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106th CONGRESS
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S. 1292
[Report No. 106–99]

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

IN THE SENATE OF THE UNITED STATES

June 28, 1999

Mr. Gorton, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, 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, 2000, and for other pur-
7 poses, namely:

...
TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3150(a)), $634,321,000, to remain available until expended, of which $2,147,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487 (16 U.S.C. 3150); and of which not to exceed $1,000,000 shall be derived from the special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–6a(i)); and of which $1,500,000 shall be available in fiscal year 2000 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation, to such Foundation for cost-shared projects supporting conservation of Bureau lands; in addition, $33,529,000 for Mining Law Adminis-
tration program operations, including the cost of administer-
ing the mining claim fee program; to remain available
until expended, to be reduced by amounts collected by the
Bureau and credited to this appropriation from annual
mining claim fees so as to result in a final appropriation
estimated at not more than $634,321,000, and
$2,000,000, to remain available until expended, from com-
munication site rental fees established by the Bureau for
the cost of administering communication site activities:

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

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, sup-
pression operations, emergency rehabilitation and haz-
ardous fuels reduction by the Department of the Interior,
$287,305,000, to remain available until expended, of
which not to exceed $5,025,000 shall be for the renovation
or construction of fire facilities: Provided, That such funds
are also available for repayment of advances to other ap-
propriation accounts from which funds were previously
transferred for such purposes: Provided further, That un-
obligated balances of amounts previously appropriated to
the “Fire Protection” and “Emergency Department of the
Interior Firefighting Fund” may be transferred and
merged with this appropriation: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., Protection of United States Property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $10,000,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302, sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to section 107 or 113(f) of such Act, shall be credited to this account to be available until expended without further appropriation: Provided further, That such sums recovered from or
paid by any party are not limited to monetary payments
and may include stocks, bonds or other personal or real
property, which may be retained, liquidated, or otherwise
disposed of by the Secretary and which shall be credited
to this account.

CONSTRUCTION

For construction of buildings, recreation facilities,
roads, trails, and appurtenant facilities, $12,418,000, to
remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of Octo-
ber 20, 1976, as amended (31 U.S.C. 6901–6907),
$130,000,000, of which not to exceed $400,000 shall be
available for administrative expenses: Provided, That no
payment shall be made to otherwise eligible units of local
government if the computed amount of the payment is less
than $100.

LAND ACQUISITION

For expenses necessary to carry out sections 205,
206, and 318(d) of Public Law 94–579, including admin-
istrative expenses and acquisition of lands or waters, or
interests therein, $17,400,000, to be derived from the
Land and Water Conservation Fund, to remain available
until expended.
OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; $99,225,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102–381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, and monitoring salvage timber sales and forest ecosystem health and recovery activities
such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f–1 et seq., and Public Law 103–66) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

RANGE IMPROVEMENTS

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

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

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

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

ADMINISTRATIVE PROVISIONS

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

**United States Fish and Wildlife Service**

**Resource Management**

For necessary expenses of the United States Fish and
Wildlife Service, for scientific and economic studies, con-
servation, management, investigations, protection, and
utilization of fishery and wildlife resources, except whales,
seals, and sea lions, maintenance of the herd of long-
horned cattle on the Wichita Mountains Wildlife Refuge,
general administration, and for the performance of other
authorized functions related to such resources by direct
expenditure, contracts, grants, cooperative agreements
and reimbursable agreements with public and private enti-
ties, $683,519,000, to remain available until September
30, 2001, except as otherwise provided herein, of which
$11,701,000 shall remain available until expended for op-
eration and maintenance of fishery mitigation facilities
constructed by the Corps of Engineers under the Lower
Snake River Compensation Plan, authorized by the Water
Resources Development Act of 1976, to compensate for
loss of fishery resources from water development projects
on the Lower Snake River: *Provided*, That not less than
$1,000,000 for high priority projects which shall be car-
rried out by the Youth Conservation Corps as authorized
by the Act of August 13, 1970, as amended: Provided further, That not to exceed $5,932,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsections (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)): Provided further, That of the amount available for law enforcement, up to $400,000 to remain available until expended, may at the discretion of the Secretary, be used for payment for information, rewards, or evidence concerning violations of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on his certificate: Provided further, That of the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses: Provided further, That all fines collected by the U.S. Fish and Wildlife Service for violations of the Marine Mammal Protection Act (16 U.S.C. 1362–1407) and implementing regulations shall be available to the Secretary, without further appropriation, to be used for the expenses of the U.S. Fish and Wildlife Service in administering activities for
the protection and recovery of manatees, polar bears, sea
otters, and walruses, and shall remain available until ex-
pended: Provided further, That, heretofore and hereafter,
in carrying out work under reimbursable agreements with
any state, local, or tribal government, the U.S. Fish and
Wildlife Service may, without regard to 31 U.S.C. 1341
and notwithstanding any other provision of law or regula-
tion, record obligations against accounts receivable from
such entities, and shall credit amounts received from such
entities to this appropriation, such credit to occur within
90 days of the date of the original request by the Service
for payment.

CONSTRUCTION

For construction and acquisition of buildings and
other facilities required in the conservation, management,
investigation, protection, and utilization of fishery and
wildlife resources, and the acquisition of lands and inter-
ests therein; $40,434,000, to remain available until ex-
pended: Provided, That notwithstanding any other provi-
sion of law, a single procurement for the construction of
facilities at the Alaska Maritime National Wildlife Refuge
may be issued which includes the full scope of the project:
Provided further, That the solicitation and the contract
shall contain the clauses “availability of funds” found at
48 C.F.R. 52.232.18.
LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $55,244,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out the provisions of the Endangered Species Act of 1973 (16 U.S.C. 1531–1543), as amended, $21,480,000, to be derived from the Cooperative Endangered Species Conservation Fund, and to remain available until expended.

NATIONAL WILDLIFE REFUGE FUND

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

MULTINATIONAL SPECIES CONSERVATION FUND

until expended: Provided, That funds made available
under this Act, Public Law 105–277, and Public Law
105–83 for rhinoceros, tiger, and Asian elephant conserva-
tion programs are exempt from any sanctions imposed
against any country under section 102 of the Arms Export
Control Act (22 U.S.C. aa–1).

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions
of the North American Wetlands Conservation Act, Public
Law 101–233, as amended, $15,000,000, to remain avail-
able until expended.

WILDLIFE CONSERVATION AND APPRECIATION FUND

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

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United
States Fish and Wildlife Service shall be available for pur-
chase of not to exceed 70 passenger motor vehicles, of
which 61 are for replacement only (including 36 for police-
type use); repair of damage to public roads within and
adjacent to reservation areas caused by operations of the
Service; options for the purchase of land at not to exceed
$1 for each option; facilities incident to such public rec-
reational uses on conservation areas as are consistent with
their primary purpose; and the maintenance and improve-
ment of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management and investigation of fish and wildlife resources: Provided, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: Provided further, That the Service may accept donated aircraft as replacements for existing aircraft: Provided further, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in Senate Report 105–56.
NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not less than $1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by 16 U.S.C. 1706, $1,355,176,000, of which $8,800,000 is for research, planning and interagency coordination in support of land acquisition for Everglades restoration shall remain available until expended, and of which not to exceed $8,000,000, to remain available until expended, is to be derived from the special fee account established pursuant to title V, section 5201 of Public Law 100–203.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $49,951,000: Provided, That notwithstanding any other provision of law, the National Park
Service may hereafter recover all fees derived from providing necessary review services associated with historic preservation tax certification, and such funds shall be available until expended without further appropriation for the costs of such review services.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $42,412,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2001, of which $8,422,000 pursuant to section 507 of Public Law 104–333 shall remain available until expended.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $221,093,000, to remain available until expended, of which $1,100,000 shall be for realignment of the Denali National Park entrance road: Provided, That $4,000,000 for the Wheeling National Heritage Area and $1,000,000 for Montpelier shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: Provided further, That notwithstanding any other provision of law, a single procurement for the...
1 construction of visitor facilities at Brooks Camp at Katmai
2 National Park and Preserve may be issued which includes
3 the full scope of the project: Provided further, That the
4 solicitation and the contract shall contain the clause
5 "availability of funds" found at 48 CFR 52.232.18.
6 LAND AND WATER CONSERVATION FUND
7 (RESCISISON)
8 The contract authority provided for fiscal year 2000
9 by 16 U.S.C. 460l–10a is rescinded.
10 LAND ACQUISITION AND STATE ASSISTANCE
11 For expenses necessary to carry out the Land and
12 Water Conservation Fund Act of 1965, as amended (16
13 U.S.C. 460l–4 through 11), including administrative ex-
14 penses, and for acquisition of lands or waters, or interest
15 therein, in accordance with statutory authority applicable
16 to the National Park Service, $84,525,000, to be derived
17 from the Land and Water Conservation Fund, to remain
18 available until expended, of which $500,000 is to admin-
19 ister the State assistance program.
20 ADMINISTRATIVE PROVISIONS
21 Appropriations for the National Park Service shall be
22 available for the purchase of not to exceed 384 passenger
23 motor vehicles, of which 298 shall be for replacement only,
24 including not to exceed 312 for police-type use, 12 buses,
25 and 6 ambulances: Provided, That none of the funds ap-
26 propriated to the National Park Service may be used to
process any grant or contract documents which do not in-
clude the text of 18 U.S.C. 1913: Provided further, That
none of the funds appropriated to the National Park Serv-
vice may be used to implement an agreement for the rede-
velopment of the southern end of Ellis Island until such
agreement has been submitted to the Congress and shall
not be implemented prior to the expiration of 30 calendar
days (not including any day in which either House of Con-
gress is not in session because of adjournment of more
than three calendar days to a day certain) from the receipt
by the Speaker of the House of Representatives and the
President of the Senate of a full and comprehensive report
on the development of the southern end of Ellis Island,
including the facts and circumstances relied upon in sup-
port of the proposed project.

None of the funds in this Act may be spent by the
National Park Service for activities taken in direct re-
sponse to the United Nations Biodiversity Convention.
The National Park Service may distribute to oper-
ating units based on the safety record of each unit the
costs of programs designed to improve workplace and em-
ployee safety, and to encourage employees receiving work-
ers' compensation benefits pursuant to chapter 81 of title
5, United States Code, to return to appropriate positions
for which they are medically able.
For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; $813,243,000, of which $72,314,000 shall be available only for cooperation with States or municipalities for water resources investigations; and of which $16,400,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; and of which $2,000,000 shall remain available until expended for ongoing development of a mineral and geologic data base; and of which
$160,248,000 shall be available until September 30, 2001 for the biological research activity and the operation of the Cooperative Research Units: Provided, That of the funds available for the biological research activity, $1,000,000 shall be made available by grant to the University of Alaska for conduct of, directly or through sub-grants, basic marine research activities in the North Pacific Ocean pursuant to a plan approved by the Department of Commerce, the Department of the Interior, and the State of Alaska: Provided further, That none of these funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

**Administrative Provisions**

The amount appropriated for the United States Geological Survey shall be available for the purchase of not to exceed 53 passenger motor vehicles, of which 48 are for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys
when it is administratively determined that such proce-
dures are in the public interest; construction and mainte-
nance of necessary buildings and appurtenant facilities;
acquisition of lands for gauging stations and observation
wells; expenses of the United States National Committee
on Geology; and payment of compensation and expenses
of persons on the rolls of the Survey duly appointed to
represent the United States in the negotiation and admin-
istration of interstate compacts: Provided, That activities
funded by appropriations herein made may be accom-
plished through the use of contracts, grants, or coopera-
tive agreements as defined in 31 U.S.C. 6302 et seq.: Pro-
vided further, That the United States Geological Survey
may contract directly with individuals or indirectly with
institutions or nonprofit organizations, without regard to
41 U.S.C. 5, for the temporary or intermittent services
of students or recent graduates, who shall be considered
employees for the purposes of chapters 57 and 81 of title
5, United States Code, relating to compensation for travel
and work injuries, and chapter 171 of title 28, United
States Code, relating to tort claims, but shall not be con-
sidered to be Federal employees for any other purposes.
MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and envi-
ronmental studies, regulation of industry operations, and
collection of royalties, as authorized by law; for enforcing
laws and regulations applicable to oil, gas, and other min-
erals leases, permits, licenses and operating contracts; and
for matching grants or cooperative agreements; including
the purchase of not to exceed eight passenger motor vehi-
cles for replacement only; $110,682,000, of which
$84,569,000 shall be available for royalty management ac-
tivities; and an amount not to exceed $124,000,000, to
be credited to this appropriation and to remain available
until expended, from additions to receipts resulting from
increases to rates in effect on August 5, 1993, from rate
increases to fee collections for Outer Continental Shelf ad-
ministrative activities performed by the Minerals Manage-
ment Service over and above the rates in effect on Sep-
tember 30, 1993, and from additional fees for Outer Con-
tinental Shelf administrative activities established after
September 30, 1993: Provided, That $3,000,000 for com-
puter acquisitions shall remain available until September
30, 2001: Provided further, That funds appropriated
under this Act shall be available for the payment of inter-
est in accordance with 30 U.S.C. 1721(b) and (d): Pro-
vided further, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: Provided further, That notwithstanding any other provision of law, $15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due, to pay amounts owed to Indian allottees or Tribes, or to correct prior unrecoverable erroneous payments.

OIL SPILL RESEARCH

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

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; $95,891,000: Provided, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in
fiscal year 2000 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: Provided further, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, $185,658,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to $7,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: Provided, That grants to minimum program States will be $1,500,000 per State in fiscal year 2000: Provided further, That of the funds herein provided up to $18,000,000 may be used for the
emergency program authorized by section 410 of Public Law 95–87, as amended, of which no more than 25 percent shall be used for emergency reclamation projects in any one State and funds for federally administered emergency reclamation projects under this proviso shall not exceed $11,000,000: Provided further, That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 percent limitation per State and may be used without fiscal year limitation for emergency projects: Provided further, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That the State of Maryland may set aside the greater of $1,000,000 or 10 percent of the total of the grants made available to the State under title IV.
of the Surface Mining Control and Reclamation Act of
1977, as amended (30 U.S.C. 1231 et seq.), if the amount
set aside is deposited in an acid mine drainage abatement
and treatment fund established under a State law, pursu-
ant to which law the amount (together with all interest
earned on the amount) is expended by the State to under-
take acid mine drainage abatement and treatment
projects, except that before any amounts greater than 10
percent of its title IV grants are deposited in an acid mine
drainage abatement and treatment fund, the State of
Maryland must first complete all Surface Mining Control
and Reclamation Act priority one projects.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian
programs, as authorized by law, including the Snyder Act
of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
termination and Education Assistance Act of 1975 (25
U.S.C. 450 et seq.), as amended, the Education Amend-
Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),
as amended, $1,631,996,000, to remain available until
September 30, 2001 except as otherwise provided herein,
of which not to exceed $93,684,000 shall be for welfare
assistance payments and notwithstanding any other provi-
sion of law, including but not limited to the Indian Self-
Determination Act of 1975, as amended, not to exceed
$115,229,000 shall be available for payments to tribes and
tribal organizations for contract support costs associated
with ongoing contracts, grants, compacts, or annual fund-
ing agreements entered into with the Bureau prior to or
during fiscal year 2000, as authorized by such Act, except
that tribes and tribal organizations may use their tribal
priority allocations for unmet indirect costs of ongoing
contracts, grants, or compacts, or annual funding agree-
ments and for unmet welfare assistance costs; and of
which not to exceed $402,010,000 for school operations
costs of Bureau-funded schools and other education pro-
grams shall become available on July 1, 2000, and shall
remain available until September 30, 2001; and of which
not to exceed $51,991,000 shall remain available until ex-
pended for housing improvement, road maintenance, at-
torney fees, litigation support, self-governance grants, the
Indian Self-Determination Fund, land records improve-
ment, and the Navajo-Hopi Settlement Program: Pro-
vided, That notwithstanding any other provision of law,
including but not limited to the Indian Self-Determination
Act of 1975, as amended, and 25 U.S.C. 2008, not to ex-
ceed $44,160,000 within and only from such amounts
made available for school operations shall be available to
tribes and tribal organizations for administrative cost
grants associated with the operation of Bureau-funded
schools: *Provided further*, That any forestry funds allo-
cated to a tribe which remain unobligated as of September
30, 2001, may be transferred during fiscal year 2002 to
an Indian forest land assistance account established for
the benefit of such tribe within the tribe’s trust fund ac-
count: *Provided further*, That any such unobligated bal-
ances not so transferred shall expire on September 30,
2002.

CONSTRUCTION

For construction, repair, improvement, and mainte-
nance of irrigation and power systems, buildings, utilities,
and other facilities, including architectural and engineer-
ing services by contract; acquisition of lands, and interests
in lands; and preparation of lands for farming, and for
construction of the Navajo Indian Irrigation Project pur-
suant to Public Law 87–483, $146,884,000, to remain
available until expended: *Provided*, That such amounts as
may be available for the construction of the Navajo Indian
Irrigation Project may be transferred to the Bureau of
Reclamation: *Provided further*, That not to exceed 6 per-
cent of contract authority available to the Bureau of In-
dian Affairs from the Federal Highway Trust Fund may
be used to cover the road program management costs of
the Bureau: *Provided further*, That any funds provided for
the Safety of Dams program pursuant to 25 U.S.C. 13
shall be made available on a nonreimbursable basis: Provided further, That for fiscal year 2000, in implementing
new construction or facilities improvement and repair
project grants in excess of $100,000 that are provided to
tribally controlled grant schools under Public Law 100–
297, as amended, the Secretary of the Interior shall use
the Administrative and Audit Requirements and Cost
Principles for Assistance Programs contained in 43 CFR
part 12 as the regulatory requirements: Provided further,
That such grants shall not be subject to section 12.61 of
43 CFR; the Secretary and the grantee shall negotiate and
determine a schedule of payments for the work to be per-
formed: Provided further, That in considering applications,
the Secretary shall consider whether the Indian tribe or
tribal organization would be deficient in assuring that the
construction projects conform to applicable building stand-
ards and codes and Federal, tribal, or State health and
safety standards as required by 25 U.S.C. 2005(a), with
respect to organizational and financial management capa-
bilities: Provided further, That if the Secretary declines an
application, the Secretary shall follow the requirements
contained in 25 U.S.C. 2505(f): Provided further, That
any disputes between the Secretary and any grantee con-
cerning a grant shall be subject to the disputes provision
in 25 U.S.C. 2508(e): Provided further, That notwithstanding any other provision of law, collections from the settlements between the United States and the Puyallup tribe concerning Chief Leschi school are made available for school construction in fiscal year 2000 and hereafter.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, $27,131,000, to remain available until expended; of which $25,260,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 101–618 and 102–575, and for implementation of other enacted water rights settlements; and of which $1,871,000 shall be available pursuant to Public Laws 99–264, 100–383, 103–402 and 100–580.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans, $4,500,000, as authorized by the Indian Financing Act of 1974, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $59,682,000.
In addition, for administrative expenses to carry out the guaranteed loan programs, $504,000.

**ADMINISTRATIVE PROVISIONS**

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts and grants, either directly or in cooperation with States and other organizations.

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

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

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for...
distribution to other tribes, this action shall not diminish the Federal government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska. Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1995.

The Tate Topa Tribal School, the Black Mesa Community School, the Alamo Navajo School, and other BIA-funded schools, subject to the approval of the Secretary of the Interior, may use prior year school operations funds for the replacement or repair of BIA education facilities which are in compliance with 25 U.S.C. 2005(a) and which shall be eligible for operation and maintenance sup-
port to the same extent as other BIA education facilities: Provided, That any additional construction costs for replacement or repair of such facilities begun with prior year funds shall be completed exclusively with non-Federal funds.

DEPARTMENT OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $67,325,000, of which: (1) $63,076,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(e)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $4,249,000 shall be available for salaries and expenses of the Office of Insu-
lar Affairs: Provided, That all financial transactions of the
territorial and local governments herein provided for, in-
cluding such transactions of all agencies or instrumental-
ities established or used by such governments, may be au-
dited by the General Accounting Office, at its discretion,
in accordance with chapter 35 of title 31, United States
Code: Provided further, That Northern Mariana Islands
Covenant grant funding shall be provided according to
those terms of the Agreement of the Special Representa-
tives on Future United States Financial Assistance for the
Northern Mariana Islands approved by Public Law 104–
134: Provided further, That Public Law 94–241, as
amended, is further amended (1) in section 4(b) by delet-
ing “2002” and inserting “1999” and by deleting the
comma after the words “$11,000,000 annually” and in-
serting in lieu thereof the following: “and for fiscal year
2000, payments to the Commonwealth of the Northern
Mariana Islands shall be $5,580,000, but shall return to
the level of $11,000,000 annually for fiscal years 2001
and 2002. In fiscal year 2003, the payment to the Com-
monwealth of the Northern Mariana Islands shall be
$5,420,000. Such payments shall be”; and (2) in section
(4)(c) by adding a new subsection as follows: “(4) for fis-
cal year 2000, $5,420,000 shall be provided to the Virgin
Islands for correctional facilities and other projects man-
dated by Federal law’: Provided further, That of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure in American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through assessments of long-range operations maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary based on the individual territory’s commitment to timely maintenance of its capital assets): Provided further, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).
COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for
the Federated States of Micronesia and the Republic of
the Marshall Islands as provided for in sections 122, 221,
223, 232, and 233 of the Compact of Free Association,
and for economic assistance and necessary expenses for
the Republic of Palau as provided for in sections 122, 221,
223, 232, and 233 of the Compact of Free Association,
$20,545,000, to remain available until expended, as au-

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the De-
partment of the Interior, $62,203,000, of which not to ex-
ceed $8,500 may be for official reception and represent-
tion expenses and up to $1,000,000 shall be available for
workers compensation payments and unemployment com-
ensation payments associated with the orderly closure of
the United States Bureau of Mines.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor,
$36,784,000.
Office of Inspector General

Salaries and Expenses

Office of Inspector General

For necessary expenses of the Office of Inspector General, $26,614,000.

Office of Special Trustee for American Indians

Federal Trust Programs

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $73,836,000, to remain available until expended: Provided, That funds for trust management improvements may be transferred to the Bureau of Indian Affairs and Departmental Management: Provided further, That funds made available to Tribes and Tribal organizations through contracts or grants obligated during fiscal year 2000, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: Provided further, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: Provided further, That not-
1. notwithstanding any other provision of law, the Secretary
2. shall not be required to provide a quarterly statement of
3. performance for any Indian trust account that has not had
4. activity for at least eighteen months and has a balance
5. of $1.00 or less: Provided further, That the Secretary shall
6. issue an annual account statement and maintain a record
7. of any such accounts and shall permit the balance in each
8. such account to be withdrawn upon the express written
9. request of the account holder.

INDIAN LAND CONSOLIDATION PILOT

For implementation of a pilot program for consolidation of fractional interests in Indian lands by direct expenditure or cooperative agreement, $5,000,000 to remain available until expended, of which not to exceed $500,000 shall be available for administrative expenses: Provided, That the Secretary may enter into a cooperative agreement, which shall not be subject to Public Law 93–638, as amended, with a tribe having jurisdiction over the pilot reservation to implement the program to acquire fractional interests on behalf of such tribe: Provided further, That the Secretary may develop a reservation-wide system for establishing the fair market value of various types of lands and improvements to govern the amounts offered for acquisition of fractional interests: Provided further, That acquisitions shall be limited to one or more pilot reservations as determined by the Secretary: Provided further, That
funds shall be available for acquisition of fractional interests in trust or restricted lands with the consent of its owners and at fair market value, and the Secretary shall hold in trust for such tribe all interests acquired pursuant to this pilot program: Provided further, That all proceeds from any lease, resource sale contract, right-of-way or other transaction derived from the fractional interest shall be credited to this appropriation, and remain available until expended, until the purchase price paid by the Secretary under this appropriation has been recovered from such proceeds: Provided further, That once the purchase price has been recovered, all subsequent proceeds shall be managed by the Secretary for the benefit of the applicable tribe or paid directly to the tribe.

**NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION**

**NATURAL RESOURCE DAMAGE ASSESSMENT FUND**

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101-380), and
Public Law 101-337; $4,621,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

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

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

Sec. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made
available to the Department of the Interior for emergencies shall have been exhausted: Provided further, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Sec. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under

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section 410 of Public Law 95–87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: Provided, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: Provided further, That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to "Wildland Fire Management" shall have been exhausted: Provided further, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: Provided further, That such replenishment funds shall be used to reimburse, on
a pro rata basis, accounts from which emergency funds were transferred.

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

Sec. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.
Sec. 105. Appropriations available to the Department of the Interior for salaries and expenses shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902 and D.C. Code 4–204).

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

Sec. 107. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore leasing and related activities placed under restriction in the President's moratorium statement of June 26, 1990, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

Sec. 108. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore oil and natural gas preleasing, leasing, and related activities, on lands within the North Aleutian Basin planning area.

Sec. 109. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing and related activities in the eastern Gulf of Mexico planning area for
any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997–2002.

Sec. 110. No funds provided in this title may be expended by the Department of the Interior to conduct oil and natural gas preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas.

Sec. 111. Advance payments made under this title to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the purposes of the grant, compact, or annual funding agreement so long as such funds are—

(1) invested by the Indian tribe, tribal organization, or consortium only in obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or insured by the United States; or
(2) deposited only into accounts that are insured by an agency or instrumentality of the United States, or are fully collateralized to ensure protection of the funds, even in the event of a bank failure.

Sec. 112. (a) Employees of Helium Operations, Bureau of Land Management, entitled to severance pay under 5 U.S.C. 5595, may apply for, and the Secretary of the Interior may pay, the total amount of the severance pay to the employee in a lump sum. Employees paid severance pay in a lump sum and subsequently reemployed by the Federal Government shall be subject to the repayment provisions of 5 U.S.C. 5595(i)(2) and (3), except that any repayment shall be made to the Helium Fund.

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

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

(d) For purposes of the annual leave restoration pro-
visions of 5 U.S.C. 6304(d)(1)(B), the cessation of helium
production and sales, and other related Helium Program
activities shall be deemed to create an exigency of public
business under, and annual leave that is lost during leave
years 1997 through 2001 because of 5 U.S.C. 6304 (re-
gardless of whether such leave was scheduled in advance)
shall be restored to the employee and shall be credited and
available in accordance with 5 U.S.C. 6304(d)(2). Annual
leave so restored and remaining unused upon the transfer
of a Helium Program employee to a position of the execu-
tive branch outside of the Helium Program shall be liq-
uidated by payment to the employee of a lump sum from
the Helium Fund for such leave.

(e) Benefits under this section shall be paid from the
Helium Fund in accordance with section 4(e)(4) of the
Helium Privatization Act of 1996. Funds may be made
available to Helium Program employees who are or will
be separated before October 1, 2002 because of the ces-
sation of helium production and sales and other related
activities. Retraining benefits, including retraining and re-
location incentives, may be paid for retraining com-
mening on or before September 30, 2002.

(f) This section shall remain in effect through fiscal
year 2002.

Sec. 113. Notwithstanding any other provision of
law, including but not limited to the Indian Self-Deter-
mination Act of 1975, as amended, funds available herein
and hereafter under this title for Indian self-determination
or self-governance contract or grant support costs may be
expended only for costs directly attributable to contracts,
grants and compacts pursuant to the Indian Self-Deter-
mination Act and no funds appropriated in this title shall
be available for any contract support costs or indirect
costs associated with any contract, grant, cooperative
agreement, self-governance compact or funding agreement
entered into between an Indian tribe or tribal organization
and any entity other than an agency of the Department
of the Interior.

Sec. 114. Notwithstanding any other provisions of
law, the National Park Service shall not develop or imple-
ment a reduced entrance fee program to accommodate
non-local travel through a unit. The Secretary may provide
for and regulate local non-recreational passage through
units of the National Park System, allowing each unit to
develop guidelines and permits for such activity appropriate to that unit.

SEC. 115. Notwithstanding any other provision of law, in fiscal year 2000 and thereafter, the Secretary is authorized to permit persons, firms or organizations engaged in commercial, cultural, educational, or recreational activities (as defined in section 612a of title 40, United States Code) not currently occupying such space to use courtyards, auditoriums, meeting rooms, and other space of the main and south Interior building complex, Washington, D.C., the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949, and to assess reasonable charges therefore, subject to such procedures as the Secretary deems appropriate for such uses. Charges may be for the space, utilities, maintenance, repair, and other services. Charges for such space and services may be at rates equivalent to the prevailing commercial rate for comparable space and services devoted to a similar purpose in the vicinity of the main and south Interior building complex, Washington, D.C. for which charges are being assessed. The Secretary may without further appropriation hold, administer, and use such proceeds within the Departmental Management Working Capital Fund to
offset the operation of the buildings under his jurisdiction, whether delegated or otherwise, and for related purposes, until expended.

SEC. 116. (a) In this section—
(1) the term "Huron Cemetery" means the lands that form the cemetery that is popularly known as the Huron Cemetery, located in Kansas City, Kansas, as described in subsection (b)(3); and
(2) the term "Secretary" means the Secretary of the Interior.

(b)(1) The Secretary shall take such action as may be necessary to ensure that the lands comprising the Huron Cemetery (as described in paragraph (3)) are used only in accordance with this subsection.
(2) The lands of the Huron Cemetery shall be used only—
(A) for religious and cultural uses that are compatible with the use of the lands as a cemetery; and (B) as a burial ground.
(3) The description of the lands of the Huron Cemetery is as follows:
The tract of land in the NW quarter of sec. 10, T. 11 S., R. 25 E., of the sixth principal meridian, in Wyan- dotte County, Kansas (as surveyed and marked on the
ground on August 15, 1888, by William Millor, Civil Engineer and Surveyor), described as follows:

"Commencing on the Northwest corner of the Northwest Quarter of the Northwest Quarter of said Section 10;

"Thence South 28 poles to the 'true point of beginning';

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

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

"Thence West 11 and one-half poles;

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

Sec. 117. Grazing permits and leases which expire or are transferred, in this or any fiscal year, shall be renewed under the same terms and conditions as contained in the expiring permit or lease until such time as the Secretary of the Interior completes the process of renewing the permits or leases in compliance with all applicable laws. Nothing in this language shall be deemed to affect the Secretary's statutory authority or the rights of the permittee or lessee.
Sec. 118. Refunds or rebates received on an on-going basis from a credit card services provider under the Department of the Interior's charge card programs may be deposited to and retained without fiscal year limitation in the Departmental Working Capital Fund established under 43 U.S.C. 1467 and used to fund management initiatives of general benefit to the Department of the Interior's bureaus and offices as determined by the Secretary or his designee.

Sec. 119. Appropriations made in this title under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any available unobligated balances from prior appropriations Acts made under the same headings, shall be available for expenditure or transfer for Indian trust management activities pursuant to the Trust Management Improvement Project High Level Implementation Plan.

Sec. 120. All properties administered by the National Park Service at Fort Baker, Golden Gate National Recreation Area, and leases, concessions, permits and other agreements associated with those properties, shall be exempt from all taxes and special assessments, except sales tax, by the State of California and its political subdivisions, including the County of Marin and the City of
Sausalito. Such areas of Fort Baker shall remain under exclusive federal jurisdiction.

Sec. 121. Notwithstanding any provision of law, the Secretary of the Interior is authorized to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), with any person, firm, association, organization, corporation, or governmental entity for all or part of the property within Fort Baker administered by the Secretary as part of Golden Gate National Recreation Area. The proceeds of the agreements or leases shall be retained by the Secretary and such proceeds shall be available, without future appropriation, for the preservation, restoration, operation, maintenance and interpretation and related expenses incurred with respect to Fort Baker properties.

Sec. 122. None of the funds provided in this or any other Act may be used for pre-design, design or engineering for the removal of the Elwha or Glines Canyon Dams, or for the actual removal of either dam, until such time as both dams are acquired by the Federal government notwithstanding the proviso in section 3(a) of Public Law 102–495, as amended.
SEC. 123. (a) SHORT TITLE.—This section may be cited as the "Battle of Midway National Memorial Study Act".

(b) FINDINGS.—The Congress makes the following findings:

(1) September 2, 1997, marked the 52nd anniversary of the United States victory over Japan in World War II.

(2) The Battle of Midway proved to be the turning point in the war in the Pacific, as United States Navy forces inflicted such severe losses on the Imperial Japanese Navy during the battle that the Imperial Japanese Navy never again took the offensive against the United States or the allied forces.

(3) During the Battle of Midway on June 4, 1942, an outnumbered force of the United States Navy, consisting of 29 ships and other units of the Armed Forces under the command of Admiral Nimitz and Admiral Spruance, out-maneuvered and outfought 350 ships of the Imperial Japanese Navy.

(4) It is in the public interest to study whether Midway Atoll should be established as a national memorial to the Battle of Midway to express the enduring gratitude of the American people for victory in the battle and to inspire future generations of
Americans with the heroism and sacrifice of the members of the Armed Forces who achieved that victory.

(5) The historic structures and facilities on Midway Atoll should be protected and maintained.

(c) PURPOSE.—The purpose of this Act is to require a study of the feasibility and suitability of designating the Midway Atoll as a National Memorial to the Battle of Midway within the boundaries of the Midway Atoll National Wildlife Refuge. The study of the Midway Atoll and its environs shall include, but not be limited to, identification of interpretative opportunities for the educational and inspirational benefit of present and future generations, and of the unique and significant circumstances involving the defense of the island by the United States in World War II and the Battle of Midway.

(d) STUDY OF THE ESTABLISHMENT OF MIDWAY ATOLL AS A NATIONAL MEMORIAL TO THE BATTLE OF MIDWAY.—

(1) IN GENERAL.—Not later than six months after the date of enactment of this Act, the Secretary of the Interior shall, acting through the Director of the National Park Service and in consultation with the Director of the United States Fish and Wildlife Service, the International Midway Memorial
Foundation, Inc. (hereafter referred to as the "Foundation"), and Midway Phoenix Corporation, carry out a study of the suitability and feasibility of establishing Midway Atoll as a national memorial to the Battle of Midway.

(2) CONSIDERATIONS.—In studying the establishment of Midway Atoll as a national memorial to the Battle of Midway under paragraph (1), the Secretary shall address the following:

(A) The appropriate federal agency to manage such a memorial, and whether and under what conditions, to lease or otherwise allow the Foundation or another appropriate entity to administer, maintain, and fully utilize the lands (including any equipment, facilities, infrastructure, and other improvements) and waters of Midway Atoll if designated as a national memorial.

(B) Whether designation as a national memorial would conflict with current management of Midway Atoll as a wildlife refuge and whether, and under what circumstances, the needs and requirements of the wildlife refuge should take precedence over the needs and requirements of a national memorial on Midway Atoll.
(C) Whether, and under what conditions, to permit the use of the facilities on Sand Island for purposes other than a wildlife refuge or a national memorial.

(D) Whether to impose conditions on public access to Midway Atoll as a national memorial.

(3) REPORT.—Upon completion of the study required under paragraph (1), the Secretary shall submit, to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the House of Representatives, a report on the study, which shall include any recommendations for further legislative action. The report shall also include an inventory of all known past and present facilities and structures of historical significance on Midway Atoll and its environs. The report shall include a description of each historic facility and structure and a discussion of how each will contribute to the designation and interpretation of the proposed national memorial.

(e) CONTINUING DISCUSSIONS.—Nothing in this Act shall be construed to delay or prohibit discussions between the Foundation and the United States Fish and Wildlife
Service or any other government entity regarding the future role of the Foundation on Midway Atoll.

SEC. 124. Where any Federal lands included within the boundary of Lake Roosevelt National Recreation Area as designated by the Secretary of the Interior on April 5, 1990 (Lake Roosevelt Cooperative Management Agreement) were utilized as of March 31, 1997, for grazing purposes pursuant to a permit issued by the National Park Service, the person or persons so utilizing such lands shall be entitled to renew said permit under such terms and conditions as the Secretary may prescribe, for the lifetime of the permittee or 20 years, whichever is less.

SEC. 125. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds on the basis of identified, unmet needs. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than ten percent in fiscal year 2000.

SEC. 126. None of the Funds provided in this Act shall be available to the Bureau of Indian Affairs or the Department of the Interior to transfer land into trust status for the Shoalwater Bay Indian Tribe in Clark County, Washington, unless and until the tribe and the county reach a legally enforceable agreement that addresses the
financial impact of new development on the county, school
district, fire district, and other local governments and the
impact on zoning and development.

Sec. 127. None of the funds provided in this Act
shall be available to the Department of the Interior or
agencies of the Department of the Interior to implement

Sec. 128. Of the funds appropriated in title V of the
Fiscal Year 1998 Interior and Related Agencies Appropriation Act, Public Law 105–83, the Secretary shall pro-
vide up to $2,000,000 in the form of a grant to the Fair-
banks North Star Borough for acquisition of undeveloped
parcels along the banks of the Chena River for the purpose
of establishing an urban greenbelt within the Borough.
The Secretary shall further provide from the funds appro-
priated in title V up to $1,000,000 in the form of a grant
to the Municipality of Anchorage for the acquisition of ap-
proximately 34 acres of wetlands adjacent to a municipal
park in Anchorage (the Jewel Lake Wetlands).

Sec. 129. Funds sufficient to cover the cost of prepa-
ration of an Environmental Impact Statement are hereby
redirected from the funds appropriated in the fiscal year
1999 Department of Interior Appropriations Bill, Bureau
of Indian Affairs, Safety of Dams Construction Account,
Weber Dam. These funds are directed to be used for com-
pletion of an environmental impact statement to facilitate
resolution of fish passage issues associated with the recon-
struction of the Weber Dam and Reservoir on the Walker
River Paiute Reservation in Nevada. The analysis shall
include, but not be limited to: (1) an evaluation of whether
any reservoir, and if so what capacity reservoir, is needed
to assure that the water rights of the Walker River Paiute
Tribe can be adequately served with surface water; (2) an
evaluation of the feasibility and cost of constructing a new
off stream reservoir as a replacement for Weber Reservoir;
(3) an evaluation of the feasibility and cost of converting
Weber Reservoir into an off stream reservoir; and (4) an
evaluation of the feasibility and cost of serving the water
rights of the Walker River Paiute Tribe with groundwater.
The BIA is directed to work through the Bureau of Rec-
clamation, either via contract or memorandum of under-
standing, to complete this environmental impact statement
within 18 months of enactment of this act. No contract
for construction or reconstruction of the Weber Dam shall
be awarded until such Environmental Impact Statement
is completed. In addition, $125,000 of the funds appro-
propriated in fiscal year 1999 to the Bureau of Indian Af-
fairs, Safety of Dams Construction Account, Weber Dam,
shall be directed to assist the Walker River Paiute Tribe
in exploring the feasibility of establishing a Tribal-oper-
ated Lahontan cutthroat trout hatchery on the Walker River, in recognition of the negative impacts on the tribe associated with delay in reconstruction of Weber Dam.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

Forest Service

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $187,444,000, to remain available until expended.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, cooperative forestry, and education and land conservation activities, $190,793,000, to remain available until expended, as authorized by law.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for administrative expenses associated with the management of funds provided under the headings "Forest and Rangeland Research", "State and Private Forestry", "National Forest System", "Wildland Fire Management", "Reconstruction and Construction", and "Land Acquisi-
tion”, $1,239,051,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 460l-6a(i)).

WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, $560,980,000, to remain available until expended: Provided, That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes: Provided further, That notwithstanding any other provision of law, up to $4,000,000 of funds appropriated under this appropriation may be used for Fire Science Research in support of the Joint Fire Science Program: Provided further, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest Service and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.
For an additional amount to cover necessary expenses for emergency rehabilitation, presuppression due to emergencies, and wildfire suppression activities of the Forest Service, $90,000,000, to remain available until expended: Provided, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That these funds shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

RECONSTRUCTION AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, $362,095,000, to remain available until expended for construction, reconstruction, maintenance and acquisition of buildings and other facilities, and for construction, reconstruction, repair and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: Provided, That up to $15,000,000 of the funds provided herein for road maintenance shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer
needed: Provided further, That no funds shall be expended to decommission any system road until notice and an opportunity for public comment has been provided on each decommissioning project: Provided further, That any unexpended balances of amounts previously appropriated for Forest Service Reconstruction and Construction as well as any unobligated balances remaining in the National Forest System appropriation in the facility maintenance and trail maintenance extended budget line items at the end of fiscal year 1999 may be transferred to and made a part of this appropriation.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460l-4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $37,170,000, to be derived from the Land and Water Conservation Fund, to remain available until expended: Provided, That subject to valid existing rights, all Federally owned lands and interests in lands within the New World Mining District comprising approximately 26,223 acres, more or less, which are described in a Federal Register notice dated August 19, 1997 (62 F.R. 44136-44137), are hereby withdrawn from all forms of entry, appropriation, and disposal.
under the public land laws, and from location, entry and
patent under the mining laws, and from disposition under
all mineral and geothermal leasing laws.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
ACTS

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

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

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

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, pro-
tection, and improvement, 50 percent of all moneys re-
ceived during the prior fiscal year, as fees for grazing do-
mestic livestock on lands in National Forests in the six-
ten Western States, pursuant to section 401(b)(1) of
Public Law 94–579, as amended, to remain available until
expended, of which not to exceed 6 percent shall be avail-
able for administrative expenses associated with on-the-
ground range rehabilitation, protection, and improve-
ments.

**GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND**
**RANGELAND RESEARCH**

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

**ADMINISTRATIVE PROVISIONS, FOREST SERVICE**

Appropriations to the Forest Service for the current
fiscal year shall be available for: (1) purchase of not to
exceed 110 passenger motor vehicles of which 15 will be
used primarily for law enforcement purposes and of which
109 shall be for replacement; acquisition of 25 passenger
motor vehicles from excess sources, and hire of such vehic-
ules; operation and maintenance of aircraft, the purchase
of not to exceed three for replacement only, and acquisi-
tion of sufficient aircraft from excess sources to maintain
the operable fleet at 213 aircraft for use in Forest Service
wildland fire programs and other Forest Service programs;
notwithstanding other provisions of law, existing aircraft
being replaced may be sold, with proceeds derived or
trade-in value used to offset the purchase price for the
replacement aircraft; (2) services pursuant to 7 U.S.C.
2225, and not to exceed $100,000 for employment under
5 U.S.C. 3109; (3) purchase, erection, and alteration of
1 buildings and other public improvements (7 U.S.C. 2250); 
2 (4) acquisition of land, waters, and interests therein, pur- 
3 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the 
5 558a, 558d, and 558a note); (6) the cost of uniforms as 
6 authorized by 5 U.S.C. 5901-5902; and (7) for debt col- 
7 lection contracts in accordance with 31 U.S.C. 3718(c). 
8 None of the funds made available under this Act shall 
9 be obligated or expended to abolish any region, to move 
10 or close any regional office for National Forest System 
11 administration of the Forest Service, Department of Agri- 
12 culture without the consent of the House and Senate Com- 
13 mittees on Appropriations. 
14 Any appropriations or funds available to the Forest 
15 Service may be transferred to the Wildland Fire Manage- 
16 ment appropriation for forest firefighting, emergency re- 
17 habilitation of burned-over or damaged lands or waters 
18 under its jurisdiction, and fire preparedness due to severe 
19 burning conditions. 
20 Funds appropriated to the Forest Service shall be 
21 available for assistance to or through the Agency for Inter- 
22 national Development and the Foreign Agricultural Serv- 
23 ice in connection with forest and rangeland research, tech- 
24 nical information, and assistance in foreign countries, and 
25 shall be available to support forestry and related natural
resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless the proposed transfer is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in House Report 105–163.

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in House Report 105–163.

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

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

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

To the greatest extent possible, and in accordance with the Final Amendment to the Shawnee National Forest Plan, none of the funds available in this Act shall be used for preparation of timber sales using clearcutting or other forms of even-aged management in hardwood stands in the Shawnee National Forest, Illinois.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $2,250,000 may be advanced in a lump sum as Federal financial assistance to the National Forest Foundation, without regard to when the Foundation incurs expenses, for administrative expenses or projects on or benefiting National Forest System lands or related to Forest Service programs: Provided, That of the Federal funds made available to the Foundation, no more than $400,000 shall be available for administrative expenses: Provided further, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: Provided further,
That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: Provided further, That hereafter, the National Forest Foundation may hold Federal funds made available but not immediately disbursed and may use any interest or other investment income earned (before, on, or after the date of enactment of this Act) on Federal funds to carry out the purposes of Public Law 101–593: Provided further, That such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98–244, up to $2,650,000 of the funds available to the Forest Service shall be available for matching funds to the National Fish and Wildlife Foundation, as authorized by 16 U.S.C. 3701–3709, and may be advanced in a lump sum as Federal financial assistance, without regard to when expenses are incurred, for projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds advanced by the Forest Service: Provided further,
1 That the Foundation may transfer Federal funds to a
2 non-Federal recipient for a project at the same rate that
3 the recipient has obtained the non-Federal matching
4 funds.
5 Funds appropriated to the Forest Service shall be
6 available for interactions with and providing technical as-
7 sistance to rural communities for sustainable rural devel-
8 opment purposes.
9 Notwithstanding any other provision of law, 80 per-
10 cent of the funds appropriated to the Forest Service in
11 the “National Forest System” and “Reconstruction and
12 Construction” accounts and planned to be allocated to ac-
13 tivities under the “Jobs in the Woods” program for
14 projects on National Forest land in the State of Wash-
15 ington may be granted directly to the Washington State
16 Department of Fish and Wildlife for accomplishment of
17 planned projects. Twenty percent of said funds shall be
18 retained by the Forest Service for planning and admin-
19 istering projects. Project selection and prioritization shall
20 be accomplished by the Forest Service with such consulta-
21 tion with the State of Washington as the Forest Service
22 deems appropriate.
23 Funds appropriated to the Forest Service shall be
24 available for payments to counties within the Columbia
25 River Gorge National Scenic Area, pursuant to sections
14(c)(1) and (2), and section 16(a)(2) of Public Law 99-2663.

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

Funds appropriated to the Forest Service shall be available, as determined by the Secretary, for payments to Del Norte County, California, pursuant to sections 13(e) and 14 of the Smith River National Recreation Area Act (Public Law 101-612).
For purposes of the Southeast Alaska Economic Dis-
aster Fund as set forth in section 101(c) of Public Law
104–134, the direct grants provided in subsection (c) shall
be considered direct payments for purposes of all applica-
ble law except that these direct grants may not be used
for lobbying activities.
No employee of the Department of Agriculture may
be detailed or assigned from an agency or office funded
by this Act to any other agency or office of the Depart-
ment for more than 30 days unless the individual's em-
ploying agency or office is fully reimbursed by the receiv-
ing agency or office for the salary and expenses of the
employee for the period of assignment.
The Forest Service shall fund overhead, national
commitments, indirect expenses, and any other category
for use of funds which are expended at any units, that
are not directly related to the accomplishment of specific
work on-the-ground (referred to as "indirect expendi-
tures"), from funds available to the Forest Service, unless
otherwise prohibited by law: Provided, That the Forest
Service shall implement and adhere to the definitions of
indirect expenditures established pursuant to Public Law
105–277 on a nationwide basis without flexibility for
modification by any organizational level except the Wash-
ington Office, and when changed by the Washington Of-
Office, such changes in definition shall be reported in budget requests submitted by the Forest Service: Provided further, That the Forest Service shall provide in all future budget justifications, planned indirect expenditures in accordance with the definitions, summarized and displayed to the Regional, Station, Area, and detached unit office level. The justification shall display the estimated source and amount of indirect expenditures, by expanded budget line item, of funds in the agency's annual budget justification. The display shall include appropriated funds and the Knutson-Vandenberg, Brush Disposal, Cooperative Work-Other, and Salvage Sale funds. Changes between estimated and actual indirect expenditures shall be reported in subsequent budget justifications: Provided further, That during fiscal year 2000 the Secretary shall limit total annual indirect obligations from the Brush Disposal, Cooperative Work-Other, Knutson-Vandenberg, Reforestation, Salvage Sale, and Roads and Trails funds to 20 percent of the total obligations from each fund.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, train-
ing sessions, management reviews, land purchase negotia-

tions and similar non-litigation related matters: Provided,

That no more than $500,000 is transferred: Provided fur-

ther, That future budget justifications for both the Forest

Service and the Department of Agriculture clearly display

the sums previously transferred and request future fund-

ing levels.

Any appropriations or funds available to the Forest

Service may be used for necessary expenses in the event

of law enforcement emergencies as necessary to protect

natural resources and public or employee safety.

Of any funds available to Region 10 of the Forest

Service, exclusive of funds for timber sales management

or road reconstruction/construction, $7,000,000 shall be

used in fiscal year 2000 to support implementation of the

recent amendments to the Pacific Salmon Treaty with

Canada which require fisheries enhancements on the

Tongass National Forest.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(DEFERRAL)

Of the funds made available under this heading for

obligation in prior years, $156,000,000 shall not be avail-
able until October 1, 2000: Provided, That funds made

available in previous appropriations Acts shall be available
for any ongoing project regardless of the separate request for proposal under which the project was selected.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), performed under the minerals and materials science programs at the Albany Research Center in Oregon, $390,975,000, to remain available until expended, of which $24,000,000 shall be derived by transfer from unobligated balances in the Biomass Energy Development account: Provided, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

ALTERNATIVE FUELS PRODUCTION

(INCLUDING TRANSFER OF FUNDS)

Moneys received as investment income on the principal amount in the Great Plains Project Trust at the
Norwest Bank of North Dakota, in such sums as are earned as of October 1, 1999, shall be deposited in this account and immediately transferred to the general fund of the Treasury. Moneys received as revenue sharing from operation of the Great Plains Gasification Plant and settlement payments shall be immediately transferred to the general fund of the Treasury.

NAVAL PETROLEUM AND OIL SHALE RESERVES

The requirements of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal year 2000: Provided, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, $682,817,000, to remain available until expended, of which $25,000,000 shall be derived by transfer from unobligated balances in the Biomass Energy Development account: Provided, That $166,000,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507): Provided further, That notwithstanding section 3003(d)(2) of Public Law 99–509, such sums shall be allocated to the eligible programs as follows: $133,000,000 for weath-
erization assistance grants and $33,000,000 for State en-
ergy conservation grants.

ECONOMIC REGULATION

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

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Re-
serve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $159,000,000, to remain available until expended:

Provided, That the Secretary of Energy hereafter may transfer to the SPR Petroleum Account such funds as may be necessary to carry out drawdown and sale operations of the Strategic Petroleum Reserve initiated under section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241) from any funds available to the Department of En-ergy under this Act or previous appropriations Acts. All funds transferred pursuant to this authority must be re-
plinished as promptly as possible from oil sale receipts pursuant to the drawdown and sale.
For necessary expenses in carrying out the activities of the Energy Information Administration, $70,500,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

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

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

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

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

DEPARTMENT OF HEALTH AND HUMAN
SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of Au-
gust 5, 1954 (68 Stat. 674), the Indian Self-Determi-
ation Act, the Indian Health Care Improvement Act, and
titles II and III of the Public Health Service Act with re-
pect to the Indian Health Service, $2,135,561,000, to-
gether with payments received during the fiscal year pur-
suant to 42 U.S.C. 238(b) for services furnished by the
Indian Health Service: Provided, That funds made avail-
able to tribes and tribal organizations through contracts,
grant agreements, or any other agreements or compacts
authorized by the Indian Self-Determination and Edu-
cation Assistance Act of 1975 (25 U.S.C. 450), shall be
deemed to be obligated at the time of the grant or contract
award and thereafter shall remain available to the tribe
or tribal organization without fiscal year limitation: Pro-
vided further, That $12,000,000 shall remain available
until expended, for the Indian Catastrophic Health Emer-
agency Fund: Provided further, That $384,442,000 for contract medical care shall remain available for obligation until September 30, 2001: Provided further, That of the funds provided, up to $17,000,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: Provided further, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): Provided further, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 2001: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving
tribes and tribal organizations until expended: Provided further, That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed $203,781,000 shall be for payments to tribes and tribal organizations for contract or grant support costs associated with contracts, grants, self-governance compacts or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, prior to or during fiscal year 2000.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $189,252,000, to remain available until expended: Provided, That notwithstanding any other provision of law,
funds appropriated for the planning, design, construction 
or renovation of health facilities for the benefit of an In-
dian tribe or tribes may be used to purchase land for sites 
to construct, improve, or enlarge health or related facili-
ties.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Serv-
ice shall be available for services as authorized by 5 U.S.C. 
3109 but at rates not to exceed the per diem rate equiva-
 lent to the maximum rate payable for senior-level positions 
under 5 U.S.C. 5376; hire of passenger motor vehicles and 
aircraft; purchase of medical equipment; purchase of re-
prints; purchase, renovation and erection of modular 
buildings and renovation of existing facilities; payments 
for telephone service in private residences in the field, 
when authorized under regulations approved by the Sec-
retary; and for uniforms or allowances therefore as au-
thorized by 5 U.S.C. 5901-5902; and for expenses of at-
tendance at meetings which are concerned with the func-
tions or activities for which the appropriation is made or 
which will contribute to improved conduct, supervision, or 
management of those functions or activities: Provided, 
That in accordance with the provisions of the Indian 
Health Care Improvement Act, non-Indian patients may 
be extended health care at all tribally administered or In-

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odian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: Provided further, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 93–638, as amended: Provided further, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: Provided further, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title III of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title III of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That none of the
funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: Provided further, That funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act: Provided further, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account which provided the funding, said amounts to remain available until expended: Provided further, That reimbursements for training, technical assistance, or services provided by the Indian Health
Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: Provided further, that the appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $8,000,000, to remain available until expended: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be provided with more than one new
or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d–10.

**Institute of American Indian and Alaska Native Culture and Arts Development**

**Payment to the Institute**

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $4,250,000.

**Smithsonian Institution**

**Salaries and Expenses**

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, facilities, and approaches; not to exceed $100,000
for services as authorized by 5 U.S.C. 3109; up to 5 re-
placement passenger vehicles; purchase, rental, repair, and
cleaning of uniforms for employees; $364,562,000, of
which not to exceed $40,704,000 for the instrumentation
program, collections acquisition, Museum Support Center
equipment and move, exhibition reinstallation, the Na-
tional Museum of the American Indian, the repatriation
of skeletal remains program, research equipment, informa-
tion management, and Latino programming shall remain
available until expended, and including such funds as may
be necessary to support American overseas research cen-
ters and a total of $125,000 for the Council of American
Overseas Research Centers: Provided, That funds appro-
priated herein are available for advance payments to inde-
dependent contractors performing research services or par-
ticipating in official Smithsonian presentations.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL

ZOLOGICAL PARK

For necessary expenses of planning, construction, re-
modeling, and equipping of buildings and facilities at the
National Zoological Park, by contract or otherwise,
$4,400,000, to remain available until expended.

REPAIR AND RESTORATION OF BUILDINGS

For necessary expenses of repair and restoration of
buildings owned or occupied by the Smithsonian Institu-
tion, by contract or otherwise, as authorized by section
2 of the Act of August 22, 1949 (63 Stat. 623), including
not to exceed $10,000 for services as authorized by 5
U.S.C. 3109, $35,000,000, to remain available until ex-
1 pended: Provided, That contracts awarded for environ-
mental systems, protection systems, and exterior repair or
restoration of buildings of the Smithsonian Institution
may be negotiated with selected contractors and awarded
on the basis of contractor qualifications as well as price.

CONSTRUCTION

For necessary expenses for construction, $19,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN

INSTITUTION

None of the funds in this or any other Act may be used to initiate the design for any proposed expansion of current space or new facility without consultation with the House and Senate Appropriations Committees.

The Smithsonian Institution shall not use Federal funds in excess of the amount specified in Public Law 101–185 for the construction of the National Museum of the American Indian.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gal-
26 lery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as
authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $61,438,000, of which not to exceed $3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or
otherwise, as authorized, $6,311,000, to remain available
until expended: Provided, That contracts awarded for envi-
ronmental systems, protection systems, and exterior repair
or renovation of buildings of the National Gallery of Art
may be negotiated with selected contractors and awarded
on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING
ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, mainte-
nance and security of the John F. Kennedy Center for
the Performing Arts, $14,000,000.

CONSTRUCTION

For necessary expenses for capital repair and rehab-
ilitation of the existing features of the building and site
of the John F. Kennedy Center for the Performing Arts,
$20,000,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR
SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions
1356) including hire of passenger vehicles and services as
authorized by 5 U.S.C. 3109, $6,040,000.
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 the Humanities Act of 1965,
7 as amended, $86,000,000 shall be available to the Na-
8 tional Endowment for the Arts for the support of projects
9 and productions in the arts through assistance to organi-
10 zations and individuals pursuant to sections 5(c) and 5(g)
11 of the Act, for program support, and for administering
12 the functions of the Act, to remain available until ex-
13 pended.
14 MATCHING GRANTS
15 To carry out the provisions of section 10(a)(2) of the
16 National Foundation on the Arts and the Humanities Act
17 of 1965, as amended, $13,000,000, to remain available
18 until expended, to the National Endowment for the Arts:
19 Provided, That this appropriation shall be available for ob-
20 ligation only in such amounts as may be equal to the total
21 amounts of gifts, bequests, and devises of money, and
22 other property accepted by the chairman or by grantees
23 of the Endowment under the provisions of section
24 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during
25 the current and preceding fiscal years for which equal
26 amounts have not previously been appropriated.
NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $97,550,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $14,150,000, to remain available until expended, of which $10,150,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceeding fiscal years for which equal amounts have not previously been appropriated.
INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

For carrying out subtitle C of the Museum and Library Services Act of 1996, as amended, $23,905,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

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

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), $1,078,000: Provided, That beginning in fiscal year 2000 and thereafter, the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to re-
main available until expended without further appropria-
tion.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

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

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on
Historic Preservation (Public Law 89–665, as amended),
$2,906,000: Provided, That none of these funds shall be
available for compensation of level V of the Executive
Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the Na-
including services as authorized by 5 U.S.C. 3109,
$6,312,000: Provided, That all appointed members will be
compensated at a rate not to exceed the rate for level IV
of the Executive Schedule.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as
authorized by Public Law 96–388 (36 U.S.C. 1401), as
amended, $33,286,000, of which $1,575,000 for the muse-
um's repair and rehabilitation program and $1,264,000
for the museum's exhibitions program shall remain avail-
able until expended.

Presidio Trust

Presidio Trust Fund

For necessary expenses to carry out title I of the Om-
nibus Parks and Public Lands Management Act of 1996,
$24,400,000 shall be available to the Presidio Trust, to
remain available until expended, of which up to
$1,040,000 may be for the cost of guaranteed loans, as
authorized by section 104(d) of the Act: Provided, That
such costs, including the cost of modifying such loans,
shall be as defined in section 502 of the Congressional
Budget Act of 1974: Provided further, That these funds
are available to subsidize total loan principal, any part of
which is to be guaranteed, not to exceed $200,000,000.
The Trust is authorized to issue obligations to the Sec-
retary of the Treasury pursuant to section 104(d)(3) of
the Act, in an amount not to exceed $20,000,000.

Title III—General Provisions

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

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

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

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

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

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

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

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

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

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—
In providing financial assistance using funds made
available in this Act, the head of each Federal agen-
cy shall provide to each recipient of the assistance
a notice describing the statement made in paragraph
(1) by the Congress.
(c) Prohibition of Contracts with Persons Falsely Labeling Products as Made in America.—

If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

Sec. 308. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 1999.

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

Sec. 310. None of the funds appropriated or otherwise made available by this Act may be used for the
AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: Provided, That if no funds are provided for the AmeriCorps program by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

Sec. 311. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

Sec. 312. (a) Limitation of Funds.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) Exceptions.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994;
and (2) all requirements established under sections 2325
and 2326 of the Revised Statutes (30 U.S.C. 29 and 30)
for vein or lode claims and sections 2329, 2330, 2331,
and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and
37) for placer claims, and section 2337 of the Revised
Statutes (30 U.S.C. 42) for mill site claims, as the case
may be, were fully complied with by the applicant by that
date.
(c) REPORT.—On September 30, 2000, the Secretary
of the Interior shall file with the House and Senate Com-
mittees on Appropriations and the Committee on Re-
sources of the House of Representatives and the Com-
mittee on Energy and Natural Resources of the Senate
a report on actions taken by the Department under the
plan submitted pursuant to section 314(c) of the Depart-
ment of the Interior and Related Agencies Appropriations
Act, 1997 (Public Law 104–208).
(d) MINERAL EXAMINATIONS.—In order to process
patent applications in a timely and responsible manner,
upon the request of a patent applicant, the Secretary of
the Interior shall allow the applicant to fund a qualified
third-party contractor to be selected by the Bureau of
Land Management to conduct a mineral examination of
the mining claims or mill sites contained in a patent appli-
cation as set forth in subsection (b). The Bureau of Land

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Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 313. Notwithstanding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103–138, 103–332, 104–134, 104–208, 105–83, and 105–277 for payments to tribes and tribal organizations for contract support costs associated with self-determination or self-governance contracts, grants, compacts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 1999 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 314. Notwithstanding any other provision of law, for fiscal year 2000 the Secretaries of Agriculture and the Interior are authorized to limit competition for watershed restoration project contracts as part of the "Jobs in the Woods" component of the President's Forest Plan for
the Pacific Northwest or the Jobs in the Woods Program established in Region 10 of the Forest Service to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, northern California and Alaska that have been affected by reduced timber harvesting on Federal lands.

Sec. 315. None of the funds collected under the Recreational Fee Demonstration program may be used to plan, design, or construct a visitor center or any other permanent structure without prior approval of the House and the Senate Committees on Appropriations if the estimated total cost of the facility exceeds $500,000.

Sec. 316. (a) None of the funds made available in this Act or any other Act providing appropriations for the Department of the Interior, the Forest Service or the Smithsonian Institution may be used to submit nominations for the designation of Biosphere Reserves pursuant to the Man and Biosphere program administered by the United Nations Educational, Scientific, and Cultural Organization.

(b) The provisions of this section shall be repealed upon enactment of subsequent legislation specifically authorizing United States participation in the Man and Biosphere program.
SEC. 317. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Cape Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance.

SEC. 318. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

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

Sec. 319. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account to the credit of the appropriate endowment for the purposes specified in each case.

Sec. 320. No part of any appropriation contained in this Act shall be expended or obligated to fund new revisions of national forest land management plans until new final or interim final rules for forest land management planning are published in the Federal Register. Those national forests which are currently in a revision process, having formally published a Notice of Intent to revise prior to October 1, 1997; those national forests having been court-ordered to revise; those national forests where
plans reach the fifteen year legally mandated date to re-
vice before or during calendar year 2000; national forests
within the Interior Columbia Basin Ecosystem study area;
and the White Mountain National Forest are exempt from
this section and may use funds in this Act and proceed
to complete the forest plan revision in accordance with
current forest planning regulations.

Sec. 321. No part of any appropriation contained in
this Act shall be expended or obligated to complete and
issue the five-year program under the Forest and Range-
land Renewable Resources Planning Act.

Sec. 322. (a) In providing services or awarding fi-
nancial assistance under the National Foundation on the
Arts and the Humanities Act of 1965 from funds appro-
priated under this Act, the Chairperson of the National
Endowment for the Arts shall ensure that priority is given
to providing services or awarding financial assistance for
projects, productions, workshops, or programs that serve
underserved populations.

(b) In this section:

(1) The term "underserved population" means
a population of individuals who have historically
been outside the purview of arts and humanities pro-
grams due to factors such as a high incidence of in-
come below the poverty line or to geographic isolation.

(2) The term "poverty line" means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) applicable to a family of the size involved.

(e) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;
(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

Sec. 323. None of the funds in this Act may be used for planning, design or construction of improvements to Pennsylvania Avenue in front of the White House without the advance approval of the House and Senate Committees on Appropriations.

Sec. 324. Notwithstanding any other provision of law, none of the funds provided in this Act to the Indian Health Service or Bureau of Indian Affairs may be used to enter into any new or expanded self-determination contract or grant or self-governance compact pursuant to the Indian Self-Determination Act of 1975, as amended, for any activities not previously covered by such contracts, compacts or grants. Nothing in this section precludes the continuation of those specific activities for which self-de-
termination and self-governance contracts, compacts and grants currently exist or the renewal of contracts, compacts and grants for those activities; implementation of section 325 of Public Law 105–83 (111 Stat. 1597); or compliance with 25 U.S.C. 2005.

Sec. 325. Amounts deposited during fiscal year 1999 in the roads and trails fund provided for in the fourteenth paragraph under the heading "FOREST SERVICE" of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall be used by the Secretary of Agriculture, without regard to the State in which the amounts were derived, to repair or reconstruct roads, bridges, and trails on National Forest System lands or to carry out and administer projects to improve forest health conditions, which may include the repair or reconstruction of roads, bridges, and trails on National Forest System lands in the wildland-community interface where there is an abnormally high risk of fire. The projects shall emphasize reducing risks to human safety and public health and property and enhancing ecological functions, long-term forest productivity, and biological integrity. The Secretary shall commence the projects during fiscal year 2000, but the projects may be completed in a subsequent fiscal year. Funds shall not be expended under this section to replace funds which would otherwise appropriately be expended from the timber sal-
vage sale fund. Nothing in this section shall be construed
to exempt any project from any environmental law.

SEC. 326. HARDWOOD TECHNOLOGY TRANSFER AND
APPLIED RESEARCH. (a) The Secretary of Agriculture
(hereinafter the “Secretary”) is hereby and hereafter au-
thorized to conduct technology transfer and development,
training, dissemination of information and applied re-
search in the management, processing and utilization of
the hardwood forest resource. This authority is in addition
to any other authorities which may be available to the Sec-
retary including, but not limited to, the Cooperative For-
et seq.), and the Forest and Rangeland Renewable
1614).

(b) In carrying out this authority, the Secretary may
enter into grants, contracts, and cooperative agreements
with public and private agencies, organizations, corpora-
tions, institutions and individuals. The Secretary may ac-
cept gifts and donations pursuant to the Act of October
10, 1978 (7 U.S.C. 2269) including gifts and donations
from a donor that conducts business with any agency of
the Department of Agriculture or is regulated by the Sec-
retary of Agriculture.
(c) The Secretary is hereby and hereafter authorized to operate and utilize the assets of the Wood Education and Resource Center (previously named the Robert C. Byrd Hardwood Technology Center in West Virginia) as part of a newly formed "Institute of Hardwood Technology Transfer and Applied Research" (hereinafter the "Institute"). The Institute, in addition to the Wood Education and Resource Center, will consist of a Director, technology transfer specialists from State and Private Forestry, the Forestry Sciences Laboratory in Princeton, West Virginia, and any other organizational unit of the Department of Agriculture as the Secretary deems appropriate. The overall management of the Institute will be the responsibility of the USDA Forest Service, State and Private Forestry.

(d) The Secretary is hereby and hereafter authorized to generate revenue using the authorities provided herein. Any revenue received as part of the operation of the Institute shall be deposited into a special fund in the Treasury of the United States, known as the "Hardwood Technology Transfer and Applied Research Fund", which shall be available to the Secretary until expended, without further appropriation, in furtherance of the purposes of this section, including upkeep, management, and operation of the Institute and the payment of salaries and expenses.
(e) There are hereby and hereafter authorized to be appropriated such sums as necessary to carry out the provisions of this section.

Sec. 327. No timber in Region 10 of the Forest Service shall be advertised for sale which, when using domestic Alaska western red cedar selling values and manufacturing costs, fails to provide at least 60 percent of normal profit and risk of the appraised timber, except at the written request by a prospective bidder. Program accomplishments shall be based on volume sold. Should Region 10 sell, in fiscal year 2000, the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan which provides greater than 60 percent of normal profit and risk at the time of the sale advertisement, all of the western red cedar timber from those sales which is surplus to the needs of domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States based on values in the Pacific Northwest as determined by the Forest Service and stated in the timber sale contract. Should Region 10 sell, in fiscal year 2000, less than the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan meeting the 60 percent of normal profit and risk standard at the time of sale advertisement, the volume of western
red cedar timber available to domestic processors at rates
specified in the timber sale contract in the contiguous 48
states shall be that volume: (i) which is surplus to the
needs of domestic processors in Alaska; and (ii) is that
percent of the surplus western red cedar volume deter-
mined by calculating the ratio of the total timber volume
which has been sold on the Tongass to the annual average
portion of the decadal allowable sale quantity called for
in the current Tongass Land Management Plan. The per-
centage shall be calculated by Region 10 on a rolling basis
as each sale is sold. (For purposes of this amendment,
a "rolling basis" shall mean that the determination of how
much western red cedar is eligible for sale to various mar-
kets shall be made at the time each sale is awarded.)
Western red cedar shall be deemed "surplus to the needs
of domestic processors in Alaska" when the timber sale
holder has presented to the Forest Service documentation
of the inability to sell western red cedar logs from a given
sale to domestic Alaska processors at a price equal to or
greater than the log selling value stated in the contract.
All additional western red cedar volume not sold to Alaska
or contiguous 48 United States domestic processors may
be exported to foreign markets at the election of the tim-
ber sale holder. All Alaska yellow cedar may be sold at
prevailing export prices at the election of the timber sale
holder.

Sec. 328. No funds available to the Secretary of Ag-
riculture or the Secretary of the Interior in any fiscal year
shall be used to introduce grizzly bears into the State of
Idaho or the State of Montana without the express written
approval of the governors of both states.

Sec. 329. For fiscal year 2000, the Secretary of Agri-
culture, with respect to lands within the National Forest
System, and the Secretary of the Interior, with respect
to lands under the jurisdiction of the Bureau of Land
Management, shall use the best available scientific and
commercial data in amending or revising resource man-
agement plans for, and offering sales, issuing leases, or
otherwise authorizing or undertaking management activi-
ties on, lands under their respective jurisdictions: Pro-
vided, That the Secretaries may at their discretion deter-
mine whether any additional information concerning wild-
life resources shall be collected prior to approving any such
plan, sale, lease or other activity, and, if so, the type of,
and collection procedures for, such information.

Sec. 330. The Secretary of Agriculture and the Sec-
retary of the Interior shall:

(a) prepare the report required of them by sec-
tion 323(a) of the Fiscal Year 1998 Interior and Re-
lated Agencies Appropriations Act (Public Law 105-83; 111 Stat. 1543, 1596-7);
(b) make the report available for public com-
ment for a period of not less than 120 days; and
(c) include the information contained in the re-
port and a detailed response or responses to any
such public comment in any final environmental im-
 pact statement associated with the Interior Colum-
bia Basin Ecosystem Project.
Sec. 331. Section 7 of the Service Contract Act
(SCA), 41 U.S.C. section 356 is amended by adding the
following paragraph:
“(8) any concession contract with Federal land
management agencies, the principal purpose of
which is the provision of recreational services to the
general public, including lodging, campgrounds,
food, stores, guiding, recreational equipment, fuel,
transportation, and skiing, provided that this exemp-
tion shall not affect the applicability of the Davis-
Bacon Act, 40 U.S.C. section 276a et seq., to con-
struction contracts associated with these concession
contracts.”.
Sec. 332. Timber and Special Forest Products.
(a) Definition of Special Forest Product.—For
purposes of this section, the term “special forest product”
means any vegetation or other life forms, such as mush-
rooms and fungi that grows on National Forest System
lands, excluding trees, animals, insects, or fish except as
provided in regulations issued under this section by the
Secretary of Agriculture.

(b) FAIR MARKET VALUE FOR SPECIAL FOREST
PRODUCTS.—The Secretary of Agriculture shall develop
and implement a pilot program to charge and collect not
less than the fair market value for special forest products
harvested on National Forest System lands. The authority
for this pilot program shall be for fiscal years 2000
through 2004. The Secretary of Agriculture shall establish
appraisal methods and bidding procedures to ensure that
the amounts collected for special forest products are not
less than fair market value.

(c) FEES.—

(1) IN GENERAL.—The Secretary of Agriculture
shall charge and collect from persons who harvest
special forest products all costs to the Department
of Agriculture associated with the granting, modi-
fying, or monitoring the authorization for harvest of
the special forest products, including the costs of
any environmental or other analysis.

(2) SECURITY.—The Secretary of Agriculture
may require a person that is assessed a fee under
this subsection to provide security to ensure that the
Secretary of Agriculture receives fees authorized
under this subsection from such person.
(d) WAIVER.—The Secretary of Agriculture may
waive the application of subsection (b) or subsection (e)
pursuant to such regulations as the Secretary of Agri-
culture may prescribe.
(e) COLLECTION AND USE OF FUNDS.—
(1) Funds collected in accordance with sub-
section (b) and subsection (c) shall be deposited into
a special account in the Treasury of the United
States.
(2) Funds deposited into the special account in
the Treasury in accordance with this section in ex-
cess of the amounts collected for special forest prod-
ucts during fiscal year 1999 shall be available for
expenditure by the Secretary of Agriculture on Octo-
ber 1, 2000 without further appropriation, and shall
remain available until expended to pay for—
(A) in the case of funds collected pursuant
to subsection (b), the costs of conducting inven-
tories of special forest products, monitoring and
assessing the impacts of harvest levels and
methods, and for restoration activities, includ-
ing any necessary vegetation; and
(B) in the case of fees collected pursuant to subsection (e), the costs for which the fees were collected.


Sec. 333. Title III, section 3001 of Public Law 106–31 is amended by inserting after the word "Alabama," the following phrase "in fiscal year 1999 or 2000".

Sec. 334. The authority to enter into stewardship and end result contracts provided to the Forest Service in accordance with Section 347 of Title III of Section 101(e) of Division A of Public Law 105–825 is hereby
expanded to authorize the Forest Service to enter into an
additional 9 contracts in Region One.

Sec. 335. LOCAL EXEMPTIONS FROM FOREST SERV-
ICE DEMONSTRATION PROGRAM FEES. Section 6906 of
Title 31, United States Code, is amended—
(1) by inserting "(a) IN GENERAL.—" before
"Necessary"; and
(2) by adding at the end the following:
"(b) LOCAL EXEMPTIONS FROM DEMONSTRATION
PROGRAM FEES.—

"(1) IN GENERAL.—Each unit of general local
government that lies in whole or in part within the
White Mountain National Forest and persons resid-
ing within the boundaries of that unit of general
local government shall be exempt during that fiscal
year from any requirement to pay a Demonstration
Program Fee (parking permit or passport) imposed
by the Secretary of Agriculture for access to the
Forest.

"(2) ADMINISTRATION.—The Secretary of Agri-
culture shall establish a method of identifying per-
sons who are exempt from paying user fees under
paragraph (1). This method may include valid form
of identification including a drivers license.".
Sec. 336. Millsites Opinion. Prohibition on Millsite Limitations.—Notwithstanding the opinion dated November 7, 1997, by the Solicitor of the Department of the Interior concerning millsites under the general mining law (referred to in this section as the "opinion"), in accordance with the millsite provisions of the Bureau of Land Management's Manual Sec. 3864.1.B (dated 1991), the Bureau of Land Management Handbook for Mineral Examiners H–3890–1, page III–8 (dated 1989), and section 2811.33 of the Forest Service Manual (dated 1990), the Department of the Interior and the Department of Agriculture shall not limit the number or acreage of millsites based on the ratio between the number or acreage of millsites and the number or acreage of associated lode or placer claims for any fiscal year.

Sec. 337. Notwithstanding section 343 of Public Law 105–83, increases in recreation residence fees may be implemented in fiscal year 2000: Provided, That such an increase would not result in a fee that exceeds 125 percent of the fiscal year 1998 fee.

Sec. 338. No federal monies appropriated for the purchase of land by the Forest Service in the Columbia River Gorge National Scenic Area ("CRGNSA") may be used unless the Forest Service complies with the acquisition protocol set out in this section:
(a) Purchase Option Requirement.—Upon the Forest Service making a determination that the agency intends to pursue purchase of land or an interest in land located within the boundaries of the CRGNSA, the Forest Service and the owner of the land or interest in land to be purchased shall enter into a written purchase option agreement in which the landowner agrees to retain ownership of the interest in land to be acquired for a period not to exceed one year. In return, the Forest Service shall agree to abide by the bargaining and arbitration process set out in this section.

(b) Opt Out.—After the Forest Service and landowner have entered into the purchase option agreement, the landowner may at any time prior to federal acquisition voluntarily opt out of the purchase option agreement.

(e) Selection of Appraisers.—Once the landowner and Forest Service both have executed the required purchase option, the landowner and Forest Service each shall select an appraiser to appraise the land or interest in land described in the purchase option. The landowner and Forest Service both shall instruct their appraiser to estimate the fair market value of the land or interest in land to
be acquired. The landowner and Forest Service both shall instruct their appraiser to comply with the Uniform Appraisal Standards for Federal Land Acquisitions (Interagency Land Acquisition Conference 1992) and Public Law 91–646 as amended. Both appraisers shall possess qualifications consistent with state regulatory requirements that meet the intent of Title XI, Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

(d) PERIOD TO COMPLETE APPRAISALS.—The landowner and Forest Service each shall be allowed a period of 180 days to provide to the other an appraisal of the land or interest in land described in the purchase option. This 180-day period shall commence upon execution of a purchase option by the landowner and the Forest Service.

(e) BARGAINING PERIOD.—Once the landowner and Forest Service each have provided to the other a completed appraisal, a 45-day period of good faith bargaining and negotiation shall commence. If the landowner and Forest Service cannot agree within this period on the proper purchase price to be paid by the United States for the land or interest in land described in the purchase option, the landowner may
request arbitration under subsection (f) of this sec-
section.

(f) ARBITRATION PROCESS.—If a landowner
and the Forest Service are unable to reach a nego-
tiated settlement on value within the 45-day period
of good faith bargaining and negotiation, during the
10 days following this period of good faith bar-
gaining and negotiation the landowner may request
arbitration. The process for arbitration shall com-
ience with each party submitting its appraisal and
a copy of this legislation, and only its appraisal and
a copy of this legislation, to the arbitration panel
within 10 days following the receipt by the Forest
Service of the request for arbitration. The arbitra-
tion panel shall render a written advisory decision on
value within 45 days of receipt of both appraisals.
This advisory decision shall be forwarded to the Sec-
retary of Agriculture by the arbitration panel with a
recommendation to the Secretary that if the land or
interest in land at issue is to be purchased that the
United States pay a sum certain for the land or in-
terest in land. This sum certain shall fall within the
value range established by the two appraisals. Costs
of employing the arbitration panel shall be divided
equally between the Forest Service and the land-
owner, unless the arbitration panel recommends either the landowner or the Forest Service bear the entire cost of employing the arbitration panel. The arbitration panel shall not make such a recommendation unless the panel finds that one of the appraisals submitted fails to conform to the Uniform Appraisal Standard for Federal Land Acquisition (Interagency Land Acquisition Conference 1992). In no event, shall the cost of employing the arbitration panel exceed $10,000.

(g) Arbitration Panel.—The arbitration panel shall consist of one appraiser and two lawyers who have substantial experience working with the purchase of land and interests in land by the United States. The Secretary is directed to ask the Federal Center for Dispute Resolution at the American Arbitration Association to develop lists of no less than ten appraisers and twenty lawyers who possess substantial experience working with federal land purchases to serve as third-party neutrals in the event arbitration is requested by a landowner. Selection of the arbitration panel shall be made by mutual agreement of the Forest Service and landowner. If mutual agreement cannot be reached on one or more panel members, selection of the remaining panel members
shall be by blind draw once each party has been al-
lowed the opportunity to strike up to 25 percent of 
the third-party neutrals named on either list. Of the 
funds available to the Forest Service, up to $15,000 
shall be available to the Federal Center for Dispute 
Resolution to cover the initial cost of establishing 
this program. Once established, costs of admin-
istering the program shall be borne by the Forest 
Service, but shall not exceed $5,000 a year.

(h) QUALIFICATIONS OF THIRD-PARTY 
NEUTRALS.—Each appraiser selected by the Federal 
Dispute Resolution Center, in addition to possessing 
substantial experience working with federal land 
purchases, shall possess qualifications consistent 
with state regulatory requirements that meet the in-
tent of Title XI, Financial Institutions Reform, Re-
cover & Enforcement Act of 1989. Each lawyer se-
lected by the Federal Dispute Resolution Center, in 
addition to possessing substantial experience work-
ing with federal land purchases, shall be an active 
member in good standing of the bar of one of the 
50 states or the District of Columbia.

(i) DECISION REQUIRED BY THE SECRETARY 
OF AGRICULTURE.—Upon receipt of a recommenda-
tion by an arbitration panel appointed under sub-
section (g), the Secretary of Agriculture shall notify
the landowner and the CRGNSA of the day the rec-
ommendation was received. The Secretary shall
make a determination to adopt or reject the arbitra-
tion panel’s advisory decision and notify the land-
owner and the CRGNSA of this determination with-
in 45 days of receipt of the advisory decision.

(j) ADMISSIONABILITY.—Neither the fact that arbi-
tration pursuant to this act has occurred nor the
recommendation of the arbitration panel shall be ad-
missible in any court or administrative proceeding.

(k) EXPIRATION DATE.—This act shall expire
on October 1, 2002.

Sec. 339. A project undertaken by the Forest Service
under the Recreation Fee Demonstration Program as au-
thorized by Section 315 of the Department of the Interior
and Related Agencies Appropriations Act for Fiscal Year
1996, as amended, shall not result in—

(1) displacement of the holder of an authoriza-
tion to provide commercial recreation services on
Federal lands. Prior to initiating any project, the
Secretary shall consult with potentially affected
holders to determine what impacts the project may
have on the holders. Any modifications to the au-

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1. Conditions of the authorization and authorities of the impacted agency.

2. (2) the return of a commercial recreation service to the Secretary for operation when such services have been provided in the past by a private sector provider, except when—

3. (A) the private sector provider fails to bid on such opportunities,

4. (B) the private sector provider terminates its relationship with the agency, or,

5. (C) the agency revokes the permit for non-compliance with the terms and conditions of the authorization.

6. In such cases, the agency may use the Recreation Fee Demonstration Program to provide for operations until a subsequent operator can be found through the offering of a new prospectus.


8. Before June 1, 2001, the Secretary of the Interior shall not issue a prospecting permit for hardrock mineral exploration on Mark Twain National Forest land in the Current River/Jack's Fork River—Eleven Point Watershed (not
including Mark Twain National Forest land in Townships 31N and 32N, Range 2 and Range 3 West, on which mining activities are taking place as of the date of enactment of this Act).

(b) Prohibition on Segregation and Withdrawal.—Before June 1, 2001, none of the funds made available to the Department of the Interior by this Act may be used to segregate or withdraw land in the Mark Twain National Forest, Missouri, under section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714), from—

(1) the operation of the public land laws;

(2) entry, appropriation, or disposal under the public land laws;

(3) location, entry, prospecting, or leasing under the mining laws;

(4) disposition under laws pertaining to mineral and geothermal leasing or mineral materials; or

(5) mining as a congressionally recognized multiple use.

(c) Studies.—

(1) Environmental Analysis of Exploratory Drilling.—The heads of the National Forest Service, Bureau of Land Management, United States Geological Service, and National Park Serv-
ice, in conjunction with the University of Missouri at Rolla, shall conduct a study of exploratory drilling operations on Mark Twain National Forest land in the Current River/Jack’s Fork River—Eleven Point Watershed.

(2) CESSATION OF LEAD MINING.—

(A) IN GENERAL.—The Comptroller General of the United States shall conduct a study of—

(i) the direct and indirect effects on the public and private sectors;

(ii) the impact on the strategic availability of lead in the United States; and

(iii) the impact on the economy of the United States, the State of Missouri, and surrounding States;

as a result of the cessation of lead mining in the Mark Twain National Forest and the State of Missouri, and surrounding States.

(B) CONSULTATION.—The study under subparagraph (A) shall be prepared in consultation with the Department of Commerce, the Department of Defense, the National Park Service, the Bureau of Land Management, the Forest Service, the United States Geological Sur-
vey, the State of Missouri, any existing or potential lessee for the affected lands, and interested members of the public.

(3) SUBMISSION TO CONGRESS.—Not later than March 1, 2001, the agency heads and the Comptroller General shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives reports on the studies under paragraphs (1) and (2).

Sec. 341. No funds shall be used to study, develop, or implement procedures or policies to establish energy efficiency, energy use or energy acquisition rules or guidelines other than those based upon the provisions of the Energy Conservation Policy Act (ECPA) of 1975.

Sec. 342. VALUATION OF CRUDE OIL FOR ROYALTY PURPOSES. Section 130 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (112 Stat. 2681–263), is amended by striking “June 1, 1999” and inserting “June 30, 2001”.

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2000”.

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(3) Submission to Governor—The Governor shall, by March 1, 2001, the agency heads and the Energy and Natural Resources of the State, the Governor and the Committee on Resources of the House of Representatives, submit a report on the studies under paragraphs (a) and (b).

Sec. 3(b), No funds shall be used to study, develop or implement any new procedures or policies unless there is a long-range, energy-conservation energy use or energy acquisition roles or goals beyond those based upon the guidelines of the Energy Conservation Policy Act (ECPC) (P.L. 95-62).


This Act may be cited as the "California Energy and Budget and Facilities Agencies Appropriations Act, 1981."
A BILL

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

Read twice and placed on the calendar.

June 28, 1999

Calendar No. 183

106TH CONGRESS
1ST SESSION

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[Report No. 106-99]