
19 vided with an accounting of such funds: *Provided further*,
20 That notwithstanding any other provision of law, the stat-
21 ute of limitations shall not commence to run on any claim
22 concerning losses to or mismanagement of trust funds,
23 until the affected tribe or individual Indian has been fur-
24 nished with the accounting of such funds from which the
25 beneficiary can determine whether there has been a loss:

1 *Provided further*, That \$300,000 of the amounts provided
2 for education program management shall be available for
3 a grant to the Close Up Foundation: *Provided further*,
4 That the Task Force on Bureau of Indian Affairs Reorga-
5 nization shall continue activities under its charter as
6 adopted and amended on April 17, 1991: *Provided further*,
7 That any reorganization proposal shall not be imple-
8 mented until the Task Force has reviewed it and rec-
9 ommended its implementation to the Secretary and such
10 proposal has been submitted to and approved by the Com-
11 mittees on Appropriations, except that the Bureau may
12 submit a reorganization proposal related only to manage-
13 ment improvements, along with Task Force comments or
14 recommendations to the Committees on Appropriations for
15 review and disposition by the Committees: *Provided fur-*
16 *ther*, That to provide funding uniformity within a Self-
17 Governance Compact, any funds provided in this Act with
18 availability for more than one year may be reprogrammed
19 to one year availability but shall remain available within
20 the Compact until expended: *Provided further*, That not-
21 withstanding any other provision of law, Indian tribal gov-
22 ernments may, by appropriate changes in eligibility cri-
23 teria or by other means, change eligibility for general as-
24 sistance or change the amount of general assistance pay-
25 ments for individuals who are otherwise deemed eligible

1 for general assistance payments so long as such changes
2 are applied in a consistent manner to individuals similarly
3 situated: *Provided further*, That any savings realized by
4 such changes shall be available for use in meeting other
5 priorities of the tribes: *Provided further*, That the obli-
6 gated and unobligated balances associated with the hous-
7 ing improvement program and the road maintenance pro-
8 gram shall be transferred to this account from "Construc-
9 tion", and shall remain available until expended.

10 CONSTRUCTION

11 For construction, major repair, and improvement of
12 irrigation and power systems, buildings, utilities, and
13 other facilities, including architectural and engineering
14 services by contract; acquisition of lands and interests in
15 lands; and preparation of lands for farming,
16 \$152,446,000, to remain available until expended: *Pro-
17 vided*, That \$1,482,000 of the funds made available in this
18 Act shall be available for rehabilitation of tribally owned
19 fish hatcheries and related facilities: *Provided further*,
20 That such amounts as may be available for the construc-
21 tion of the Navajo Indian Irrigation Project may be trans-
22 ferred to the Bureau of Reclamation: *Provided further*,
23 That not to exceed 6 per centum of contract authority
24 available to the Bureau of Indian Affairs from the Federal
25 Highway Trust Fund may be used to cover the road pro-
26 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 MISCELLANEOUS PAYMENTS TO INDIANS

14 For miscellaneous payments to Indian tribes and in-
15 dividuals pursuant to Public Laws 98-500, 99-264, 100-
16 383, 100-512, 100-580, 101-618, 101-602, 101-486,
17 100-585 and 102-171, including funds for necessary ad-
18 ministrative expenses, \$39,109,000, to remain available
19 until expended: *Provided*, That of the funds provided here-
20 in \$4,000,000 shall be available (1) to liquidate obligations
21 owed tribal and individual Indian payees of any checks
22 cancelled pursuant to section 1003 of the Competitive
23 Equality Banking Act of 1987 (Public Law 100-86 (101
24 Stat. 659)), 31 U.S.C. 3334(b), and (2) to restore to Indi-
25 vidual Indian Monies trust funds amounts invested in de-
26 faulted savings and loan associations not covered by Fed-

1 eral deposit insurance, including any interest on these
2 amounts that may have been earned, but was not because
3 of the default and the Bureau's delay in restoring the
4 amounts lost.

5 NAVAJO REHABILITATION TRUST FUND

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

11 TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

12 For payment of management and technical assistance
13 requests associated with loans and grants approved under
14 the Indian Financing Act of 1974, as amended,
15 \$1,987,000.

16 INDIAN DIRECT LOAN PROGRAM ACCOUNT

17 For the cost, as defined in section 13201 of the
18 Budget Enforcement Act of 1990, including the cost of
19 modifying loans, of expert assistance loans authorized by
20 the Act of November 4, 1963, as amended, and the cost
21 of direct loans authorized by the Indian Financing Act of
22 1974, as amended, \$2,500,000: *Provided*, That these
23 funds are available to subsidize gross obligations for the
24 principal amount of direct loans not to exceed
25 \$11,300,000.

1 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

2 For the cost of guaranteed loans \$8,864,000, as au-
3 thorized by the Indian Financing Act of 1974, as amend-
4 ed: *Provided*, That such costs including the cost of modify-
5 ing such loans, shall be as defined in section 502 of the
6 Congressional Budget Act of 1974: *Provided further*, That
7 these funds are available to subsidize total loan principal
8 any part of which is to be guaranteed not to exceed
9 \$68,800,000.

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

14 ADMINISTRATIVE PROVISIONS

15 Appropriations for the Bureau of Indian Affairs (ex-
16 cept the revolving fund for loans, the Indian loan guaran-
17 tee and insurance fund, the Technical Assistance of Indian
18 Enterprises account, the Indian Direct Loan Program ac-
19 count, and the Indian Guaranteed Loan Program account)
20 shall be available for expenses of exhibits, and purchase
21 of not to exceed 258 passenger carrying motor vehicles,
22 of which not to exceed 212 shall be for replacement only.

23 TERRITORIAL AND INTERNATIONAL AFFAIRS

24 ADMINISTRATION OF TERRITORIES

25 For expenses necessary for the administration of ter-
26 ritories under the jurisdiction of the Department of the

1 Interior, \$81,151,000, of which (1) \$77,105,000 shall be
2 available until expended for technical assistance, including
3 maintenance assistance, drug interdiction and abuse pre-
4 vention, and brown tree snake control and research; late
5 charges and payments of the annual interest rate dif-
6 ferential required by the Federal Financing Bank, under
7 terms of the second refinancing of an existing loan to the
8 Guam Power Authority, as authorized by law (Public Law
9 98-454; 98 Stat. 1732); grants to the judiciary in Amer-
10 ican Samoa for compensation and expenses, as authorized
11 by law (48 U.S.C. 1661(c)); grants to the Government of
12 American Samoa, in addition to current local revenues, for
13 construction and support of governmental functions;
14 grants to the Government of the Virgin Islands as author-
15 ized by law; grants to the Government of Guam, as au-
16 thorized by law; and grants to the Government of the
17 Northern Mariana Islands as authorized by law (Public
18 Law 94-241; 90 Stat. 272); and (2) \$4,046,000 shall be
19 available for salaries and expenses of the Office of Terri-
20 torial and International Affairs: *Provided*, That the terri-
21 torial and local governments herein provided for are au-
22 thorized to make purchases through the General Services
23 Administration: *Provided further*, That all financial trans-
24 actions of the territorial and local governments herein pro-
25 vided for, including such transactions of all agencies or

1 instrumentalities established or utilized by such govern-
2 ments, shall be audited by the General Accounting Office,
3 in accordance with chapter 35 of title 31, United States
4 Code: *Provided further*, That Northern Mariana Islands
5 Covenant grant funding shall be provided according to
6 those terms of the Agreement of the Special Rep-
7 resentatives on Future United States Financial Assistance
8 for the Northern Mariana Islands approved by Public Law
9 99-396, except that should the Secretary of the Interior
10 believe that the performance standards of such agreement
11 are not being met, operations funds may be withheld, but
12 only by Act of Congress as required by Public Law 99-
13 396: *Provided further*, That \$1,025,000 of the amounts
14 provided for technical assistance shall be available for a
15 grant to the Close Up Foundation: *Provided further*, That
16 the funds for the program of operations and maintenance
17 improvement are appropriated to institutionalize routine
18 operations and maintenance of capital infrastructure in
19 American Samoa, Guam, the Virgin Islands, the Common-
20 wealth of the Northern Mariana Islands, the Republic of
21 Palau, the Republic of the Marshall Islands, and the Fed-
22 erated States of Micronesia through assessments of long-
23 range operations and maintenance needs, improved capa-
24 bility of local operations and maintenance institutions and
25 agencies (including management and vocational education

1 training), and project-specific maintenance (with terri-
2 torial participation and cost sharing to be determined by
3 the Secretary based on the individual territory's commit-
4 ment to timely maintenance of its capital assets).

5 TRUST TERRITORY OF THE PACIFIC ISLANDS

6 For expenses necessary for the Department of the In-
7 terior in administration of the Trust Territory of the Pa-
8 cific Islands pursuant to the Trusteeship Agreement ap-
9 proved by joint resolution of July 18, 1947 (61 Stat. 397),
10 and the Act of June 30, 1954 (68 Stat. 330), as amended
11 (90 Stat. 299; 91 Stat. 1159; 92 Stat. 495), and grants
12 to the Trust Territory of the Pacific Islands, in addition
13 to local revenues, for support of governmental functions;
14 \$26,796,000, to remain available until expended, including
15 \$18,596,000 for operations of the Government of Palau:
16 *Provided*, That all financial transactions of the Trust Ter-
17 ritory, including such transactions of all agencies or in-
18 strumentalities established or utilized by such Trust Terri-
19 tory, shall be audited by the General Accounting Office
20 in accordance with chapter 35 of title 31, United States
21 Code: *Provided further*, That the government of the Trust
22 Territory of the Pacific Islands is authorized to make pur-
23 chases through the General Services Administration: *Pro-*
24 *vided further*, That all Government operations funds ap-
25 propriated and obligated for the Republic of Palau under
26 this account for fiscal year 1993 shall be credited as an

1 offset against fiscal year 1993 payments made pursuant
2 to the legislation approving the Palau Compact of Free
3 Association (Public Law 99-658), if such Compact is im-
4 plemented before October 1, 1993: *Provided further*, That
5 not less than \$300,000 of the grants to the Republic of
6 Palau, for support of governmental functions, shall be
7 dedicated to the College of Micronesia in accordance with
8 the agreement between the Micronesian entities.

9 COMPACT OF FREE ASSOCIATION

10 For economic assistance and necessary expenses for
11 the Federated States of Micronesia and the Republic of
12 the Marshall Islands as provided for in sections 122, 221,
13 223, 232, and 233 of the Compacts of Free Association,
14 \$20,457,000, to remain available until expended, as au-
15 thorized by Public Law 99-239: *Provided*, That the effec-
16 tive date of the Palau Compact for purposes of economic
17 assistance pursuant to the Palau Compact of Free Asso-
18 ciation, Public Law 99-658, shall be the effective date of
19 the Palau Compact as determined pursuant to section 101
20 of Public Law 101-219.

21 DEPARTMENTAL OFFICES

22 OFFICE OF THE SECRETARY

23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of the Secretary
25 of the Interior, \$63,857,000, of which not to exceed

1 \$7,500 may be for official reception and representation
2 expenses.

3 OFFICE OF THE SOLICITOR

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of the Solicitor,
6 \$31,941,000.

7 OFFICE OF INSPECTOR GENERAL

8 SALARIES AND EXPENSES

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

11 CONSTRUCTION MANAGEMENT

12 SALARIES AND EXPENSES

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

15 NATIONAL INDIAN GAMING COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the National Indian Gam-
18 ing Commission, pursuant to Public Law 100-497,
19 \$2,190,000.

20 ADMINISTRATIVE PROVISIONS

21 There is hereby authorized for acquisition from avail-
22 able resources within the Working Capital Fund, 18 air-
23 craft, 10 of which shall be for replacement and which may
24 be obtained by donation, purchase or through available ex-
25 cess surplus property: *Provided*, That notwithstanding any
26 other provision of law, existing aircraft being replaced may

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

8 GENERAL PROVISIONS, DEPARTMENT OF THE
9 INTERIOR

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

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

1 incurred during the preceding fiscal year, and for reim-
2 bursement to other Federal agencies for destruction of ve-
3 hicles, aircraft, or other equipment in connection with
4 their use for fire suppression purposes, such reimburse-
5 ment to be credited to appropriations currently available
6 at the time of receipt thereof: *Provided further*, That for
7 emergency rehabilitation and wildfire suppression activi-
8 ties, no funds shall be made available under this authority
9 until funds appropriated to the "Emergency Department
10 of the Interior Firefighting Fund" shall have been ex-
11 hausted: *Provided further*, That all funds used pursuant
12 to this section are hereby designated by Congress to be
13 "emergency requirements" pursuant to section
14 251(b)(2)(D) of the Balanced Budget and Emergency
15 Deficit Control Act of 1985 and must be replenished by
16 a supplemental appropriation which must be requested as
17 promptly as possible: *Provided further*, That such replen-
18 ishment funds shall be used to reimburse, on a pro rata
19 basis, accounts from which emergency funds were trans-
20 ferred.

21 SEC. 103. Appropriations made in this title shall be
22 available for operation of warehouses, garages, shops, and
23 similar facilities, wherever consolidation of activities will
24 contribute to efficiency or economy, and said appropria-
25 tions shall be reimbursed for services rendered to any

1 other activity in the same manner as authorized by sec-
2 tions 1535 and 1536 of title 31, U.S.C.: *Provided*, That
3 reimbursements for costs and supplies, materials, equip-
4 ment, and for services rendered may be credited to the
5 appropriation current at the time such reimbursements
6 are received.

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

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

23 SEC. 106. Appropriations made in this title shall be
24 available for obligation in connection with contracts issued
25 by the General Services Administration for services or

1 rentals for periods not in excess of twelve months begin-
2 ning at any time during the fiscal year.

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

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

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

20 SEC. 110. No funds provided in this title may be ex-
21 pended by the Department of the Interior for the conduct
22 of preleasing and leasing activities in the Eastern Gulf of
23 Mexico for Outer Continental Shelf Lease Sale 137 or for
24 Sale 151 in the April 1992 proposal for the Outer Con-

1 tinenta Shelf Natural Gas and Oil Resource Management
2 Comprehensive Program, 1992–1997.

3 SEC. 111. No funds provided in this title may be ex-
4 pended by the Department of the Interior for the conduct
5 of preleasing and leasing activities in the Atlantic for
6 Outer Continental Shelf Lease Sale 164 in the April 1992
7 proposal for the Outer Continental Shelf Natural Gas and
8 Oil Resource Management Comprehensive Program,
9 1992–1997.

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

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

20 SEC. 114. Notwithstanding any other provision of
21 law, recordation and processing of claimed rights-of-way
22 under Revised Statutes section 2477 (43 U.S.C. 932) shall
23 be undertaken according to the procedures in section 15,
24 H.R. 1096, as passed the House on July 23, 1991.

1 SEC. 115. None of the funds in this Act may be used
2 to process permits necessary for the construction of jetties
3 at Oregon Inlet, North Carolina, until an environmental
4 impact statement has been completed.

5 TITLE II—RELATED AGENCIES

6 DEPARTMENT OF AGRICULTURE

7 FOREST SERVICE

8 FOREST RESEARCH

9 For necessary expenses of forest research as author-
10 ized by law, \$186,657,000, to remain available until Sep-
11 tember 30, 1994.

12 STATE AND PRIVATE FORESTRY

13 For necessary expenses of cooperating with, and pro-
14 viding technical and financial assistance to States, Terri-
15 tories, possessions, and others; and for forest pest man-
16 agement activities, \$136,929,000, to remain available
17 until expended, as authorized by law.

18 EMERGENCY PEST SUPPRESSION FUND

19 For necessary expenses for emergency suppression of
20 pests, \$42,315,000, to remain available until expended:
21 *Provided*, That these funds, or any portion thereof, shall
22 be available beginning in fiscal year 1993 only to the ex-
23 tent that the President notifies the Congress of his des-
24 ignation of any or all of these amounts as emergency re-
25 quirements under section 251(b)(2)(D) of the Balanced
26 Budget and Emergency Deficit Control Act of 1985: *Pro-*

1 *vided further*, That Congress hereby designates these
2 amounts as emergency requirements pursuant to section
3 251(b)(2)(D) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985.

5 NATIONAL FOREST SYSTEM

6 For necessary expenses of the Forest Service, not
7 otherwise provided for, for management, protection, im-
8 provement, and utilization of the National Forest System,
9 and for administrative expenses associated with the man-
10 agement of funds provided under the heads "Forest Re-
11 search", "State and Private Forestry", "National Forest
12 System", "Construction", "Forest Service Fire Protec-
13 tion", "Emergency Forest Service Firefighting Fund",
14 and "Land Acquisition", \$1,320,937,000, to remain avail-
15 able for obligation until September 30, 1994, and includ-
16 ing 65 per centum of all monies received during the prior
17 fiscal year as fees collected under the Land and Water
18 Conservation Fund Act of 1965, as amended, in accord-
19 ance with section 4 of the Act (16 U.S.C. 4601-6a(i)): *Pro-*
20 *vided*, That unobligated and unexpended balances in the
21 National Forest System account at the end of fiscal year
22 1992, shall be merged with and made a part of the fiscal
23 year 1993 National Forest System appropriation, and
24 shall remain available for obligation until September 30,
25 1994: *Provided further*, That timber volume authorized or
26 scheduled for sale during fiscal year 1992, but which re-

1 mains unsold at the end of fiscal year 1992, shall be of-
2 fered for sale during fiscal year 1993 in addition to the
3 fiscal year 1993 timber sale volume to the extent possible:
4 *Provided further*, That up to \$5,000,000 of the funds pro-
5 vided herein for road maintenance shall be available for
6 the planned obliteration of roads which are no longer
7 needed.

8 FOREST SERVICE FIRE PROTECTION

9 For necessary expenses for firefighting on or adjacent
10 to National Forest System lands or other lands under fire
11 protection agreement, and for forest fire management and
12 presuppression on National Forest System lands,
13 \$192,785,000, to remain available until expended: *Pro-*
14 *vided*, That unexpended balances of amounts previously
15 appropriated for this purpose under the heading "Forest
16 Service Firefighting", Forest Service, may be transferred
17 to and merged with this appropriation and accounted for
18 as one appropriation for the same time period as originally
19 enacted.

20 EMERGENCY FOREST SERVICE FIREFIGHTING FUND

21 For necessary expenses for emergency rehabilitation,
22 presuppression due to emergencies or economic efficiency,
23 and wildfire suppression activities of the Forest Service,
24 \$187,000,000, to remain available until expended: *Pro-*
25 *vided*, That such funds are available for repayment of ad-

1 vances from other appropriation accounts previously
2 transferred for such purposes.

3 In addition, for necessary expenses for emergency re-
4 habilitation, presuppression due to emergencies, and wild-
5 fire suppression activities of the Forest Service,
6 \$188,000,000, to remain available until expended: *Pro-*
7 *vided*, That these funds, or any portion thereof, shall be
8 available beginning in fiscal year 1993 only (1) to the ex-
9 tent that the President notifies the Congress of his des-
10 ignation of any or all of these amounts as emergency re-
11 quirements under the Balanced Budget and Emergency
12 Deficit Control Act of 1985; and (2) if the amounts annu-
13 ally appropriated under this heading, but not designated
14 as emergency requirements pursuant to section
15 251(b)(2)(D) of the Balanced Budget and Emergency
16 Deficit Control Act of 1985, have been at least equal to
17 the most recent ten-year historical average, less any en-
18 acted cost saving program reforms: *Provided further*, That
19 Congress hereby designates these amounts as emergency
20 requirements pursuant to section 251(b)(2)(D) of the Bal-
21 anced Budget and Emergency Deficit Control Act of 1985.

22 CONSTRUCTION

23 For necessary expenses of the Forest Service, not
24 otherwise provided for, for construction, \$241,449,000, to
25 remain available until expended, of which \$82,401,000 is

1 for construction and acquisition of buildings and other fa-
2 cilities; and \$159,048,000 is for construction and repair
3 of forest roads and trails by the Forest Service as author-
4 ized by 16 U.S.C. 532-538 and 23 U.S.C. 101 and 205:
5 *Provided*, That funds becoming available in fiscal year
6 1993 under the Act of March 4, 1913 (16 U.S.C. 501)
7 shall be transferred to the General Fund of the Treasury
8 of the United States: *Provided further*, That not to exceed
9 \$110,669,000, to remain available until expended, may be
10 obligated for the construction of forest roads by timber
11 purchasers.

12 LAND ACQUISITION

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

21 ACQUISITION OF LANDS FOR NATIONAL FORESTS

22 SPECIAL ACTS

23 For acquisition of lands within the exterior bound-
24 aries of the Cache, Uinta, and Wasatch National Forests,
25 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.

1 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

2 Appropriations to the Forest Service for the current
3 fiscal year shall be available for: (a) purchase of not to
4 exceed 127 passenger motor vehicles of which 31 will be
5 used primarily for law enforcement purposes and of which
6 101 shall be for replacement only, of which acquisition of
7 81 passenger motor vehicles shall be from excess sources,
8 and hire of such vehicles; operation and maintenance of
9 aircraft, the purchase of not to exceed two for replacement
10 only, and acquisition of 47 aircraft from excess sources;
11 notwithstanding other provisions of law, existing aircraft
12 being replaced may be sold, with proceeds derived or
13 trade-in value used to offset the purchase price for the
14 replacement aircraft; (b) services pursuant to the second
15 sentence of section 706(a) of the Organic Act of 1944 (7
16 U.S.C. 2225), and not to exceed \$100,000 for employment
17 under 5 U.S.C. 3109; (c) purchase, erection, and alter-
18 ation of buildings and other public improvements (7
19 U.S.C. 2250); (d) acquisition of land, waters, and inter-
20 ests therein, pursuant to the Act of August 3, 1956 (7
21 U.S.C. 428a); (e) for expenses pursuant to the Volunteers
22 in the National Forest Act of 1972 (16 U.S.C. 558a,
23 558d, 558a note); and (f) for debt collection contracts in
24 accordance with 31 U.S.C. 3718(c).

1 None of the funds made available under this Act shall
2 be obligated or expended to change the boundaries of any
3 region, to abolish any region, to move or close any regional
4 office for research, State and private forestry, or National
5 Forest System administration of the Forest Service, De-
6 partment of Agriculture, without the consent of the House
7 and Senate Committees on Appropriations and the Com-
8 mittee on Agriculture, Nutrition, and Forestry in the
9 United States Senate and the Committee on Agriculture
10 in the United States House of Representatives.

11 Any appropriations or funds available to the Forest
12 Service may be advanced to the Forest Service Firefight-
13 ing appropriation and may be used for forest firefighting
14 and the emergency rehabilitation of burned-over lands
15 under its jurisdiction: *Provided*, That no funds shall be
16 made available under this authority until funds appro-
17 priated to the "Emergency Forest Service Firefighting
18 Fund" shall have been exhausted.

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

22 Funds appropriated to the Forest Service shall be
23 available for assistance to or through the Agency for Inter-
24 national Development and the Office of International Co-
25 operation and Development in connection with forest and

1 rangeland research, technical information, and assistance
2 in foreign countries, and shall be available to support for-
3 estry and related natural resource activities outside the
4 United States and its territories and possessions, includ-
5 ing technical assistance, education and training, and co-
6 operation with United States and international organiza-
7 tions.

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

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

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

24 Notwithstanding any other provision of law, any ap-
25 propriations or funds available to the Forest Service may

1 be used to disseminate program information to private and
2 public individuals and organizations through the use of
3 nonmonetary items of nominal value and to provide
4 nonmonetary awards of nominal value and to incur nec-
5 essary expenses for the nonmonetary recognition of private
6 individuals and organizations that make contributions to
7 Forest Service programs.

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

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

24 None of the funds available in this Act shall be used
25 for timber sale preparation using clearcutting in hardwood

1 stands in excess of 25 percent of the fiscal year 1989 har-
2 vested volume in the Wayne National Forest, Ohio: *Pro-*
3 *vided*, That this limitation shall not apply to hardwood
4 stands damaged by natural disaster: *Provided further*,
5 That landscape architects shall be used to maintain a vis-
6 ually pleasing forest.

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

23 None of the funds made available to the Forest Serv-
24 ice in this Act shall be expended for the purpose of admin-
25 istering a special use authorization permitting land use

1 and occupancy and surface disturbing activities for any
2 project to be constructed on Rock Creek, Madera County,
3 California, until a study has been completed and submit-
4 ted to the Congress by the Forest Service in consultation
5 with the United States Fish and Wildlife Service, the
6 United States Army Corps of Engineers, the California
7 State Water Resources Control Board, the California De-
8 partment of Fish and Game and other interested public
9 parties regarding the project's potential cumulative im-
10 pacts on the environment, together with a finding that
11 there will be no substantial adverse impact on the environ-
12 ment. Findings from the study must be presented at no
13 less than three public meetings.

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

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

24 Notwithstanding any other provision of law, the For-
25 est Service is authorized to employ or otherwise contract

1 with persons at regular rates of pay, as determined by the
2 Service, to perform work occasioned by emergencies such
3 as fires, storms, floods, earthquakes or any other unavoi-
4 dable cause without regard to Sundays, Federal holidays,
5 and the regular workweek.

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

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

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

23 The Forest Service may offer for sale salvageable
24 timber in Region 6 in fiscal year 1993, unless it can be

1 demonstrated that the offering of a sale will cause det-
2 riment to a species listed as threatened or endangered.

3 Pursuant to section 405(a) and (b), and section
4 410(a) and (b) of Public Law 101-593, funds up to
5 \$500,000 for start-up expenses and \$537,000 for match-
6 ing funds shall be available to establish a National Forest
7 Foundation. Funding shall be limited to \$78,000 from
8 Forest Research, \$90,000 from State and Private For-
9 estry, \$638,000 from National Forest System, \$90,000
10 from Forest Service Fire Protection, and \$141,000 from
11 Construction.

12 DEPARTMENT OF ENERGY

13 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses in carrying out fossil energy
16 research and development activities, under the authority
17 of the Department of Energy Organization Act (Public
18 Law 95-91), including the acquisition of interest, includ-
19 ing defeasible and equitable interests in any real property
20 or any facility or for plant or facility acquisition or expan-
21 sion, \$412,597,000, to remain available until expended, of
22 which \$3,100,000 is available for the fuels program and
23 \$600,000 to be derived by transfer from previously appro-
24 priated and unobligated balances in the "Fossil Energy
25 Construction" account: *Provided*, That no part of the sum

1 herein made available shall be used for the field testing
2 of nuclear explosives in the recovery of oil and gas: *Pro-*
3 *vided further*, That section 303 of Public Law 97-257 is
4 further amended by changing the number for the Pitts-
5 burgh Energy Technology Center to "285", changing the
6 number for the Morgantown Energy Technology Center
7 to "270", and inserting at the end of enumeration (2)
8 "and not less than 27 employees shall be assigned to the
9 Bartlesville Project Office;"

10 Of the funds herein provided, \$32,800,000 is for im-
11 plementation of the June 1984 multiyear, cost-shared
12 magnetohydrodynamics program targeted on proof-of-con-
13 cept testing: *Provided*, That 35 per centum private sector
14 cash or in-kind contributions shall be required for obliga-
15 tions in fiscal year 1993: *Provided further*, That existing
16 facilities, equipment, and supplies, or previously expended
17 research or development funds are not cost-sharing for the
18 purposes of this appropriation, except as amortized, depre-
19 ciated, or expended in normal business practice: *Provided*
20 *further*, That cost-sharing shall not be required for the
21 costs of constructing or operating Government-owned fa-
22 cilities or for the costs of Government organizations, Na-
23 tional Laboratories, or universities and such costs shall
24 not be used in calculating the required percentage for pri-
25 vate sector contributions: *Provided further*, That private

1 sector contribution percentages need not be met on each
2 contract but must be met in total for each fiscal year.

3 ALTERNATIVE FUELS PRODUCTION

4 (INCLUDING TRANSFER OF FUNDS)

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

14 NAVAL PETROLEUM AND OIL SHALE RESERVES

15 For necessary expenses in carrying out naval petro-
16 leum and oil shale reserve activities, \$238,094,000, to re-
17 main available until expended: *Provided*, That not-
18 withstanding any other provision of law, revenues received
19 from use and operation of the Naval Petroleum Reserves
20 Numbered 1, 2, and 3 and the Naval Oil Shale Reserves
21 and estimated to total \$525,853,000 for fiscal year 1993
22 shall be retained and used for the specific purpose of off-
23 setting costs incurred by the Department in carrying out
24 naval petroleum and oil shale reserve activities: *Provided*
25 *further*, That the sum herein appropriated shall be reduced

1 as such revenues are received so as to result in a final
2 fiscal year 1993 appropriation estimated at not more than
3 \$0.

4 ENERGY CONSERVATION

5 For necessary expenses in carrying out energy con-
6 servation activities, \$591,859,000, to remain available
7 until expended, including, notwithstanding any other pro-
8 vision of law, the excess amount for fiscal year 1993 deter-
9 mined under the provisions of section 3003(d) of Public
10 Law 99-509 (15 U.S.C. 4502): *Provided, That*
11 \$240,365,000 shall be for use in energy conservation pro-
12 grams as defined in section 3008(3) of Public Law 99-
13 509 (15 U.S.C. 4507) and shall not be available until ex-
14 cess amounts are determined under the provisions of sec-
15 tion 3003(d) of Public Law 99-509 (15 U.S.C. 4502):
16 *Provided further, That* notwithstanding section 3003(d)(2)
17 of Public Law 99-509 such sums shall be allocated to the
18 eligible programs in the same proportion for each program
19 as in fiscal year 1992: *Provided further, That* \$2,000,000
20 of the amount under this heading shall be for metal cast-
21 ing research consistent with the provisions of Public Law
22 101-425: *Provided further, That* \$18,091,000 of the
23 amount provided under this heading shall be available for
24 continuing research and development efforts begun under
25 title II of the Interior and Related Agencies portion of

1 the joint resolution entitled "Joint Resolution making fur-
2 ther continuing appropriations for the fiscal year 1986,
3 and for other purposes", approved December 19, 1985
4 (Public Law 99-190), and implementation of steel and
5 aluminum research authorized by Public Law 100-680:
6 *Provided further*, That existing facilities, equipment, and
7 supplies, or previously expended research or development
8 funds are not accepted as contributions for the purposes
9 of this appropriation, except as amortized, depreciated, or
10 expensed in normal business practice: *Provided further*,
11 That the total Federal expenditure under this proviso shall
12 be repaid up to one and one-half times from the proceeds
13 of the commercial sale, lease, manufacture, or use of tech-
14 nologies developed under this proviso, at a rate of one-
15 fourth of all net proceeds: *Provided further*, That up to
16 \$38,700,000 of the amount provided under this head is
17 for electric and hybrid vehicle battery research to be con-
18 ducted on a cooperative basis with non-Federal entities,
19 such amounts to be available only as matched on an equal
20 basis by such entities: *Provided further*, That the Depart-
21 ment of Energy, for a period of up to five years after the
22 completion of individual projects may provide appropriate
23 protections, including exemptions from subchapter II of
24 chapter 5 of title 5, United States Code, against the dis-
25 semination of information that results from activities con-

1 ducted by the United States Advanced Battery Consor-
2 tium or its contractors and that would be a trade secret
3 on commercial or financial information that is privileged
4 or confidential if the information had been obtained from
5 and first produced by a non-Federal party participating
6 in the United States Advanced Battery Consortium.

7 **ECONOMIC REGULATION**

8 For necessary expenses in carrying out the activities
9 of the Economic Regulatory Administration and the Office
10 of Hearings and Appeals, \$14,565,000, to remain avail-
11 able until expended.

12 **EMERGENCY PREPAREDNESS**

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

16 **STRATEGIC PETROLEUM RESERVE**

17 **(INCLUDING TRANSFER OF FUNDS)**

18 For necessary expenses for Strategic Petroleum Re-
19 serve facility development and operations and program
20 management activities pursuant to the Energy Policy and
21 Conservation Act of 1975, as amended (42 U.S.C. 6201
22 et seq.), \$176,600,000, to remain available until expended,
23 including \$125,625,000 to be derived by transfer from
24 funds deposited in the "SPR petroleum account" as a re-
25 sult of the Desert Storm sale of the Strategic Petroleum

1 Reserve, as authorized under 42 U.S.C. 6241: *Provided*,
2 That appropriations herein made shall not be available for
3 leasing of facilities for the storage of crude oil for the
4 Strategic Petroleum Reserve unless the quantity of oil
5 stored in or deliverable to Government-owned storage fa-
6 cilities by virtue of contractual obligations is equal to
7 700,000,000 barrels.

8 SPR PETROLEUM ACCOUNT

9 Notwithstanding 42 U.S.C. 6240(d) the United
10 States share of crude oil in Naval Petroleum Reserve
11 Numbered 1 (Elk Hills) may be sold or otherwise disposed
12 of to other than the Strategic Petroleum Reserve: *Pro-*
13 *vided*, That no funds available in fiscal year 1993 in this,
14 or any previous or subsequent appropriations Act, or made
15 available in this account pursuant to 42 U.S.C. 6247(b)
16 as a result of any drawdown and distribution of the Re-
17 serve under the provisions of 42 U.S.C. 6241 may be used
18 in fiscal year 1993 for leasing, exchanging, or otherwise
19 acquiring other than by direct purchase crude oil from a
20 foreign government, a foreign State-owned oil company,
21 or an agent of either except pursuant to the procedures
22 of section 174, part C, title I of the Energy Policy and
23 Conservation Act (42 U.S.C. 6211 et seq.), as contained
24 in section 6 of Public Law 101-383: *Provided further*,

1 That outlays in fiscal year 1993 resulting from the use
2 of funds in this account shall not exceed \$145,000,000.

3 ENERGY INFORMATION ADMINISTRATION

4 (INCLUDING TRANSFER OF FUNDS)

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

10 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

11 Appropriations under this Act for the current fiscal
12 year shall be available for hire of passenger motor vehicles;
13 hire, maintenance, and operation of aircraft; purchase, re-
14 pair, and cleaning of uniforms; and reimbursement to the
15 General Services Administration for security guard serv-
16 ices.

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

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

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

1 cluding hire of passenger motor vehicles and aircraft; pur-
2 chase of medical equipment; purchase of reprints; pur-
3 chase, renovation, and erection of modular buildings; pay-
4 ments for telephone service in private residences in the
5 field, when authorized under regulations approved by the
6 Secretary; \$1,559,615,000, together with payments re-
7 ceived during the fiscal year pursuant to 42 U.S.C.
8 300aaa-2 for services furnished by the Indian Health
9 Service: *Provided*, That notwithstanding any other law or
10 regulation, funds transferred from the Department of
11 Housing and Urban Development to the Indian Health
12 Service shall be administered under Public Law 86-121
13 (the Indian Sanitation Facilities Act): *Provided further*,
14 That funds made available to tribes and tribal organiza-
15 tions through grants and contracts authorized by the In-
16 dian Self-Determination and Education Assistance Act of
17 1975 (88 Stat. 2203; 25 U.S.C. 450), shall be deemed
18 to be obligated at the time of the grant or contract award
19 and thereafter shall remain available to the tribe or tribal
20 organization without fiscal year limitation: *Provided fur-*
21 *ther*, That of the funds provided for new, continuation, and
22 expanded grants, contracts, or cooperative agreements
23 under Public Law 93-638, an appropriate amount shall
24 be reserved and available only for contract support costs:
25 *Provided further*, That \$12,000,000 shall remain available

1 until expended, for the Indian Catastrophic Health Emer-
2 gency Fund: *Provided further*, That \$323,404,000 for con-
3 tract medical care shall remain available for expenditure
4 until September 30, 1994: *Provided further*, That of the
5 funds provided, not less than \$11,077,000 shall be used
6 to carry out a loan repayment program under which Fed-
7 eral, State, and commercial-type educational loans for
8 physicians and other health professionals will be repaid at
9 a rate not to exceed \$35,000 per year of obligated service
10 in return for full-time clinical service: *Provided further*,
11 That funds provided in this Act may be used for one-year
12 contracts and grants which are to be performed in two
13 fiscal years, so long as the total obligation is recorded in
14 the year for which the funds are appropriated: *Provided*
15 *further*, That the amounts collected by the Secretary of
16 Health and Human Services under the authority of title
17 IV of the Indian Health Care Improvement Act shall be
18 available for two fiscal years after the fiscal year in which
19 they were collected, for the purpose of achieving compli-
20 ance with the applicable conditions and requirements of
21 titles XVIII and XIX of the Social Security Act (exclusive
22 of planning, design, or construction of new facilities): *Pro-*
23 *vided further*, That of the funds provided, \$6,000,000 shall
24 remain available until expended, for the Indian Self-Deter-
25 mination Fund, which shall be available for the transi-

1 tional costs of initial or expanded tribal contracts, grants
2 or cooperative agreements with the Indian Health Service
3 under the provisions of the Indian Self-Determination Act:
4 *Provided further*, That funding contained herein, and in
5 any earlier appropriations Acts for scholarship programs
6 under the Indian Health Care Improvement Act (25
7 U.S.C. 1613) shall remain available for expenditure until
8 September 30, 1994: *Provided further*, That amounts re-
9 ceived by tribes and tribal organizations under title IV of
10 the Indian Health Care Improvement Act and Public Law
11 100-713 shall be reported and accounted for and available
12 to the receiving tribes and tribal organizations until ex-
13 pended.

14 INDIAN HEALTH FACILITIES

15 For construction, major repair, improvement, and
16 equipment of health and related auxiliary facilities, includ-
17 ing quarters for personnel; preparation of plans, specifica-
18 tions, and drawings; acquisition of sites, purchase and
19 erection of modular buildings, and purchases of trailers;
20 and for provision of domestic and community sanitation
21 facilities for Indians, as authorized by section 7 of the Act
22 of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-
23 Determination Act and the Indian Health Care Improve-
24 ment Act, and for expenses necessary to carry out the Act
25 of August 5, 1954 (68 Stat. 674), the Indian Self-Deter-

1 mination Act, the Indian Health Care Improvement Act,
2 and titles III and XXVI and section 208 of the Public
3 Health Service Act with respect to environmental health
4 and facilities support activities of the Indian Health Serv-
5 ice, including hire of passenger motor vehicles and air-
6 craft; purchase of reprints; purchase and erection of mod-
7 ular buildings; payments for telephone service in private
8 residences in the field, when authorized under regulations
9 approved by the Secretary, \$338,596,000, to remain avail-
10 able until expended: *Provided*, That notwithstanding any
11 other provision of law, funds appropriated for the plan-
12 ning, design, construction or renovation of health facilities
13 for the benefit of an Indian tribe or tribes may be used
14 to purchase land for sites to construct, improve, or enlarge
15 health or related facilities.

16 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

17 Appropriations in this Act to the Indian Health Serv-
18 ice shall be available for services as authorized by 5 U.S.C.
19 3109 but at rates not to exceed the per diem rate equiva-
20 lent to the maximum rate payable for senior-level positions
21 under 5 U.S.C. 5376, and for uniforms or allowances
22 therefor as authorized by law (5 U.S.C. 5901–5902), and
23 for expenses of attendance at meetings which are con-
24 cerned with the functions or activities for which the appro-
25 priation is made or which will contribute to improved con-

1 duct, supervision, or management of those functions or ac-
2 tivities: *Provided*, That in accordance with the provisions
3 of the Indian Health Care Improvement Act, non-Indian
4 patients may be extended health care at all tribally admin-
5 istered or Indian Health Service facilities, subject to
6 charges, and the proceeds along with funds recovered
7 under the Federal Medical Care Recovery Act (42 U.S.C.
8 2651-53) shall be credited to the account of the facility
9 providing the service and shall be available without fiscal
10 year limitation: *Provided further*, That funds appropriated
11 to the Indian Health Service in this Act, except those used
12 for administrative and program direction purposes, shall
13 not be subject to limitations directed at curtailing Federal
14 travel and transportation: *Provided further*, That with the
15 exception of Indian Health Service units which currently
16 have a billing policy, the Indian Health Service shall not
17 initiate any further action to bill Indians in order to collect
18 from third-party payers nor to charge those Indians who
19 may have the economic means to pay unless and until such
20 time as Congress has agreed upon a specific policy to do
21 so and has directed the Indian Health Service to imple-
22 ment such a policy: *Provided further*, That personnel ceil-
23 ings may not be imposed on the Indian Health Service
24 nor may any action be taken to reduce the full-time equiv-
25 alent level of the Indian Health Service by the elimination

1 of temporary employees by reduction in force, hiring freeze
2 or any other means without the review and approval of
3 the Committees on Appropriations: *Provided further*, That
4 none of the funds made available to the Indian Health
5 Service in this Act shall be used to implement the final
6 rule published in the Federal Register on September 16,
7 1987, by the Department of Health and Human Services,
8 relating to eligibility for the health care services of the
9 Indian Health Service until the Indian Health Service has
10 submitted a budget request reflecting the increased costs
11 associated with the proposed final rule, and such request
12 has been included in an appropriations Act and enacted
13 into law: *Provided further*, That funds made available in
14 this Act are to be apportioned to the Indian Health Serv-
15 ice as appropriated in this Act, and accounted for in the
16 appropriation structure set forth in this Act: *Provided fur-*
17 *ther*, That the appropriation structure for the Indian
18 Health Service may not be altered without the advance
19 approval of the House and Senate Committees on Appro-
20 priations.

21 DEPARTMENT OF EDUCATION

22 OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

23 INDIAN EDUCATION

24 For necessary expenses to carry out, to the extent
25 not otherwise provided, the Indian Education Act of 1988,

1 \$81,274,000, of which \$59,813,000 shall be for subpart
2 1, \$16,838,000 shall be for subparts 2 and 3, and
3 \$1,200,000 shall be for collection and analyses of data on
4 Indian education: *Provided*, That \$1,750,000 available
5 pursuant to section 5323 of the Act shall remain available
6 for obligation until September 30, 1994.

7 OTHER RELATED AGENCIES

8 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of Navajo and
11 Hopi Indian Relocation as authorized by Public Law 93-
12 531, \$28,935,000, to remain available until expended:
13 *Provided*, That funds provided in this or any other appro-
14 priations Act are to be used to relocate eligible individuals
15 and groups including evictees from District 6, Hopi-parti-
16 tioned lands residents, those in significantly substandard
17 housing, and all others certified as eligible and not in-
18 cluded in the preceding categories: *Provided further*, That
19 none of the funds contained in this or any other Act may
20 be used by the Office of Navajo and Hopi Indian Reloca-
21 tion to evict any single Navajo or Navajo family who, as
22 of November 30, 1985, was physically domiciled on the
23 lands partitioned to the Hopi Tribe unless a new or re-
24 placement home is provided for such household: *Provided*
25 *further*, That no relocatee will be provided with more than

1 one new or replacement home: *Provided further*, That the
2 Office shall relocate any certified eligible relocatees who
3 have selected and received an approved homesite on the
4 Navajo reservation or selected a replacement residence off
5 the Navajo reservation or on the land acquired pursuant
6 to 25 U.S.C. 640d-10.

7 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
8 CULTURE AND ARTS DEVELOPMENT

9 PAYMENT TO THE INSTITUTE

10 For payment to the Institute of American Indian and
11 Alaska Native Culture and Arts Development, as author-
12 ized by Public Law 99-498, as amended (20 U.S.C. 56,
13 Part A), \$9,812,000, of which not to exceed \$350,000 for
14 Federal matching contributions, to remain available until
15 expended, shall be paid to the Institute endowment fund:
16 *Provided*, That of the funds made available, \$1,500,000
17 is provided as a Federal matching contribution to the cap-
18 ital endowment fund: *Provided further*, That not-
19 withstanding any other provision of law, the annual budg-
20 et proposal and justification for the Institute shall be sub-
21 mitted to the Congress concurrently with the submission
22 of the President's Budget to the Congress: *Provided*
23 *further*, That the Institute shall act as its own certifying
24 officer.

1 SMITHSONIAN INSTITUTION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Smithsonian Institu-
4 tion, as authorized by law, including research in the fields
5 of art, science, and history; development, preservation, and
6 documentation of the National Collections; presentation of
7 public exhibits and performances; collection, preparation,
8 dissemination, and exchange of information and publica-
9 tions; conduct of education, training, and museum assist-
10 ance programs; maintenance, alteration, operation, lease
11 (for terms not to exceed thirty years), and protection of
12 buildings, facilities, and approaches; not to exceed
13 \$100,000 for services as authorized by 5 U.S.C. 3109; up
14 to 5 replacement passenger vehicles; purchase, rental, re-
15 pair, and cleaning of uniforms for employees;
16 \$298,656,000, of which not to exceed \$27,633,000 for the
17 instrumentation program, collections acquisition, Museum
18 Support Center equipment and move, exhibition
19 reinstallation, the National Museum of the American In-
20 dian, and the repatriation of skeletal remains program
21 shall remain available until expended and, including such
22 funds as may be necessary to support American overseas
23 research centers and a total of \$125,000 for the Council
24 of American Overseas Research Centers: *Provided*, That
25 funds appropriated herein are available for advance pay-

1 ments to independent contractors performing research
2 services or participating in official Smithsonian presen-
3 tations: *Provided further*, That none of the funds appro-
4 priated herein shall be made available for acquisition of
5 land at the Smithsonian Environmental Research Center
6 before the date of the enactment of an Act authorizing
7 the use of funds for that purpose.

8 CONSTRUCTION AND IMPROVEMENTS, NATIONAL
9 ZOOLOGICAL PARK

10 For necessary expenses of planning, construction, re-
11 modeling, and equipping of buildings and facilities at the
12 National Zoological Park, by contract or otherwise,
13 \$7,900,000, to remain available until expended.

14 REPAIR AND RESTORATION OF BUILDINGS

15 For necessary expenses of repair and restoration of
16 buildings owned or occupied by the Smithsonian Institu-
17 tion, by contract or otherwise, as authorized by section
18 2 of the Act of August 22, 1949 (63 Stat. 623), including
19 not to exceed \$10,000 for services as authorized by 5
20 U.S.C. 3109, \$24,400,000, to remain available until ex-
21 pended: *Provided*, That contracts awarded for environ-
22 mental systems, protection systems, and exterior repair or
23 restoration of buildings of the Smithsonian Institution
24 may be negotiated with selected contractors and awarded
25 on the basis of contractor qualifications as well as price.

1 CONSTRUCTION

2 For necessary expenses for construction,
3 \$17,330,000, to remain available until expended.

4 NATIONAL GALLERY OF ART

5 SALARIES AND EXPENSES

6 For the upkeep and operations of the National Gal-
7 lery of Art, the protection and care of the works of art
8 therein, and administrative expenses incident thereto, as
9 authorized by the Act of March 24, 1937 (50 Stat. 51),
10 as amended by the public resolution of April 13, 1939
11 (Public Resolution 9, Seventy-sixth Congress), including
12 services as authorized by 5 U.S.C. 3109; payment in ad-
13 vance when authorized by the treasurer of the Gallery for
14 membership in library, museum, and art associations or
15 societies whose publications or services are available to
16 members only, or to members at a price lower than to the
17 general public; purchase, repair, and cleaning of uniforms
18 for guards, and uniforms, or allowances therefor, for other
19 employees as authorized by law (5 U.S.C. 5901-5902);
20 purchase or rental of devices and services for protecting
21 buildings and contents thereof, and maintenance, alter-
22 ation, improvement, and repair of buildings, approaches,
23 and grounds; and purchase of services for restoration and
24 repair of works of art for the National Gallery of Art by
25 contracts made, without advertising, with individuals,

1 firms, or organizations at such rates or prices and under
2 such terms and conditions as the Gallery may deem prop-
3 er, \$51,663,000, of which not to exceed \$3,120,000 for
4 the special exhibition program shall remain available until
5 expended.

6 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

7 For necessary expenses of repair, restoration and
8 renovation of buildings, grounds and facilities owned or
9 occupied by the National Gallery of Art, by contract or
10 otherwise, as authorized \$3,600,000, to remain available
11 until expended: *Provided*, That contracts awarded for envi-
12 ronmental systems, protection systems, and exterior repair
13 or renovation of buildings of the National Gallery of Art
14 may be negotiated with selected contractors and awarded
15 on the basis of contractor qualifications as well as price.

16 WOODROW WILSON INTERNATIONAL CENTER FOR

17 SCHOLARS

18 SALARIES AND EXPENSES

19 For expenses necessary in carrying out the provisions
20 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
21 1356) including hire of passenger vehicles and services as
22 authorized by 5 U.S.C. 3109, \$6,252,000.

1 NATIONAL FOUNDATION ON THE ARTS AND THE

2 HUMANITIES

3 NATIONAL ENDOWMENT FOR THE ARTS

4 GRANTS AND ADMINISTRATION

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

12 MATCHING GRANTS

13 To carry out the provisions of section 10(a)(2) of the
14 National Foundation on the Arts and the Humanities Act
15 of 1965, as amended, \$31,300,000, to remain available
16 until September 30, 1994, to the National Endowment for
17 the Arts, of which \$13,300,000 shall be available for pur-
18 poses of section 5(l): *Provided*, That this appropriation
19 shall be available for obligation only in such amounts as
20 may be equal to the total amounts of gifts, bequests, and
21 devises of money, and other property accepted by the
22 Chairman or by grantees of the Endowment under the
23 provisions of section 10(a)(2), subsections 11(a)(2)(A)
24 and 11(a)(3)(A) during the current and preceding fiscal
25 years for which equal amounts have not previously been
26 appropriated.

1 NATIONAL ENDOWMENT FOR THE HUMANITIES

2 GRANTS AND ADMINISTRATION

3 For necessary expenses to carry out the National
4 Foundation on the Arts and the Humanities Act of 1965,
5 as amended, \$152,108,000 shall be available to the Na-
6 tional Endowment for the Humanities for support of ac-
7 tivities in the humanities, pursuant to section 7(c) of the
8 Act, and for administering the functions of the Act, of
9 which \$5,600,000 for the Office of Preservation shall re-
10 main available until September 30, 1994.

11 MATCHING GRANTS

12 To carry out the provisions of section 10(a)(2) of the
13 National Foundation on the Arts and the Humanities Act
14 of 1965, as amended, \$26,826,000, to remain available
15 until September 30, 1994, of which \$14,700,000 shall be
16 available to the National Endowment for the Humanities
17 for the purposes of section 7(h): *Provided*, That this ap-
18 propriation shall be available for obligation only in such
19 amounts as may be equal to the total amounts of gifts,
20 bequests, and devises of money, and other property accept-
21 ed by the Chairman or by grantees of the Endowment
22 under the provisions of subsections 11(a)(2)(B) and
23 11(a)(3)(B) during the current and preceding fiscal years
24 for which equal amounts have not previously been appro-
25 priated.

1 INSTITUTE OF MUSEUM SERVICES

2 GRANTS AND ADMINISTRATION

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

7 ADMINISTRATIVE PROVISIONS

8 None of the funds appropriated to the National
9 Foundation on the Arts and the Humanities may be used
10 to process any grant or contract documents which do not
11 include the text of 18 U.S.C. 1913: *Provided*, That none
12 of the funds appropriated to the National Foundation on
13 the Arts and the Humanities may be used for official re-
14 ception and representation expenses.

15 COMMISSION OF FINE ARTS

16 SALARIES AND EXPENSES

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

19 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

20 For necessary expenses as authorized by Public Law
21 99-190 (99 Stat. 1261; 20 U.S.C. 956a), as amended,
22 \$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-
11 tional Capital Planning Act of 1952 (40 U.S.C. 71-71i),
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
23 until September 30, 1994.

1 PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

2 SALARIES AND EXPENSES

3 For necessary expenses, as authorized by section
4 17(a) of Public Law 92-578, as amended, \$2,686,000 for
5 operating and administrative expenses of the Corporation.

6 PUBLIC DEVELOPMENT

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

11 LAND ACQUISITION AND DEVELOPMENT FUND

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

17 UNITED STATES HOLOCAUST MEMORIAL COUNCIL

18 HOLOCAUST MEMORIAL COUNCIL

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

24 TITLE III—GENERAL PROVISIONS

25 SEC. 301. The expenditure of any appropriation
26 under this Act for any consulting service through procure-

1 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
2 to those contracts where such expenditures are a matter
3 of public record and available for public inspection, except
4 where otherwise provided under existing law, or under ex-
5 isting Executive order issued pursuant to existing law.

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

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

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

22 SEC. 305. None of the funds provided in this Act to
23 any department or agency shall be obligated or expended
24 to provide a personal cook, chauffeur, or other personal

1 servants to any officer or employee of such department
2 or agency except as otherwise provided by law.

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

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

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

23 SEC. 309. None of the funds provided by this Act
24 to the United States Fish and Wildlife Service may be ob-
25 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 “(c)(1) Notwithstanding any other provision of law,
25 the Secretary of Agriculture, with respect to National For-

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

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

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

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

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

21 “(ii) the term ‘Appraised Base Value’ means
 22 the 1983 Appraisal Value conclusions for mature
 23 cattle and horses (expressed in dollars per head or

1 pair month), as determined in the 1986 report pre-
2 pared jointly by the Secretary of Agriculture and the
3 Secretary of the Interior entitled 'Grazing Fee Re-
4 view and Evaluation', dated February 1986, on a
5 westwide basis using the lowest appraised value of
6 the pricing areas adjusted for advanced payment
7 and indexed to 1992.

8 "(3) Executive Order No. 12548, dated February 14,
9 1986, shall not apply to grazing fees established pursuant
10 to this Act.

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

18 "(e) Funds appropriated pursuant to section 5 of the
19 Public Rangelands Improvement Act of 1978 (43 U.S.C.
20 1904) or any other provision of law related to disposition
21 of the Federal share of receipts from fees for grazing on
22 public domain lands or National Forest lands in the 16
23 contiguous western States shall be used for restoration
24 and enhancement of fish and wildlife habitat, for res-
25 toration and improved management of riparian areas, and

1 for implementation and enforcement of applicable land
2 management plans, allotment plans, and regulations re-
3 garding the use of such lands for domestic livestock graz-
4 ing. Such funds shall be distributed as the Secretary con-
5 cerned deems advisable after consultation and coordina-
6 tion with the advisory councils established pursuant to sec-
7 tion 309 of this Act and other interested parties.”.

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

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

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

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

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

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

20 SEC. 318. No part of any appropriation under this
21 Act shall be available to the Secretaries of the Interior
22 and Agriculture for use for any sale hereafter made of un-
23 processed timber from Federal lands in the State of Texas
24 which will be exported by the purchaser: *Provided*, That
25 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”.



Union Calendar No. 345

102D CONGRESS
2D SESSION

H. R. 5503

[Report No. 102-6261]

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