

Hospitals Abroad program provided under "Development Assistance".

BURMA

The conference agreement includes language similar to that from the Senate amendment that provides that, of the funds made available under "Development Assistance", "Child Survival and Disease Programs Fund", and "Economic Support Fund", not less than \$6,500,000 shall be made available to support democracy activities in Burma, democracy and humanitarian activities along the Burma-Thailand border, and for Burmese student groups and other organizations located outside Burma. These funds are to be made available notwithstanding any other provision of law and shall be subject to the regular notification procedures of the Committees on Appropriations, as proposed by the Senate. Language proposed by the Senate that would have allocated not less than \$800,000 of these funds for certain specified activities is not included, nor is language providing that funds made available under this heading shall be subject to consultation and guidelines provided by the leadership of the Burmese government elected in 1990.

The House bill did not address this matter.

CAMBODIA

The conference agreement does not include language proposed by the Senate that would have prohibited funds for the Central Government of Cambodia until the Secretary of State determines and reports to the Committees on Appropriations and the Committee on Foreign Relations that the Government of Cambodia has established a tribunal consistent with the requirements of international law and justice and including the participation of international jurists and prosecutors for the trial of those who committed genocide or crimes against humanity and that the Government of Cambodia is making significant progress in establishing an independent and accountable judicial system, a professional military subordinate to civilian control, and a neutral and accountable police force. The funding restriction proposed by the Senate would not have applied to demining and other humanitarian programs.

The House did not address this matter under title II. The House provision on Cambodia, section 573 of the House bill, is included in modified form in the conference report under title V.

SOUTHEAST ASIA

The conference agreement does not include reservations of specific minimum funding allocations for Indonesia as proposed by the Senate. The House bill did not address this matter.

The managers support the highest possible level of assistance to promote the economic recovery of the Philippines, Thailand, and Indonesia from the Asian financial crisis. Effective support for private investment, better governance, and less corruption in these countries should be given a higher priority in development assistance and Economic Support Fund allocation decisions. The Accelerated Economic Recovery in Asia and United States-Asia Environmental Partnership programs should be augmented by specific efforts to retain existing major United States private sector investments in the region, especially in the infrastructure sector. The renewed security relationship between the Philippines and the United States provides additional justification for increased support to that country.

The managers encourage support for the democratic transition now underway in Indonesia. The managers recognize that humanitarian and economic assistance from many

nations will be needed to enable East Timor to recover from the violence and destruction perpetrated by anti-independence forces following the referendum of August 30, 1999. The recovery of East Timor will also depend on the cooperation of its Indonesian neighbors. The conference agreement provides that not less than \$25,000,000 from the "Economic Support Fund" account should be made available for a United States contribution to the recovery of East Timor.

The managers suggest a modest program of assistance for the people of Vietnam, mostly for humanitarian activities. The managers urge AID to work with the U.S. Embassy to support a safety awareness campaign in Vietnam to reverse the increase in preventable accidents, especially those affecting children.

The managers continue to be concerned about the status of religious groups in Vietnam. The Secretary of State is requested to report to the Committees on Appropriations not later than six months after enactment of this Act on the extent to which the Socialist Republic of Vietnam is facilitating the following: (1) the operation of independent churches; (2) the return of church properties confiscated since 1974; (3) visits to the Supreme Patriarch of the Unified Buddhist Church of Vietnam by a delegation of American religious leaders and medical doctors; and (4) participation of democracy and human rights advocates in United States education and cultural exchange programs.

CONSERVATION FUND

The conference agreement does not include a provision from the Senate amendment mandating \$500,000 from "Development Assistance" for the Charles Darwin Research Station and the Charles Darwin Foundation. The House bill did not address this matter.

The managers direct that \$500,000 be provided from "Development Assistance" for research, training, and related activities to support conservation efforts in the Galapagos. Because AID has made plans to sustain a commitment to the Galapagos, the managers expect fiscal year 2000 to be the final year for congressional mandates.

CONFLICT RESOLUTION

The conference agreement does not include Senate language earmarking \$1,000,000 from "Economic Support Fund", "Development Assistance", and "Assistance for Eastern Europe and the Baltic States" accounts to support conflict resolution programs. However, the managers urge the State Department and AID to support such programs where appropriate. The managers especially commend Seeds of Peace, a widely respected organization which promotes understanding between Arab and Israeli teenagers, and Turkish and Greek Cypriot teenagers, and direct the Agency for International Development to provide up to \$861,000 to Seeds of Peace in fiscal year 2000.

PRIVATE AND VOLUNTARY ORGANIZATIONS

The conference agreement includes language from the House bill providing that funds appropriated for development assistance should be available to private and voluntary organizations at a level which is at least equivalent to the level provided in fiscal year 1995. The Senate amendment included similar language.

INTERNATIONAL DISASTER ASSISTANCE

The conference agreement appropriates \$202,880,000 for "International Disaster Assistance" instead of \$200,880,000 as proposed by the House and \$175,000,000 as proposed by the Senate. The managers note that Congress provided \$388,000,000 for this account in fiscal year 1999, including \$188,000,000 in emergency supplemental funds, and that AID expects to carry over into fiscal year 2000 the

unobligated fiscal year 1999 balances. Further, the managers note that section 492(b) of the Foreign Assistance Act provides the President with the authority to obligate up to \$50,000,000 from other assistance accounts in order to provide disaster assistance, if necessary.

The conference agreement requires greater accountability on disaster assistance funds utilized in support of AID's Office of Transition Initiatives (OTI). OTI activities have been effective in many countries, but the managers are increasingly concerned that scarce emergency disaster aid may be unavailable due to longer-term OTI commitments. Therefore, the conference agreement requires that AID submit a report to the Appropriations Committees not less than five days prior to initiating an OTI program in a country in which OTI did not operate in fiscal year 1999. The managers believe this reporting requirement will help ensure that the Appropriations Committees receive timely information regarding the nature of OTI programs so they can better evaluate these transition activities in the future.

The managers note that OTI may utilize funds from other development and economic accounts in addition to the Disaster Assistance account and expect AID to report on the country allocations of all funds under OTI management in the annual report required under section 653 of the Foreign Assistance Act beginning in fiscal year 2000.

MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM ACCOUNT

The conference agreement continues existing law regarding the level of guarantees provided in support of micro and small enterprise activities. The Senate amendment proposed making the guarantee level permanent law.

URBAN AND ENVIRONMENTAL CREDIT PROGRAM ACCOUNT

The conference agreement provides \$1,500,000 for subsidy budget authority for the Urban and Environmental Credit program as proposed by the Senate. In addition, the conference agreement appropriates \$5,000,000 for administrative expenses as proposed by the House, instead of \$4,000,000 as proposed by the Senate.

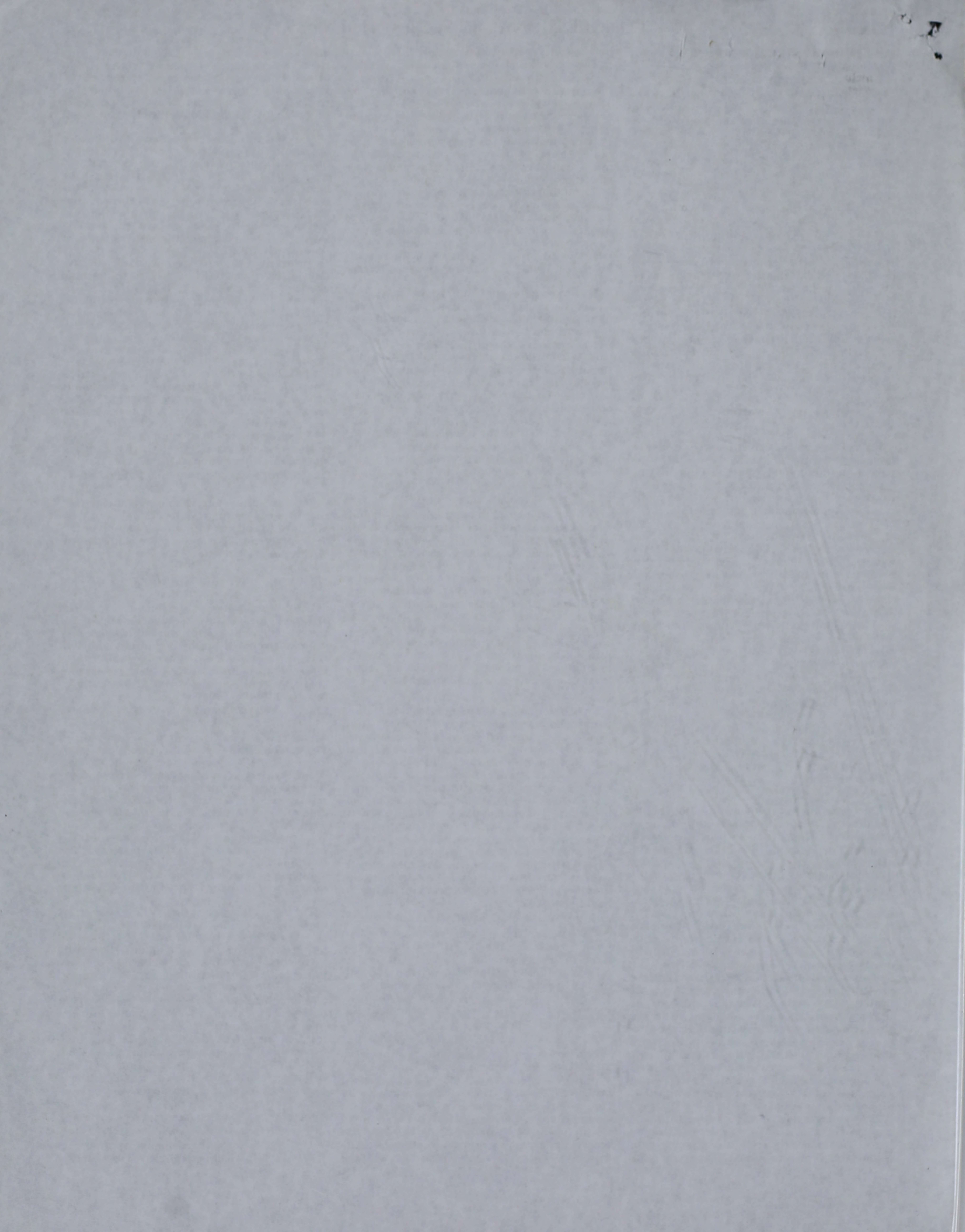
DEVELOPMENT CREDIT AUTHORITY PROGRAM ACCOUNT

The conference agreement provides up to \$3,000,000 for the cost of loans and loan guarantees for AID's Development Credit Authority (DCA) from funds transferred from existing development and economic accounts administered by AID. Up to \$500,000 of this amount may be transferred to and merged with AID's "Operating Expenses" account. The managers urge that programs in the Russian Far East be given priority. The House bill did not provide authority for a development credit program. The Senate amendment provided \$7,500,000 for this purpose.

The managers recognize the serious effort made by the Administration during the past two fiscal years to guarantee the financial integrity of the DCA, including the establishment of a credit review board to approve individual DCA loan and loan guarantee projects. However, the managers continue to be concerned about the larger development policy implications of AID conducting new loan and guarantee programs. Given the significant problems developing nations have experienced in repaying existing U.S. loans and the subsequent rescheduling and cancellation of these debts, the managers urge caution in extending new loans and guarantees.

OPERATING EXPENSES OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT

The conference agreement appropriates \$520,000,000 instead of \$495,000,000 as proposed



by the Senate and \$479,950,000 as proposed by the House. The conference agreement does not include language proposed by the Senate to extend the availability of these funds until September 30, 2001. Also, the conference agreement does not provide \$1,500,000 from Operating Expenses for the purchase of land in northern India as proposed by the Senate. The House bill contained no similar provision.

The conference agreement prohibits the use of funds in this account to finance the construction or long-term lease of offices for use by AID unless the administrator of AID reports in writing to the Appropriations Committees at least 15 days prior to the obligation of funds for such purposes. This reporting requirement applies only when the total cost of construction (including architect and engineering services), purchase, or lease commitment, exceeds \$1,000,000. The House bill and the Senate amendment contained similar provisions.

The managers expect that \$15,000,000 from this account will be used only for costs associated with construction of a new AID mission in Dar es Salaam, Tanzania, as requested by the President in a budget amendment submitted to Congress on September 21, 1999, or for other overseas physical security requirements of the agency. Further, the managers endorse House Report No. 106-254 which directs AID to report to the Committees on Appropriations on the agency's long-term physical security needs around the world.

OTHER BILATERAL ECONOMIC ASSISTANCE ECONOMIC SUPPORT FUND

The conference agreement appropriates \$2,345,500,000 instead of \$2,227,000,000 as proposed by the House and \$2,195,000,000 as proposed by the Senate. In addition, it provides not less than \$960,000,000 for Israel and not less than \$735,000,000 for Egypt as proposed by the Senate instead of not to exceed \$960,000,000 for Israel and not to exceed \$735,000,000 for Egypt as proposed by the House. The conference agreement also includes language providing that not less than \$200,000,000 of the funds appropriated for Egypt shall be used for Commodity Import Program assistance as proposed by the Senate. The House bill did not address this matter.

The conference agreement also includes language providing that not less than \$150,000,000 should be provided for Jordan as proposed by the Senate. The House bill did not address this matter.

The conference agreement also includes Senate language providing that, notwithstanding any other provision of law, not to exceed \$11,000,000 may be used to support victims of and programs related to the Holocaust. The House bill did not address this matter.

The conference agreement does not include language from the Senate amendment, not in the House bill, that would have prohibited funds appropriated under this heading from being made available to the Korean Peninsula Energy Development Organization.

The conference agreement also includes language that, notwithstanding any other provision of law, \$1,000,000 shall be made available to nongovernmental organizations located outside of the People's Republic of China to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities in that country. The managers are aware of the important work of the Bridge Fund in this regard, and strongly support funding for this organization.

Senate language under this heading that authorized \$10,000,000 for activities for Iraqi

opposition groups is addressed under title V of the conference report.

The managers strongly support assistance programs for Yemen and urge the Department of State and the Agency for International Development to maintain and, if possible, enhance such programs.

The managers recognize the critical importance that water and energy policies play in the implementation of the Wye River Accord. Therefore they reiterate the support expressed in the House and Senate reports for the desertification program for the Middle East and southern Mediterranean proposed by San Diego State University. The managers also support the Middle East Water and Energy Resource Institute's program to provide technical assistance and conduct research and education programs coordinated through the International Arid Lands Consortium.

The conference agreement includes language stating that not less than \$25,000,000 should be made available for assistance for East Timor.

The managers direct that \$5,000,000 in funding from this account be used to support the activities authorized under the Irish Peace Process Cultural and Training Program Act of 1998 (Public Law 105-319).

The managers direct \$2,000,000 to support the demobilization of the Estado Mayor Presidencial in Guatemala.

INTERNATIONAL FUND FOR IRELAND

The conference agreement appropriates \$19,600,000 for the International Fund for Ireland, as proposed by the House. The Senate amendment did not address this matter.

The conferees encourage the International Fund for Ireland (IFI) to consider direct funding of locally-based organizations dedicated to attracting investment to their municipalities and regions. In doing so, the conferees believe the IFI will further its goals of increasing domestic and international interest in continued cooperation and stability.

ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC STATES

The conference agreement appropriates \$535,000,000 as proposed by the Senate instead of \$393,000,000 as proposed by the House.

The conference agreement also includes language stating that \$150,000,000 should be provided for Kosova. The Senate amendment had provided for six country earmarks which are not included in the conference agreement. The House bill did not address this matter.

The conference agreement also includes language that prohibits funds for Kosova until the Secretary of State certifies that the resources pledged by the United States at the upcoming Kosova donors conference shall not exceed 15 percent of the total resources pledged by all donors. In addition, language has been included stating that funds for Kosova shall not be made available for large scale physical infrastructure reconstruction.

In addition, the conference report includes Senate language that provides not more than \$130,000,000 for Bosnia and Herzegovina from the funds appropriated under this account and under "International Narcotics Control and Law Enforcement" and "Economic Support Fund". The House bill did not address this matter.

The conference agreement also includes House language prohibiting funds from being used for new housing construction or repair or reconstruction of existing housing in Bosnia and Herzegovina unless directly related to the efforts of United States troops to promote peace in said country. The Senate amendment did not address this matter.

The conference agreement also includes language from the House bill that applies the

provisions of section 532 ("Separate Accounts") to all funds provided under this heading, rather than just to funds made available for Bosnia and Herzegovina as proposed by the Senate. In addition, it includes language proposed by the House that authorizes the President to withhold funds for economic reconstruction programs in Bosnia and Herzegovina if he certifies that the Bosnian Federation is not complying with requirements in the Dayton Peace Accord to remove foreign forces, and has not terminated intelligence cooperation with Iranian officials. The Senate amendment did not address this matter.

ROMANIAN CHILDREN AND ORPHANS

The managers direct that up to \$4,400,000 be provided for emergency aid for the child victims of the present economic crisis in Romania. The program should be administered through, or in close coordination with, the Romanian Department of Child Protection. It should focus on supplemental food support and maintenance, support for in-home foster care, and supplemental support for special needs residential care.

ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

The conference agreement appropriates \$839,000,000 instead of \$725,000,000 as proposed by the House and \$780,000,000 as proposed by the Senate. The word "New" is deleted from the heading, as proposed by the House. The managers have included a ceiling on management costs for nuclear safety activities as proposed by the Senate and a limitation of 25 percent on the percentage of funds (other than for nonproliferation and disarmament programs) that may be allocated for any single country as proposed by the House.

The managers also encourage the Coordinator and AID to move as rapidly as possible to implement programs that focus on the social transition in the region as it affects ordinary citizens, to reward reform-oriented countries such as Moldova and Kyrgyzstan, and to accelerate the focus on regional efforts in reform-oriented secondary cities in Russia, Ukraine, and Kazakhstan.

RUSSIA-IRAN

The conference agreement continues the current restrictions on assistance to the Government of the Russian Federation as long as Russian enterprises and institutes continue to collaborate with Iran to increase Iranian capability to develop and deploy nuclear and ballistic missile technology. The managers agree that assistance to combat infectious diseases, child survival and nonproliferation activities, support for regional and municipal governments, and partnerships between United States hospitals, universities, judicial training institutions and environmental organizations and counterparts in Russia should not be affected by this subsection.

EXPANDED NONPROLIFERATION AND SECURITY COOPERATION

The managers note that \$241,000,000 from this account was requested by the President for threat reduction activities in the former Soviet Union. The managers encourage the Administration to provide the Foundation established by section 511 of the FREEDOM Support Act not less than the \$23,500,000 requested for this purpose.

The managers request that the Coordinator for Assistance to the Independent States of the Former Soviet Union provide written reports on the allocation, obligation, and disbursement of appropriations during fiscal year 2000 for expanded nonproliferation and security cooperation from this and prior year acts not later than December 15, 1999, March 15, 2000, and July 15, 2000. The reports should, at a minimum, compare the allocation and obligation of funds by project, activity, and country with comparable data

contained in the April 1999 justification documents subsequently provided to the Committees, and explain in detail any circumstances that resulted in reductions or other changes from the original justification.

The managers are concerned that none of the assistance provided to Russia for security cooperation be used for the benefit of military units credibly reported to be engaged in combat activities against civilian populations in the Northern Caucasus region of the Russian Federation. The Secretary of State is requested to inform the Committees in writing of steps taken to prevent United States assistance benefiting such units of the armed forces of the Russian Federation.

MATERNAL AND INFANT HEALTH CRISIS

The conference agreement sets aside \$14,700,000 from funds provided under this title for maternal and infant health programs to begin the process of addressing the demographic crisis in Russia and the other independent states.

RUSSIAN FAR EAST

The conference agreement includes new language providing not less than \$20,000,000 for the Russian Far East. This matter was not addressed in the House bill or the Senate amendment. Under the heading "Development Credit Authority" in title II, the managers also directed that additional funds be made available to stimulate ventures in the Russian Far East led by American firms with expertise in primary industries, including natural resource development, telecommunications and basic infrastructure, finance, and consumer goods.

SOUTHERN CAUCASUS REGION

The managers support regional cooperation efforts among the countries of Armenia, Azerbaijan, and Georgia, including United States efforts through the Caucasus Cooperation Forum. To further regional cooperation, the conference agreement continues the current six exemptions from the statutory restrictions on assistance to the Government of Azerbaijan. The managers include a requirement that 15 percent of the funds available for the Southern Caucasus region be used for confidence-building measures and other activities related to the resolution of regional conflicts instead of 17.5 percent as proposed by the House.

The conference agreement includes a provision that not less than 12.92 percent of the funds under this heading be made available for Georgia and not less than 12.2 percent for Armenia. Similar language was proposed by the Senate but not included in the House bill. The managers are concerned that little progress has been made to improve conditions in the regions of Armenia affected by the 1988 earthquake. The conferees direct the Coordinator and AID to allocate up to \$15,000,000 to support recovery and economic reconstruction initiatives in the regions most severely affected. In addition, at least \$25,000,000 of the funds made available for Georgia should be obligated for border security and law enforcement training.

The managers continue to support funding of the judicial reform initiatives in Georgia, but are aware of concerns regarding the legal rights of Loren Wille, an American working for Catholic Relief Services who was recently arrested in Georgia. The conferees urge the State Department to use the influence of the United States to ensure fairness and transparency in the treatment of Mr. Wille, and request a report from the Department no later than December 1, 1999, on the extent to which Mr. Wille's rights have been respected during the Georgian judicial process.

UKRAINE

The managers include bill language that \$180,000,000 should be made available for

Ukraine instead of a mandatory \$210,000,000 as proposed by the Senate. The managers recommend \$25,000,000 for nuclear safety programs in Ukraine and up to \$10,000,000 for regional initiatives that include industrial study tours, technology business incubators, and community based telecommunications projects. The conference agreement does not include any provision withholding funds for Ukraine as proposed by the Senate.

The conference agreement does not include Senate language regarding the destruction of stockpiles of landmines in Ukraine. However, the managers strongly support the elimination of some 10 million mines stockpiled in Ukraine and Moldova that could otherwise be exported to areas of conflict and cause egregious harm to innocent civilians. The managers intend and expect that of the funds made available in this Act for Ukraine and Moldova, \$5,000,000 will be contributed to a multinational effort to destroy these landmines and similar munitions.

RUSSIAN LEADERSHIP PROGRAM

The conference agreement includes new language providing an additional \$10,000,000 to carry out the Russian Leadership Program enacted on May 21, 1999. The statutory authority is modified to extend the pilot program administered by the Library of Congress for 1 year and to postpone transfer of the program to the Executive branch by 1 year.

RUSSIAN ORPHANS

The conferees strongly support AID's new strategy for addressing the needs of Russian orphans and concur with the House report language on this matter. The managers are concerned about the immediate needs of orphans in some of the most economically disadvantaged parts of the Russian Federation, such as Magadan. The conferees encourage AID to supplement its orphan strategy by identifying reform-minded and committed orphanage and child welfare officials in those regions and developing a program to improve the basic conditions of orphans there.

MEDICAL ASSISTANCE

The conference agreement does not include a Senate earmark for Carelift International. However, the managers are aware that large amounts of used high-technology medical equipment no longer needed by American hospitals can be put to good use in the former Soviet Union and other regions unable to afford high-technology medical equipment. Carelift International and other organizations provide such equipment and provide training on its proper use and maintenance. The conferees expect AID to support such private initiatives in its social transition strategy for the Independent States and Central Europe and direct that \$3,000,000 be made available to Carelift International upon receipt of a detailed proposal.

MONGOLIA

The conference agreement retains authority for funds provided under this heading to be used in Mongolia. The amount provided for Mongolia from this heading is \$6,000,000. The remainder of the amount requested is to be made available from other accounts in title II of this Act, including not less than \$750,000 for child survival activities.

INDEPENDENT AGENCY

PEACE CORPS

The conference agreement appropriates \$245,000,000 instead of \$240,000,000 as proposed by the House and \$220,000,000 as proposed by the Senate.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The conference agreement appropriates \$305,000,000 instead of \$285,000,000 as proposed

by the House for International Narcotics Control and Law Enforcement. The Senate amendment proposed \$215,000,000.

The conference agreement does not include the ceiling of \$20,000,000 on anti-crime activities within the account as proposed by the House. However, the agreement does require that all anti-crime programs are subject to the regular notification procedures of the Committees on Appropriations.

The conference agreement contains House language allowing the Department of State to utilize section 608 of the Foreign Assistance Act to receive excess property from other U.S. federal agencies for use in a foreign country. The Senate amendment did not address this matter.

The conference agreement provides that not less than \$10,000,000 should be available for Law Enforcement Training and Demand Reduction, which is similar to the Senate amendment. The House did not address this matter. The managers urge up to \$4,000,000 of this amount be for demand reduction programs.

The conference agreement contains \$5,000,000 to establish and operate the International Law Enforcement Academy for the Western Hemisphere at Roswell, New Mexico as proposed by the Senate. The House bill did not address this matter. Given the proximity of the United States to Latin America, it is appropriate for such a center to be located in the United States. The managers are frustrated by the Department of State's seeming unwillingness to cooperate in this matter and direct the Department to establish the training center at Roswell.

The conference agreement does not contain a Senate amendment providing not less than \$10,000,000 for mycoherbicide counterdrug research and development. The House did not address this matter. However, the managers recognize that the development of plant pathogens which are capable of destroying illicit drug crops, including opium poppy, coca and marijuana, offer a potential weapon for United States counter-narcotics efforts. The managers understand that all current funding requirements have been met for fiscal years 1999 and 2000. Consistent with the position taken in the fiscal year 1999 supplemental appropriations conference report, the managers recommend that the responsibility for this funding should be assumed by the Office of the National Drug Control Policy to support any additional future needs for counterdrug research and development for the following: mycoherbicide product research and development; narcotic crop eradication technologies; narcotic plant identification and biotechnology; worldwide narcotic crop identification; and alternative crop research and development.

The managers are concerned about the deteriorating conditions in Colombia. In 1998, 308,000 Colombians were internally displaced and during the past decade 35,000 Colombians have been killed in the violence between government forces, paramilitaries, and the FARC and ELN. The managers commend President Pastrana for his efforts to end this protracted conflict. The managers encourage the Department of State and other Executive agencies to continue their efforts to assist President Pastrana and the Colombian government toward a peaceful resolution of this conflict.

The managers affirm House Report No. 106-254 and Senate Report No. 106-81 regarding counter-narcotics programs and encourage the Assistant Secretary of State for International Narcotics Control and Law Enforcement to develop a comprehensive proposal to upgrade helicopter lift capability for anti-drug operations in Latin America.

Given the instability in the region, the managers have been concerned by the consistently low levels of support during the

past several years provided to the Government of Ecuador in its efforts to stem the flow of drugs transiting through Ecuador from both Colombia and Peru. Therefore, the managers direct the State Department Bureau of International Narcotics Control and Law Enforcement to provide a report, 60 days after the date of enactment, on its revised plans to assist Ecuador in improving its counter-narcotics efforts. Further, the managers expect that all funds in this Act designed to support Ecuador's joint regional economic development program with Peru be informed in advance to the Committees on Appropriations.

Because of budgetary limitations, \$21,000,000 of the amount provided under this heading and \$21,000,000 provided under the heading "Migration and Refugee Assistance" is withheld from obligation until September 30, 2000. Both programs were augmented by sizable supplemental appropriations during fiscal year 1999.

MIGRATION AND REFUGEE ASSISTANCE

The conference agreement appropriates \$625,000,000, instead of \$640,000,000 as proposed by the House bill and \$610,000,000 as proposed in the Senate amendment. The conference agreement makes available \$13,800,000, as proposed in the House bill, for administrative expenses. The Senate amendment proposed \$13,500,000.

The conference agreement also includes Senate language, not included in the House bill, that provides not less than \$60,000,000 for refugees from the former Soviet Union and Eastern Europe and other refugees resettling in Israel.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

The conference agreement appropriates \$12,500,000 instead of \$30,000,000 as proposed by the House and \$20,000,000 as proposed by the Senate.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The conference agreement appropriates \$216,600,000 instead of \$181,630,000 as proposed by the House and \$175,000,000 as proposed by the Senate.

The conference agreement also includes language proposed by the House, that was not in the Senate amendment, that authorizes a United States contribution to the Comprehensive Nuclear Test Ban Treaty Preparatory Commission, and requires that the Secretary of State must inform the Committees on Appropriations at least 20 days prior to the obligation of funds for such Commission.

The conference agreement includes language similar to that proposed by the Senate, that was not in the House bill, that provides that \$40,000,000 should be used for demining, clearance of unexploded ordnance and related activities, and that not to exceed \$500,000 may be used for related administrative expenses.

The conference agreement does not include language from the Senate amendment that limited funding for the contribution to the International Atomic Energy Agency (IAEA) to \$40,000,000.

Funding limitations affecting the Korean Peninsula Economic Development Organization (KEDO) are addressed under title V of this statement and accompanying conference report.

The managers intend that funds appropriated under this heading be allocated as follows:

(In thousands of dollars)

| Program | House | Senate | Conference |
|---------------------------------------|--------|--------|------------|
| Nonproliferation and Disarmament Fund | 15,000 | 15,000 | 15,000 |

(In thousands of dollars)

| Program | House | Senate | Conference |
|-----------------------------|----------------|----------------|----------------|
| Export control asst | 5,000 | 5,000 | 15,000 |
| IAEA contribution | 43,000 | 40,000 | 43,000 |
| CTBT Preparatory Commission | 20,000 | 20,000 | 20,000 |
| Prepaid in FY 1999 | -4,370 | | -4,370 |
| KEDO | 35,000 | 40,000 | 35,000 |
| Anti-terrorism asst | 33,000 | 20,000 | 33,000 |
| Demining | 35,000 | 35,000 | 40,000 |
| Reserve | | | 19,970 |
| New budget authority | 181,630 | 175,000 | 216,600 |

DEPARTMENT OF THE TREASURY
INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

Both the House and the Senate provided \$1,500,000 for the International Affairs Technical Assistance program of the Department of the Treasury. The managers encourage the Administration to meet the requested level for this program by transferring funds to the Department of the Treasury from other funds appropriated in title II of this Act.

DEBT RESTRUCTURING

The conference agreement includes \$123,000,000 of the \$320,000,000 requested by the President on September 21, 1999, for bilateral debt restructuring instead of \$33,000,000 as proposed by the House and \$43,000,000 as proposed by the Senate. The \$123,000,000 includes at least \$13,000,000 for implementation of the Tropical Forest Conservation Act.

The managers urge the Department of the Treasury to consider debt forgiveness for these countries only as a final option. Debt forgiveness reflects the inability of some nations to repay existing loans. This issue raises the urgent need to establish new benchmarks or conditions prior to initiating new lending. The managers expect that debt relief will be made available only to the poorest nations pursuing market-based economic reform and which commit to dedicate freed-up resources to improving health care, infrastructure, education and other pressing domestic needs. None of the funds in this account may be used to provide debt relief for any country that is engaged in offensive military action since any such relief would likely be used to facilitate the purchase of lethal weapons or to otherwise increase military expenditures.

The managers urge caution regarding new lending within the next five years to governments benefiting from debt forgiveness. The managers anticipate that legislation detailing the actual implementation of proposed debt restructuring involving United States payment of debts owed by heavily indebted poor countries to international and multilateral financial institutions will have been enacted separately and hearings on the President's request of September 21, 1999, held by the Committees on Appropriations prior to consideration of additional appropriations for debt restructuring.

The managers endorse language in House Report No. 106-254 regarding reports to the Committees on Appropriations on the use of funds in this account and intend to work with the Treasury Department to ensure this information is made available to the Committees without undue burden on the Department.

The managers expect that beginning with the fiscal year 2001 budget submission, the value of debt relief provided in the previous fiscal year for each country will be reported to Congress in all relevant presentation documents and summary tables. Further, the managers encourage the Treasury Department to undertake a review of United States lending policies to nations considered for debt relief and request a report to the Committees on Appropriations not later than

March 1, 2000, regarding future bilateral lending, including the conditions under which any new lending could take place.

UNITED STATES COMMUNITY ADJUSTMENT AND INVESTMENT PROGRAM

The conference agreement appropriates \$10,000,000 for the United States Community Adjustment and Investment Program, a domestic program affiliated with the North American Development Bank. The House bill and Senate amendment did not address this matter.

TITLE III—MILITARY ASSISTANCE
INTERNATIONAL MILITARY EDUCATION AND TRAINING

The conference agreement appropriates \$50,000,000 as proposed by the Senate instead of \$45,000,000 as proposed by the House. It also provides that up to \$1,000,000 may remain available until expended as proposed by the House; the Senate amendment did not address this matter.

The conference agreement also includes language proposed by the House that limits Guatemala and Indonesia to Expanded IMET only, and provides for regular notification procedures for funds allocated for Guatemala as proposed by the House. The Senate amendment would have limited Guatemala to Expanded IMET only, but did not address funding for Indonesia and did not require notification for Guatemala.

The conference agreement also includes language from the House bill providing that funding for the School of the Americas is contingent upon a certification by the Secretary of Defense that the instruction provided by the School is fully consistent with training provided by the Department of Defense to United States military training students at U.S. military institutions. It also includes House language requiring a report by the Secretary of Defense on training activities at the School of the Americas during 1997 and 1998.

The Senate amendment did not address these matters.

FOREIGN MILITARY FINANCING PROGRAM

The conference agreement appropriates \$3,420,000,000 instead of \$3,470,000,000 as proposed by the House and \$3,410,000,000 as proposed by the Senate. In addition, it includes language proposed by the Senate that provides not less than \$1,920,000,000 for grants for Israel and not less than \$1,300,000,000 for grants for Egypt instead of not to exceed \$1,920,000,000 for Israel and not to exceed \$1,300,000,000 for Egypt as proposed by the House.

The conference agreement also includes language similar to that proposed by the Senate providing that not less than 26.3 percent of the funds made available for Israel shall be available for procurement in Israel. The House bill included language stating that not to exceed \$505,000,000 should be made available for such procurement.

The conference agreement also includes House language providing that no Partnership for Peace funds may be made available to a non-NATO country except through the regular notification procedures of the Committees on Appropriations. The Senate amendment did not address this matter.

The conference agreement does not include language proposed by the Senate that would have allowed direct loans to be converted to grants, and grants to direct loans. The House bill did not address this matter.

The conference agreement provides not less than \$3,000,000 in grant assistance for Tunisia and directs the drawdown of not less than \$4,000,000 in defense articles, defense services, and military education and training. The Senate amendment would have directed \$10,000,000 for Tunisia. The House bill did not address this matter.

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The conference agreement also includes language providing up to \$1,000,000 for Ecuador, subject to the regular notification procedures of the Committees on Appropriations.

The conference agreement provides a ceiling of \$30,495,000 for administrative expenses as proposed by the House instead of \$30,000,000 as proposed by the Senate.

The conference agreement also includes language directing that, forty-five days after enactment, the Secretary of Defense shall report to the Committees on Appropriations regarding an appropriate host institution to support and advance the efforts of the Defense Institute for International and Legal Studies in both legal and political education. The Senate amendment would have provided not less than \$1,000,000 for the Defense Institute of International Studies for various activities under "International Military Education and Training". The House bill did not address this matter.

The conference agreement does not include an earmark of \$5,000,000 for the Philippines. However, the managers are strongly supportive of efforts to increase defense cooperation with that nation and are aware the Administration provided \$1,000,000 in grant funds for the Philippines in fiscal year 1999.

PEACEKEEPING OPERATIONS

The conference agreement appropriates \$153,000,000 instead of \$76,500,000 as proposed by the House and \$80,000,000 as proposed by the Senate.

TITLE IV—MULTILATERAL ECONOMIC ASSISTANCE

INTERNATIONAL FINANCIAL INSTITUTIONS

GLOBAL ENVIRONMENT FACILITY

The conference agreement appropriates \$35,800,000 for the Global Environment Facility instead of \$50,000,000 as proposed by the House and \$25,000,000 as proposed by the Senate.

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

The conference agreement appropriates \$775,000,000 instead of \$776,600,000 as proposed by the Senate and \$568,600,000 as proposed by the House.

CONTRIBUTION TO THE MULTILATERAL INVESTMENT GUARANTEE AGENCY

The conference agreement appropriates \$4,000,000 for paid-in capital issued by the Multilateral Investment Guarantee Agency instead of \$10,000,000 as proposed by the Senate. The House bill did not include any appropriation for this purpose. Approval for subscription to the appropriate amount of callable capital is also included in the conference agreement.

CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT CORPORATION

The conference agreement appropriates \$16,000,000 in paid-in capital for the Inter-American Investment Corporation. The House bill and the Senate amendment did not contain any appropriation for this purpose.

The Inter-American Investment Corporation began operations in 1989 to promote the economic development of its Latin American and Caribbean member countries through co-financing and syndication, supporting security underwritings, and identifying joint venture partners for small and medium-size private enterprises.

CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

The conference agreement appropriates \$77,000,000 for the Asian Development Fund instead of \$50,000,000 as proposed by the Senate and \$100,000,000 as proposed by the House. The entire amount is for contributions previously due.

The Committees anticipate providing in subsequent acts additional appropriations requested for the Asian Development Fund, with the understanding that the senior management of the Asian Development Bank fully implements its anti-corruption policy and finalizes its private sector and poverty alleviation strategies.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

The conference agreement appropriates \$4,100,000 for paid-in capital issued by the African Development Bank instead of \$5,100,000 as proposed by the Senate. The House bill did not include an appropriation for this purpose. Approval for subscription to \$64,000,000 in callable capital is also included in the conference agreement. No later than February 15, 2000, the Committees request the Secretary of the Treasury to provide an original, comprehensive evaluation of the financial outlook for the Bank, based on the appropriations provided in this Act. The evaluation may include such other assumptions that the Secretary may select and, as attachments, the most recent private credit evaluations of the Bank.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

The conference agreement appropriates \$128,000,000 for the African Development Fund instead of \$108,000,000 as proposed by the House. The Senate amendment did not include any appropriation for this purpose.

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

The conference agreement provides \$183,000,000. The House bill appropriated \$167,000,000 and the Senate amendment proposed \$170,000,000.

The conference agreement does not contain a provision in the House bill regarding the Climate Stabilization Fund. The Senate amendment did not address this matter.

The conference agreement continues current law indicating that \$5,000,000 should be made available for the World Food Program, which is similar to the Senate amendment. The House bill did not address this matter.

TITLE V—GENERAL PROVISIONS

(NOTE.—If House and Senate language is identical except for a different section number or minor technical differences, the section is not discussed in the Statement of Managers.)

Sec. 502. Prohibition of bilateral funding for international institutions

The conference agreement modifies existing law to prohibit funds from title II of this Act to be transferred by AID directly to an international financial institution for the purpose of repaying a foreign country's loan obligations, as proposed by the House. The Senate amendment made no change to existing law.

Sec. 509. Transfers between accounts

The conference agreement deletes the requirement for the President to notify the Appropriations Committees, through their regular notification procedures, when exercising the transfer authority provided under the section.

Sec. 512. Limitation on assistance to countries in default

The conference agreement ends the exemption for Nicaragua, Brazil, and Liberia from requirements under section 620(q) of the Foreign Assistance Act and under this section regarding default on loans made by the U.S. This language is the same as the Senate amendment. The House bill retained the exemption for these countries.

Sec. 514. Surplus commodities

The conference agreement deletes subsection (b) of the House general provision, as

proposed by the Senate. This subsection would have required the Secretary of the Treasury to direct the U.S. executive directors of the international financial institutions to support the purchase of American produced agricultural commodities.

Sec. 515. Notification requirements

The conference agreement deletes "International Affairs Technical Assistance" from the notification requirements under this section as proposed by the House.

Sec. 520. Special notification requirements

The conference agreement adds "Panama" as proposed by the House bill to the list of countries subject to the special notification procedures of this section. The conference agreement does not include "India" as proposed in the Senate amendment.

Sec. 522. Child survival and disease prevention activities

The conference agreement modifies existing law to clarify the intent of this section that allows AID to use \$10,000,000 appropriated under the "Child Survival and Disease Programs Fund" for technical experts from other government agencies, universities, and other institutions. Since Congress established a separate Child Survival and Disease Programs account in 1996, the previous language has been obsolete. The conference agreement is similar to the House provision, but includes new language regarding the use of up to \$1,500,000 from the "Development Assistance" account for technical experts.

Sec. 526. Democracy in China

The conference agreement contains language from the House bill that authorizes the use of funds from "Economic Support Fund" for the support of nongovernmental organizations located outside of China for the support of democracy activities, and requires notification on the use of this authority. The Senate amendment did not address this matter.

The conference agreement also allows for funding for the National Endowment for Democracy (NED) or its grantees notwithstanding any other provision of law and notwithstanding the first proviso of this section. The intent of this language is to allow for the continuation of a program promoting democratic village elections and for related activities that is currently being conducted by a NED grantee. It is not intended to provide authority for the initiation of major new programs in China.

The conference agreement includes language that provides, notwithstanding any other provision of law that restricts assistance to foreign countries, \$1,000,000 from the Economic Support Fund shall be made available to the Robert F. Kennedy Memorial Center for Human Rights for a project to disseminate information and support research about the People's Republic of China.

Sec. 537. Funding prohibition for Serbia

The conference agreement includes House language that prohibits assistance for Serbia, except for aid to Kosova or Montenegro or to promote democracy. The Senate amendment did not address this matter.

Sec. 538. Special authorities

The conference agreement includes language proposed by the House that allows for funding from appropriations under title I for certain specified countries and activities, and for Montenegro, notwithstanding any other provision of law. The Senate amendment did not include these exemptions. It also includes language not in the House bill but in the Senate amendment that conditions assistance for Cambodia on the provisions of section 531(e) of the Foreign Assistance Act of 1961 and section 906 of the International Security and Development Cooperation Act of 1985.

The conference agreement also includes House language that authorizes the President to waive for six months a provision of Public Law 100-204, if he determines and certifies that doing so is important to the national security interests of the United States. The Senate amendment did not address this matter.

Sec. 539. Policy on terminating the Arab League boycott of Israel

The conference agreement contains House language on this matter. The Senate amendment did not include subsections (2) and (3) of the House general provision, dealing with the decision by the Arab League to reinstate the boycott in 1997, and calling on the League to immediately rescind its decision; and deleted language from subsection (4)(C) regarding a report on the specific steps that should be taken by the President to "expand the process of normalizing ties between Arab League countries and Israel".

Sec. 540. Anti-narcotics activities

The conference agreement contains House bill language waiving certain provisions of section 534 of the Foreign Assistance Act to allow for administration of justice programs in Latin America and the Caribbean. The Senate amendment contained a similar provision.

Sec. 541. Eligibility for assistance

The conference agreement includes language regarding eligibility of assistance provided under this Act, as proposed by the House bill. The conference agreement does not include a modification, as proposed in the Senate amendment, regarding the prohibition on assistance to countries that violate internationally recognized human rights.

Sec. 544. Prohibition on publicity or propaganda

The conference agreement maintains current law limiting to \$750,000 the amount that may be made available to carry out the provision of section 316 of Public Law 96-533 relating to hunger and development education as proposed by the Senate amendment. The House bill provided no funding limitation. The managers expect AID to select the recipients of these grants through a public competition during fiscal year 2000.

Sec. 545. Purchase of American-made equipment and products

The conference agreement includes language proposed in the Senate amendment directing the Secretary of the Treasury to report annually to Congress on compliance with this provision.

Sec. 546. Prohibition of payments to United Nations members

The conference agreement modifies current law to prohibit the use of certain funds to pay the cost for attendance for another country's delegation at international conferences held under the auspices of multilateral or international organizations. This is similar to the House bill. The Senate amendment included a similar provision.

Sec. 549. Prohibition on assistance to foreign governments that export lethal military equipment to countries supporting international terrorism

The conference agreement includes the Senate version of this general provision, which is the same as House language except that under subsection (a) the reference to "any other comparable provision of law" is deleted and under subsection (c) the word "estimated" is deleted.

Sec. 552. War crimes tribunals drawdown

The conference agreement includes Senate language that authorizes a Presidential drawdown of up to \$30,000,000 of commodities and services for the United Nations War Crimes Tribunal for the former Yugoslavia

or similar tribunals or commissions. It also specifies that such drawdowns are subject to the notification process and that drawdowns made under this section shall not be construed as an endorsement or precedent for the establishment of any standing or permanent international criminal tribunal or court. The House bill included similar language, but would not have exempted the tribunals for Yugoslavia and Rwanda from the notification requirements of the provision as in the Senate amendment.

Sec. 553. Landmines

The conference agreement includes language that amends section 1365(c) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102-484) by extending until October 23, 2003, the ban on the export of landmines.

Sec. 555. Prohibition on payment of certain expenses

Section 555 prohibits the use of funds from "International Military Education and Training"; "Foreign Military Financing"; "Child Survival and Disease Programs Fund"; "Development Assistance"; and "Economic Support Fund" to pay for alcoholic beverages or entertainment expenses of a substantially recreational character.

Sec. 556. Competitive pricing for sales of defense articles

The conference agreement includes language from the Senate amendment that provides that direct costs associated with meeting a foreign customer's additional or unique requirements will continue to be allowable under the Arms Export Control Act. The House bill did not address this matter.

Sec. 559. Limitation on assistance for Haiti

The conference agreement includes language similar to that proposed by both Houses. It sunsets the required reports after two years as proposed by the House and includes a provision limiting the percentage of funds that can be allocated to any single Latin American or Caribbean country. The latter limitation is a separate general provision in current law and in the House bill. The limitation was not included in the Senate amendment.

Sec. 563. Limitation on assistance to the Palestinian Authority

The conference agreement includes House language that prohibits funds for the Palestinian Authority unless the President certifies that waiving such prohibition is important to the national security interests of the United States. Such waiver shall apply no more than 6 months and shall not apply beyond 12 months after enactment. The Senate amendment did not address this matter.

Sec. 565. Limitations on transfer of military equipment to East Timor

The conference agreement includes language from the Senate amendment that requires that in any agreement for military assistance or sales a statement shall be included that the items will not be used in East Timor. The House language included a proviso that stated nothing in this section shall be construed to limit Indonesia's inherent right to self-defense as recognized under the UN charter and in international law, and that military sales, assistance, or lease agreements include the statement that the United States "expects" that the military assistance will not be used in East Timor.

The conferees direct the Secretary of State, in consultation with the Secretary of Defense and other appropriate agencies, to submit a report to the Committees on Appropriations not later than February 1, 2000, identifying all Indonesian commanding officers and units deployed in East Timor during 1999, and providing any available informa-

tion linking those officers and units to the violence prior to and after the August 30, 1999 referendum in East Timor. Such report may be provided in classified form, if appropriate.

Sec. 566. Restrictions on assistance to countries providing sanctuary to indicted war criminals

The conference agreement includes language similar to that of the House bill. It substitutes the word "municipality" for "canton", includes a special rule that allows for assistance to an entity that would otherwise be sanctioned under the terms of this section, and imposes certain recordkeeping requirements on the Secretary of State. The Senate amendment would have made a number of technical and substantive changes to the House bill, including: establishment of a policy for support of the International Criminal Tribunal for the former Yugoslavia; establishment of a special rule exempting certain specified entities and communities from sanctions under certain provisions of this section; a requirement for public information regarding certain assistance provided to the countries in the former Yugoslavia; and a provision for certain exemptions by types of assistance. The conference agreement defines "Montenegro" and "Kosova" separately for purposes of applying this provision of law.

Sec. 568. Greenhouse gas emissions

The conference agreement includes a modification of current laws as proposed by the House, primarily to obtain more detailed information from AID in an annual report submitted by the President.

Sec. 569. Excess defense articles for certain European countries

The conference agreement includes language from the Senate amendment that extends a provision of permanent law that expired in 1997 through 2000. The law authorizes the provision of excess defense articles to certain European countries. The House bill did not address this matter.

Sec. 570. Aid to the Government of the Democratic Republic of Congo

The conference agreement prohibits any assistance to the central Government of the Democratic Republic of Congo as proposed in the Senate amendment. The House bill included a similar provision.

Sec. 571. Assistance for the Middle East

The conference agreement contains language similar to the House bill that imposes a spending ceiling of \$5,321,150,000 on specified assistance in titles II and III of this Act for the Middle East. The Senate amendment did not address this matter.

Sec. 572. Enterprise Fund restrictions

The conference agreement includes language in the House bill that was not in the Senate amendment that requires that, prior to the distribution of any assets resulting from any liquidation, dissolution, or winding up of an Enterprise Fund, in whole or in part, the President shall submit a plan for the distribution of the assets of the Enterprise Fund to the Committees on Appropriations in accordance with regular notification procedures.

Sec. 573. Cambodia

The conference agreement includes language that prohibits funds for the central Government of Cambodia and states that the Secretary of the Treasury should instruct the Executive Directors of international financial institutions to use the voice and vote of the United States to oppose loans to that government. The House bill contained similar language, but would have imposed the funding prohibition on all government

assistance. The Senate amendment would have required the Secretary of the Treasury to instruct U.S. executive directors of international financial institutions to use the voice and vote of the U.S. to oppose loans to the Government of Cambodia, except to support basic human needs, unless: (1) Cambodia has held free and fair elections; (2) all political candidates were permitted freedom of speech, assembly, and equal access to the media; (3) the Central Election Commission was comprised of representatives from all parties, and (4) the Government had begun the prosecution of Khmer Rouge leaders to include six named individuals. The Senate also addressed this matter under title II.

It is the intention of the managers that if the Administration proposes to provide assistance to or through provincial or municipal governments in Cambodia it will first consult with the appropriate committees of the Congress prior to the obligation of funds.

Sec. 574. Customs assistance

The conference agreement amends the Foreign Assistance Act of 1961 regarding the prohibition on the use of certain bilateral assistance for police training by allowing assistance to foreign customs authorities and personnel, including training, technical assistance, and equipment for customs law enforcement. The conference agreement is identical to the Senate amendment. The House bill did not address this matter.

The managers expect this authority to be exercised to support U.S. private sector trade and investment opportunities.

Sec. 575. Foreign military training report

The conference agreement includes language similar to that in the House bill requiring a joint report by the Secretary of State and the Secretary of Defense on all overseas military training (excluding military sales) provided to non-NATO foreign military personnel under programs administered by the Departments of Defense and State during 1999 and 2000, including those proposed for 2000. The language specifies the scope of the report, and allows for a classified annex, if deemed necessary and appropriate. The report shall be due no later than March 1, 2000. The Senate amendment included similar language, but did not provide for an exemption for NATO countries.

Sec. 576. Korean Peninsula Energy Development Organization (KEDO)

The conference agreement includes language similar to that in the House bill that up to \$15,000,000 may be made available for KEDO prior to June 1, 2000, if, 30 days prior to such obligation of funds, the President certifies and so reports to Congress that (1) the parties to the Agreed Framework have taken and continue to take demonstrable steps to implement the Joint Declaration on Denuclearization of Korea; (2) the parties have taken and continue to take demonstrable steps to pursue the North-South dialogue; (3) North Korea is complying with all provisions of the Agreed Framework; (4) North Korea has not diverted assistance for purposes for which it was not intended; and (5) North Korea is not seeking to develop or acquire the capability to enrich uranium, or any additional capability to reprocess spent nuclear fuel. In addition, up to \$20,000,000 may be made available for KEDO on or after June 1, 2000, if, 30 days prior to the obligation of such funds, the President certifies and so reports to Congress that (1) the effort to can and safely store all spent fuel from North Korea's nuclear reactors has been successfully concluded; (2) North Korea is complying with its obligations regarding access to suspect underground construction; (3) North Korea has terminated its nuclear weapons program, including all efforts to ac-

quire, develop, test, produce, or deploy such weapons, and (4) the United States has made and continues to make significant progress on eliminating the North Korean ballistic missile threat, including further missile tests and its ballistic missile exports. The language allows for the President to waive the certification requirements of this section if he determines that it is vital to the national security interests of the United States, 30 days after a written submission to the appropriate congressional committees. It also requires a report from the Secretary of State on the fiscal year 2001 budget request for KEDO, with certain specified information to be included in such report.

The House bill contained identical language, except it did not allow for the use of certain authorities of the Foreign Assistance Act to provide for a reprogramming of funds above the level of \$35,000,000 specified for KEDO.

The Senate amendment contained language similar to the House bill. In addition, it required a report from the Director of Central Intelligence on all relevant intelligence bearing on North Korea's compliance with the above provisions; specified the timing of the report; and specified the types of intelligence covered by the report.

Sec. 577. African Development Foundation

The conference agreement provides that funds to grantees of the Foundation may be invested pending expenditure and that interest earned must be used for the same purpose for which the grant was made. Further, this section allows the Foundation's board of directors, in exceptional circumstances, to waive the existing \$250,000 project limitation, subject to reporting to the Committees on Appropriations. This section is identical to the House bill. The Senate amendment included these same authorities within its "Development Assistance" account.

Sec. 578. Prohibition on assistance to the Palestinian Broadcasting Corporation

The conference agreement includes House language not in the Senate amendment that provides that none of the funds made available by this Act may be used to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

Sec. 579. Voluntary separation incentives for employees of the U.S. Agency for International Development

The conference agreement provides for the payment of voluntary separation incentives to AID employees for the purpose of eliminating positions and functions at AID. The conference agreement is similar to the Senate amendment. The House bill did not address this matter.

The managers have included in this section a requirement that the AID administrator submit to the Committees on Appropriations, in addition to the Office of Management and Budget, a strategic plan outlining the intended use of incentive payments and a proposed organizational chart for AID once such incentive payments have been completed. The managers direct that AID consult regularly with the Committees on Appropriations on the strategic plan prior to implementing the separation program authorized by this section. Consistent with the Administration's request, the managers expect this authority to be used by AID to reduce its employment levels in Washington, D.C.

Sec. 580. Iraq opposition

The conference report includes language similar to that in the House bill and the Senate amendment that, notwithstanding any other provision of law, \$10,000,000 shall be made available to support efforts to bring

about a political transition in Iraq, of which not less than \$8,000,000 shall be made available only to Iraqi opposition groups designated under the Iraq Liberation Act (Public Law 105-338), for political, economic, humanitarian, and other activities of such groups. It also provides that not more than \$2,000,000 of such funds may be made available for groups and activities seeking the prosecution of Saddam Hussein and other Iraqi government officials for war crimes.

The conference agreement does not contain Senate language providing \$250,000 for the Iraq Foundation. However, the conferees believe that the Foundation should receive funding made available by this Act for activities associated with pursuing war crimes.

Sec. 581. Agency for International Development budget submission

The conference agreement instructs the Agency for International Development to submit its 2001 budget in a format more useful to the Committees as proposed by the House. The Senate did not address this matter. AID is also requested to provide to the Committees not later than 45 days after enactment of this Act a report identifying each program, project, or intermediate result funded from appropriations provided under the heading "Development Assistance" for which the unexpended pipeline on October 1, 1999, exceeded either \$15,000,000, or the total amount expended for each such program, activity, or intermediate result in fiscal years 1998 and 1999.

Sec. 582. American churchwomen in El Salvador

The conference agreement includes language regarding the murder of four American churchwomen in El Salvador. The conference agreement requires a report from the Attorney General to the Committees on Appropriations and requires the President to order all Federal agencies and departments that possess relevant information to make every effort to declassify and release that information to the victims' families. The House bill and Senate amendment included similar provisions.

Sec. 583. Kyoto Protocol

The conference agreement includes language regarding the Kyoto Protocol to the Framework Agreement on Global Climate Change as proposed by the House. The Senate amendment did not address this matter.

Sec. 584. Additional requirements relating to stockpiling of defense articles for foreign countries

The conference agreement includes language from the Senate amendment not in the House bill that amends the Foreign Assistance Act of 1961 to provide authority to increase the war reserve stockpiles in Korea and Thailand by \$60,000,000 for fiscal year 2000.

Sec. 585. Russian leadership program

The conference agreement includes new language amending the statutory authority for the Russian Leadership Exchange Program.

Sec. 586. Abolition of the Inter-American Foundation

The conference agreement provides authority from the President to abolish the Inter-American Foundation and terminate its functions. The House bill and Senate amendment did not address this matter.

Sec. 587. West Bank and Gaza Program

The conference agreement includes language that provides that, 30 days prior to the initial obligation of funds for the bilateral West Bank and Gaza Program, the Secretary of State shall certify to the appropriate committees of Congress that procedures have been established to assure the Comptroller

General of the United States will have access to appropriate United States financial information in order to review the uses of United States assistance for the programs funded under "Economic Support Fund" for the West Bank and Gaza Program.

The Senate amendment included language that specified requirements for auditing assistance that may be provided to the Palestinian Authority. The House bill did not address this matter.

Sec. 588. Human rights assistance

The conference agreement includes language providing recommendations on the use of funds available from the "International Narcotics Control" account. The language states that not less than \$500,000 should be provided to the Colombia Attorney General's Human Rights unit; not less than \$500,000 should be made available to support Colombian nongovernmental organizations involved in human rights monitoring, particularly to assist in protecting the physical safety of their personnel; and not less than \$250,000 should be made available to the United Nations High Commissioner for Human Rights for human rights assistance for the Colombian government. Further, not less than \$1,000,000 should be provided for assistance to enhance U.S. embassy monitoring of assistance to Colombian security forces and in responding to reports of human rights violations. The conference agreement also includes language that not less than \$5,000,000 should be made available for administration of justice programs, including support for the Colombia Attorney General's Technical Investigations Unit. The managers direct the Department of State's Bureau for International Narcotics Control and Law Enforcement Affairs to report to the Committees on Appropriations not later than January 15, 2000, regarding its plans to meet the requirements of this section.

Sec. 589. Indonesia

The conference agreement includes new language that conditions the obligations of funds appropriated by this Act under the headings "International Military Education and Training" and "Foreign Military Financing Program" on a Presidential determination and report to Congress that the Government of Indonesia and the Indonesian Armed Forces are meeting specified criteria regarding accountability for past acts and ongoing activities in Indonesia and East Timor.

Sec. 590. Man and the Biosphere Program

The conference agreement prohibits the provision of funds made available by the Act for the United Nations Man and the Biosphere Program of the United Nations World Heritage Fund if the Program or the Fund engage in activities affecting sites in the United States during the current fiscal year.

Sec. 591. Immunity for the Federal Republic of Yugoslavia

The conference agreement includes language that provides that the Federal Republic of Yugoslavia shall be deemed to be a state sponsor of terrorism for the purposes of 28 U.S.C. 1605(a)(7). The section shall not apply to Montenegro or Kosova, and shall become null and void when the President certifies in writing to the Congress that the Federal Republic of Yugoslavia (other than Montenegro and Kosova) has completed a democratic reform process that results in a newly elected government that respects the rights of ethnic minorities, is committed to the rule of law and respects the sovereignty of its neighbor states. However, the language provides that the certification shall not affect the continuation of ongoing litigation.

The Senate amendment would have applied all sanctions applicable to a terrorist state

to the Federal Republic of Yugoslavia. The House bill did not address this matter.

Sec. 592. United States assistance policy for opposition-controlled areas of Sudan

The conference agreement provides the President the authority to provide food assistance to groups engaged in the protection of civilian populations in opposition-controlled areas of Sudan. In support of this effort, the managers urge AID to provide up to \$500,000 for the People-to-People peace and reconciliation process designed to unite ethnic groups and communities in southern Sudan. Further, the conference agreement requires the President to submit to the Committees on Appropriations a report on United States bilateral assistance to opposition-controlled areas of Sudan. The managers expect this report to be provided in both classified and unclassified forms, if necessary. The report is to include an accounting of U.S. assistance to opposition-controlled areas of Sudan in certain fiscal years and the goals and objectives of such assistance. Further, the President is to report on the policy implications, costs, and sources of funds associated with providing humanitarian assistance, including food, directly to National Democratic Alliance participants and the U.S. agencies best suited to administer these activities. Also, the President is to report on the policy implications of increasing substantially the amount of development assistance for certain activities in opposition-controlled areas of Sudan, the identification (by organization) of all proposed beneficiaries of such assistance, and the obstacles to administering a development assistance program in this region.

The Senate amendment included three provisions relating to U.S. assistance programs in opposition-controlled areas of Sudan. The House bill did not address this matter.

Sec. 593. Consultations on arms sales to Taiwan

The conference agreement includes Senate language that directs the Secretary of State to consult with the Congress regarding a mechanism to provide for congressional input into the nature or quantity of defense articles and services for Taiwan. The House bill did not address this matter.

Sec. 594. Authorizations

The conference agreement authorizes appropriations for various international financial institutions, as proposed in the Senate amendment. The House did not address this matter.

Sec. 595. Assistance for Costa Rica

The conference agreement provides that \$8,000,000 of the funds appropriated in Public Law 106-31, under the heading "Central America and the Caribbean Emergency Disaster Recovery Fund" be provided to Costa Rica.

Sec. 596. Silk Road Strategy Act of 1999

The conference agreement is the same as the Senate amendment regarding policy toward Central Asia, with the addition of language relating to trade disputes.

Sec. 597. Country reports on human rights practices

The conference agreement includes language, similar to the Senate amendment, which amends the Foreign Assistance Act of 1961 to require that the annual State Department "Country Reports on Human Rights Practices" include a new section regarding the trafficking in persons, especially women and children. The House did not address this matter.

Sec. 598. OPIC maritime fund

The conference agreement expresses the sense of the Congress that the Overseas Private Investment Corporation shall within

one year from the date of enactment of this Act select a fund manager for the purpose of creating a maritime fund with total capitalization of up to \$200,000,000. This fund shall leverage United States commercial maritime expertise to support international maritime projects.

Sec. 599. Sanctions against Serbia

The conference report includes language similar to that in the Senate amendment that requires that a number of specified sanctions against Serbia remain in place until a certification is issued by the President. The certification requires that Serbia comply with a number of international agreements, and provides an exemption for Montenegro and Kosova for the sanctions imposed through international financial institutions. It also allows for a waiver of all sanctions if necessary to meet emergency humanitarian needs.

The House bill did not address this matter.

Sec. 599A. Clean coal technology

The conference agreement includes a section contained in the Senate amendment making a number of Congressional findings regarding clean coal technology. The House bill did not address this matter.

Sec. 599B. Restriction on United States assistance for certain reconstruction efforts in the Balkans region

The conference agreement includes language that provides that funds made available by this Act for assistance for reconstruction efforts in the Federal Republic of Yugoslavia or any contiguous country should to the maximum extent practicable be used for the procurement of articles and services of United States origin. Under the terms of this section, the term "article" means any agricultural commodity, steel, communications equipment, farm machinery or petrochemical refinery equipment.

The Senate amendment would have prohibited the use of reconstruction funds in this Act for the former Yugoslavia or any contiguous country for the procurement of any article purchased outside the United States, the recipient country, or least developed countries, or any service provided by a foreign person, subject to certain exceptions. The House bill did not address this matter.

Sec. 599C. United Nations Population Fund

The conference agreement provides that, of amounts under "International Organizations and Programs", not more than \$25,000,000 for fiscal year 2000 shall be available for the United Nations Population Fund (UNFPA) subject to certain prohibitions and conditions. This section prohibits funds for the UNFPA from being made available for a country program in the People's Republic of China. Also, fiscal year 2000 funds are prohibited for UNFPA unless (1) UNFPA maintains these funds in an account separate from other UNFPA accounts (2) UNFPA does not commingle these funds with other sums and (3) UNFPA does not fund abortions.

This section requires that the Secretary of State report to Congress not later than February 15, 2000, indicating the amount of funds that the UNFPA is budgeting for the year in which the report is submitted for a country program in the People's Republic of China. If this report indicates that the UNFPA plans to spend funds for a country program in the People's Republic of China in the year covered by the report, then the amount of such funds that the UNFPA plans to spend in China shall be deducted from the funds made available to the UNFPA after March 1 for obligation for the remainder of the fiscal year in which the report was submitted.

This section is identical to the House bill. The Senate amendment included similar language.

Sec. 599D. Authorization for population planning

The conference agreement includes language which limits the amount of funds appropriated in title II of this Act for population planning activities or other population assistance to \$385,000,000. This section requires that any foreign private, nongovernmental or multilateral organization meet certain requirements in order to receive such assistance and contains the authority for the President to waive these restrictions.

Sec. 599E. OPIC authorization

The conference agreement includes language that provides authority for the operations of the Overseas Private Investment Corporation (OPIC) until November 1, 2000.

PROVISIONS NOT ADOPTED BY THE CONFEREES

DISTINGUISHED DEVELOPMENT SERVICE AWARD

The conference agreement does not include the section in the Senate amendment regarding the distinguished development service award. The House bill did not address this matter.

WITHHOLDING ASSISTANCE TO COUNTRIES VIOLATING UNITED NATIONS SANCTIONS AGAINST LIBYA

The conference agreement deletes a House provision that imposed a reduction in United States assistance of at least 5 percent when a country violates specified United Nations sanctions against Libya. The Senate amendment did not address this matter. The provision is no longer relevant, since the United Nations has suspended the application of sanctions against Libya.

LIMITATION ON FUNDS FOR FOREIGN ORGANIZATIONS THAT PERFORM OR PROMOTE ABORTIONS

The conference agreement does not include a provision contained in the House bill which would have restored, in part, the "Mexico City" policy regarding restrictions on U.S. assistance to foreign organizations that perform or actively promote abortion, including lobbying or any other effort to alter laws of any foreign country concerning abortion. The Senate did not address this matter.

RESTRICTION ON POPULATION PLANNING ACTIVITIES OR OTHER POPULATION ASSISTANCE

The conference agreement does not include a provision contained in the House bill which would have prohibited funds for population planning activities for foreign nongovernmental organizations under certain conditions.

SENSE OF THE SENATE REGARDING COLOMBIA

The conference agreement does not include a section contained in the Senate amendment regarding Colombia.

ASSISTANCE TO PROMOTE DEMOCRACY AND CIVIL SOCIETY IN YUGOSLAVIA

The conference agreement deletes language from the Senate amendment that provided general authority to promote democracy and civil society in Yugoslavia, including an authorization of appropriations of \$100,000,000; included a prohibition on assistance to the Government of Serbia; and included authority to provide assistance to the Government of Montenegro subject to certain conditions. The House bill did not address this matter.

LIMITATION ON USE OF FUNDS FOR PURCHASE OF PRODUCTS NOT MADE IN AMERICA

The conference agreement does not include language from the House bill that prohibits funds from titles I, II, or III for any foreign government if the funds are used to purchase equipment or products made in a country other than the foreign country itself or from the United States. The Senate amendment did not address this matter.

This issue is further addressed in section 545 of the conference report, "Purchase of American-Made Equipment and Products".

LIMITATION ON ASSISTANCE FOR SCHOOL OF AMERICAS

The conference agreement does not contain language from the House bill that would have prohibited funding for the School of the Americas located at Fort Benning, Georgia. The Senate amendment did not address this matter.

TO PROMOTE AN INTERNATIONAL ARMS TRANSFER REGIME

The conference agreement does not include language from the Senate amendment that would have authorized the President to continue and expand efforts through the United Nations and other international fora to limit arms transfers worldwide, and that specified the transfers that should be limited. The Senate language would also have required a semiannual report on progress in such negotiations to accomplish this goal. The House bill did not address this matter.

SENSE OF THE SENATE REGARDING UNITED STATES COMMITMENTS UNDER THE UNITED STATES-NORTH KOREA AGREED FRAMEWORK

The conference agreement deletes Senate language that expressed the Sense of the Senate regarding the Agreed Framework and deliveries of heavy fuel oil to KEDO and North Korea. The House bill did not address this matter.

SENSE OF THE SENATE REGARDING AN INTERNATIONAL CONFERENCE ON THE BALKANS

The conference agreement deletes Senate language expressing the Sense of the Senate regarding the need for an international conference on the Balkans. The House bill did not address this matter.

ACCOUNTABILITY OF SADDAM HUSSEIN

The conference agreement deletes Senate language regarding accountability for Saddam Hussein. The House bill did not address this matter.

The managers agree with the intent of the language of the Senate amendment on the need for accountability on the part of Saddam Hussein.

SENSE OF THE SENATE REGARDING ASSISTANCE PROVIDED TO LITHUANIA, LATVIA, AND ESTONIA

The conference agreement deletes Senate language that expressed the Sense of the Senate that assistance to the Baltic nations should not be interpreted as expressing the will of the Senate to accelerate membership of those nations into NATO.

SENSE OF THE SENATE REGARDING ASSISTANCE UNDER THE CAMP DAVID ACCORDS

The conference agreement deletes Senate language expressing the Sense of the Senate on assistance under the Camp David accords. The House bill did not address this matter.

SENSE OF CONGRESS IN MANAGEMENT OF UNITED STATES INTERESTS IN UKRAINE

The conference agreement deletes Senate language expressing the Sense of the Congress in management of U.S. interests in Ukraine. The House bill did not address this matter.

SENSE OF THE SENATE ON THE CITIZENS DEMOCRACY CORPS

The conference agreement deletes Senate language expressing the Sense of the Senate on the Citizens Democracy Corps. The House bill did not address this matter.

CONTROL AND ELIMINATE THE INTERNATIONAL PROBLEM OF TUBERCULOSIS

The conference agreement deletes Senate language expressing the Sense of the Senate on elimination of the international problem of tuberculosis. The House bill did not address this matter.

LIMITATION ON ASSISTANCE TO THE GOVERNMENT OF THE RUSSIAN FEDERATION

The conference agreement does not include language contained in the House bill limiting assistance to the government of the Russian Federation at \$172,000,000. The Senate amendment did not include a similar provision. This matter is addressed in title II under the heading "Assistance to the Independent States of the Former Soviet Union".

EXPANDED THREAT REDUCTION

The conference agreement does not include two sections from the Senate amendment regarding the Expanded Threat Reduction Initiative. The House bill did not contain similar provisions.

TITLE VI—INTERNATIONAL AFFAIRS
SUPPLEMENTAL APPROPRIATIONS
BILATERAL ECONOMIC ASSISTANCE
FUNDS APPROPRIATED TO THE PRESIDENT
OTHER BILATERAL ECONOMIC ASSISTANCE
ECONOMIC SUPPORT FUND

The conference agreement appropriates \$450,000,000 in supplemental funds for assistance for Jordan and for the West Bank and Gaza, to remain available until September 30, 2002, of which \$100,000,000 shall become available for obligation on September 30, 2000. Pursuant to the budget request, \$50,000,000 is intended for assistance for Jordan and \$400,000,000 is intended for assistance for the West Bank and Gaza. These funds are designated an emergency for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and shall only be available to the extent that an official budget request that designates the entire amount as an emergency requirement pursuant to said Act is transmitted to the Congress.

The funds provided under this heading, and in this title under the heading "Foreign Military Financing Program", are associated with implementation of the Wye River Accord. It is the intention of the managers that the information provided in budget justification documents for both accounts regarding this request, including the information submitted on October 15, 1999, will be used as the baseline for any proposed reprogramming of funds.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT
FOREIGN MILITARY FINANCING PROGRAM

The conference agreement appropriates \$1,375,000,000 in supplemental funds for this account, of which \$1,200,000,000 shall be for grants only for Israel, \$25,000,000 shall be for grants only for Egypt, and \$150,000,000 shall be for grants only for Jordan. Of the total appropriated, \$400,000,000 shall become available for obligation on September 30, 2000. These funds are designated an emergency for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and shall only be available to the extent that an official budget request that designates the entire amount as an emergency requirement pursuant to said Act is transmitted to the Congress.

The bill language reiterates the grant nature of this assistance and that funds are to be expended at the minimum rate necessary to make timely payments for defense articles and services. These provisions are restated in the supplemental for emphasis even though their inclusion is not legally necessary. Indeed, all the terms and conditions applicable to funds under this heading in title III apply to this supplemental appropriation unless there is an explicit exception made.

The conference agreement also includes bill language to maintain procurement of defense articles and defense services in Israel

at the current rate of 26.3 percent of the funds appropriated for military assistance. It also provides that, notwithstanding any other provision of this Act, not to exceed \$1,370,000,000 of the funds appropriated in title III under this heading shall be disbursed within 30 days of enactment of this Act.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2000 recommended by the Committee of Conference, with comparisons to the fiscal year 1999 amount, the 2000 budget estimates, and the House and Senate bills for 2000 follow:

[In thousands of dollars]

| | |
|--|--------------|
| New budget (obligational) authority, fiscal year 1999 | \$33,330,393 |
| Budget estimates of new (obligational) authority, fiscal year 2000 | 14,919,535 |
| House bill, fiscal year 2000 (H.R. 2606) | 12,668,115 |
| Senate bill, fiscal year 2000 (H.R. 2606) | 12,735,655 |
| Conference agreement, fiscal year 2000* | 15,359,935 |
| Conference agreement compared with: | |
| New budget (obligational) authority, fiscal year 1999 | -17,970,458 |
| Budget estimates of new (obligational) authority, fiscal year 2000 | +440,400 |
| House bill, fiscal year 2000 | +2,691,820 |
| Senate bill, fiscal year 2000 | +2,624,280 |

*Includes emergency funding of \$1,300,000,000 associated with the fiscal year 1999 and fiscal year 2001 requests for the Wye River Accord.

The conference agreement would enact the provisions of H.R. 3423 as introduced on November 17, 1999. The text of that bill follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96-487 (16 U.S.C. 3150(a)), \$646,218,000, 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. 4601-6a(i)); and of which \$2,500,000 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 and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred; in addition,

\$33,529,000 for Mining Law Administration program operations, including the cost of administering 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 \$646,218,000, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities, and of which \$2,500,000, to remain available until expended, is for coalbed methane Applications for Permits to Drill in the Powder River Basin: *Provided*, That unless there is a written agreement in place between the coal mining operator and a gas producer, the funds available herein shall not be used to process or approve coalbed methane Applications for Permits to Drill for well sites that are located within an area, which as of the date of the coalbed methane Application for Permit to Drill, are covered by: (1) a coal lease; (2) a coal mining permit; or (3) an application for a coal mining lease: *Provided further*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, emergency rehabilitation and hazardous fuels reduction by the Department of the Interior, \$292,282,000, to remain available until expended, of which not to exceed \$9,300,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That unobligated 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: *Provided further*, That not more than \$58,000 shall be available to the Bureau of Land Management to reimburse Trinity County for expenses incurred as part of the July 2, 1999 Lowden Fire.

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, \$11,425,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901-6907), \$135,000,000, of which not to exceed \$400,000 shall be available for administrative expenses: *Provided*, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than \$100.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94-579, including administrative expenses and acquisition of lands or waters, or interests therein, \$15,500,000, 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 documents,

for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94-579, as amended, and Public Law 93-153, to remain available until expended: Provided, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered 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 action 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, conservation, 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 entities, \$716,046,000, to remain available until September 30, 2001, except as otherwise provided herein, of which \$11,701,000 shall remain available until expended for operation and maintenance of fishery mitigation facilities constructed by the Corps of Engineers under the Lower Snake River Compensation Plan, authorized by the Water Resources Development Act of 1976, to compensate for loss of fishery resources from water development projects on the Lower Snake River, and of which not less than \$2,000,000 shall be provided to local governments in south-

ern California for planning associated with the Natural Communities Conservation Planning (NCCP) program and shall remain available until expended: Provided, That not less than \$1,000,000 for high priority projects which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended: Provided further, That not to exceed \$6,232,000 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 subsection (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 hereafter, all fines collected by the United States 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 United States 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 expended: Provided further, That, notwithstanding any other provision of law, in fiscal year 1999 and thereafter, sums provided by private entities for activities pursuant to reimbursable agreements shall be credited to the "Resource Management" account and shall remain available until expended: Provided further, That, heretofore and hereafter, in carrying out work under reimbursable agreements with any State, local, or tribal government, the United States Fish and Wildlife Service may, without regard to 31 U.S.C. 1341 and notwithstanding any other provision of law or regulation, 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: Provided further, That all funds received by the United States Fish and Wildlife Service from responsible parties, heretofore and hereafter, for site-specific damages to National Wildlife Refuge System lands resulting from the exercise of privately-owned oil and gas rights associated with such lands in the States of Louisiana and Texas (other than damages recoverable under the Comprehensive Environmental Response, Compensation and Liability Act (26 U.S.C. 4611 et seq.), the Oil Pollution Act (33 U.S.C. 1301 et seq.), or section 311 of the Clean Water Act (33 U.S.C. 1321 et seq.)), shall be available to the Secretary, without further appropriation and until expended to: (1) complete damage assessments of the impacted site by the Secretary; (2) mitigate or restore the damaged resources; and (3) monitor and study the recovery of such damaged resources.

CONSTRUCTION

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; \$54,583,000, to remain available until expended: Provided, That notwithstanding any other provision 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 CFR 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. 4601-4 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, \$50,513,000, 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, \$23,000,000, 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), \$10,779,000.

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 available until expended.

WILDLIFE CONSERVATION AND APPRECIATION FUND

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

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201-4203, 4211-4213, 4221-4225, 4241-4245, and 1538), the Asian Elephant Conservation Act of 1997 (Public Law 105-96; 16 U.S.C. 4261-4266), and the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301-5306), \$2,400,000, to remain available 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 conservation programs are exempt from any sanctions imposed against any country under section 102 of the Arms Export Control Act (22 U.S.C. 2799aa-1).

COMMERCIAL SALMON FISHERY CAPACITY REDUCTION

For the Federal share of a capacity reduction program to repurchase Washington State Fraser River Sockeye commercial fishery licenses consistent with the implementation of the "June 30, 1999, Agreement of the United States and Canada on the Treaty Between the Government of the United States and the Government of Canada Concerning Pacific Salmon, 1985", \$5,000,000, to remain available until expended, and to be provided in the form of a grant directly to the State of Washington Department of Fish and Wildlife.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase 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 recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement 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 co-operators 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, \$1,365,059,000, 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, \$53,899,000, of which \$2,000,000 shall be available to carry out the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), and of which \$866,000 shall be available until expended for the Oklahoma City National Memorial Trust, notwithstanding 7(1) of Public Law 105-58: 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: Provided further, That no more than \$150,000 may be used for overhead and program administrative expenses for the heritage partnership program.

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), \$75,212,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2001, of which \$10,722,000 shall remain available until expended: Provided, That of the total amount provided, \$30,000,000 shall be for Save America's Treasures for priority preservation projects, including preservation of intellectual and cultural artifacts, preservation of historic structures and sites, and buildings to house cultural and historic resources and to provide educational opportunities: Provided further, That any individual Save America's Treasures grant shall be matched by non-Federal funds: Provided further, That individual projects shall only be eligible for one grant, and all projects to be funded shall be approved by the House and Senate Committees on Appropriations prior to the commitment of grant

funds: Provided further, That Save America's Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior: Provided further, That none of the funds provided for Save America's Treasures may be used for administrative expenses, and staffing for the program shall be available from the existing staffing levels in the National Park Service.

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, \$225,493,000, to remain available until expended, of which \$885,000 shall be for realignment of the Denali National Park entrance road, of which not less than \$3,000,000 shall be available for modifications to the Franklin Delano Roosevelt Memorial: Provided, That \$3,000,000 for the Wheeling National Heritage Area, \$3,000,000 for the Lincoln Library, and \$3,000,000 for the Southwest Pennsylvania Heritage Area shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: Provided further, That the National Park Service will make available 37 percent, not to exceed \$1,850,000, of the total cost of upgrading the Mariposa County, California municipal solid waste disposal system: Provided further, That Mariposa County will provide assurance that future use fees paid by the National Park Service will be reflective of the capital contribution made by the National Park Service.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2000 by 16 U.S.C. 4601-10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$120,700,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which \$21,000,000 is for the State assistance program including \$1,000,000 to administer the State assistance program, and of which \$10,000,000 may be for State grants for land acquisition in the State of Florida: Provided, That funds provided for State grants for land acquisition in the State of Florida are contingent upon the following: (1) submission of detailed legislative language to the House and Senate Committees on Appropriations agreed to by the Secretary of the Interior, the Secretary of the Army and the Governor of Florida that would provide assurances for the guaranteed supply of water to the natural areas in southern Florida, including all National parks, Preserves, Wildlife Refuge lands, and other natural areas to ensure a restored ecosystem; and (2) submission of a complete prioritized non-Federal land acquisition project list: Provided further, That after the requirements under this heading have been met, from the funds made available for State grants for land acquisition in the State of Florida the Secretary may provide Federal assistance to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys, including the areas known as the Frog Pond, the Rocky Glades and the Eight and One-Half Square Mile Area) under terms and conditions deemed necessary by the Secretary to improve and restore the hydrological function of the Everglades watershed: Provided further, That funds provided under this heading to the State of Florida are contingent upon new matching non-Federal funds by the State and shall be subject to an agreement that the lands

to be acquired will be managed in perpetuity for the restoration of the Everglades: Provided further, That of the amount provided herein \$2,000,000 shall be made available by the National Park Service, pursuant to a grant agreement, to the State of Wisconsin so that the State may acquire land or interest in land for the Ice Age National Scenic Trail: Provided further, That of the amount provided herein \$500,000 shall be made available by the National Park Service, pursuant to a grant agreement, to the State of Wisconsin so that the State may acquire land or interest in land for the North Country National Scenic Trail: Provided further, That funds provided under this heading to the State of Wisconsin are contingent upon matching funds by the State.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 384 passenger motor vehicles, of which 298 shall be for replacement only, including not to exceed 312 for police-type use, 12 buses, and 6 ambulances: Provided, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided further, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, 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; \$823,833,000, of which \$60,856,000 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 \$137,604,000 shall be available until September

30, 2001 for the biological research activity and the operation of the Cooperative Research Units: Provided, That none of these funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

The amount appropriated for the United States Geological Survey shall be available for the purchase of not to exceed 53 passenger motor vehicles, of which 48 are for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.: Provided further, That the United States Geological Survey may hereafter 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 considered to be Federal employees for any other purposes.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only; \$110,682,000, of which \$84,569,000 shall be available for royalty management activities; 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 administrative activities performed by the Minerals Management Service over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: Provided, That to the extent \$124,000,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach \$124,000,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: Provided further, That \$3,000,000 for computer acquisitions shall remain available until September 30, 2001: Provided further, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721(b) and (d): Provided further, That not to exceed \$3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine

cleanup activities: Provided further, That notwithstanding any other provision of law, \$15,000 under this 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: Provided further, That not to exceed \$198,000 shall be available to carry out the requirements of section 215(b)(2) of the Water Resources Development Act of 1999.

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, \$196,208,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to \$8,000,000, 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, in addition to the amount granted to the Commonwealth of Pennsylvania under sections 402(g)(1) and 402(g)(5) of the Surface Mining Control and Reclamation Act (Act), an additional \$300,000 will be specifically used for the purpose of conducting a demonstration project in accordance with section 401(c)(6) of the Act to determine the efficacy of improving water quality by removing metals from eligible waters polluted by acid mine drainage: Provided further, That the State of Maryland may set aside the greater of \$1,000,000 or 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977, as amended (30 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which law the amount (together with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects, except that before any amounts greater than 10 percent of its title IV grants are deposited in an acid mine drainage abatement and treatment fund, the State of Maryland must first complete all Surface Mining Control and Reclamation Act priority one projects.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For 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-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001-2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, \$1,670,444,000, 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 provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed \$120,229,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding 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 agreements and for unmet welfare assistance costs; and up to \$5,000,000 shall be for the Indian Self-Determination Fund which shall be available for the transitional cost of initial or expanded tribal contracts, grants, compacts or cooperative agreements with the Bureau under such Act; and of which not to exceed \$401,010,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2000, and shall remain available until September 30, 2001; and of which not to exceed \$56,991,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, self-governance grants, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: Provided, 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 exceed \$42,160,000 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 allocated 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 account: Provided further, That any such unobligated balances not so transferred shall expire on September 30, 2002.

CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87-483, \$169,884,000, 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 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: Provided further, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a 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 performed: Provided further, That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: Provided further, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): Provided further, That any disputes between the Secretary and any grantee concerning 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, \$27,256,000, 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, \$508,000.

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. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Amendments of 1978 (25 U.S.C. 2026)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro-rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code (commonly known as the "Federal Tort Claims Act"). Not later than June 15, 2000, the Secretary of the Interior shall evaluate the effectiveness of Bureau-funded schools sharing facilities with charter schools in the manner described in the preceding sentence and prepare and submit a report on the finding of that evaluation to the Committees on Appropriations of the Senate and of the House.

The Tate Topa Tribal School, the Black Mesa Community School, the Alamo Navajo School, and other Bureau-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 Bureau of Indian Affairs education facilities which are in compli-

ance with 25 U.S.C. 2005(a) and which shall be eligible for operation and maintenance support to the same extent as other Bureau of Indian Affairs 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.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, \$70,171,000, of which: (1) \$66,076,000 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(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241; 90 Stat. 272); and (2) \$4,095,000 shall be available for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: Provided further, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial 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 striking "2002" and inserting "1999" and by striking the comma after "\$11,000,000 annually" and inserting 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 Commonwealth 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 fiscal year 2000, \$5,420,000 shall be provided to the Virgin Islands for correctional facilities and other projects mandated 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 authorized by Public Law 99-239 and Public Law 99-658.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, \$62,864,000, of which not to exceed \$8,500 may be for official reception and representation expenses and of which up to \$1,000,000 shall be available for workers compensation payments and unemployment compensation 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, \$40,196,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$26,086,000.

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, \$90,025,000, to remain available until expended: Provided, That funds for trust management improvements may be transferred, as needed, to the Bureau of Indian Affairs "Operation of Indian Programs" account and to the Departmental Management "Salaries and Expenses" account: 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 notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of \$1.00 or less: Provided further, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder.

INDIAN LAND CONSOLIDATION PILOT

INDIAN LAND CONSOLIDATION

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 and which shall be transferred to the Bureau of Indian Affairs, 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 interest 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, \$5,400,000, 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 pre-

vention 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 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 12 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 Defense Authorization Act for Fiscal Year 1995.

(d) For purposes of the annual leave restoration provisions of 5 U.S.C. 6304(d)(1)(B), the cessation of helium production and sales, and other related Helium Program activities shall be deemed to create an exigency of public business under, and annual leave that is lost during leave years 1997 through 2001 because of 5 U.S.C. 6304 (regardless of whether such leave

was scheduled in advance) shall be restored to the employee and shall be credited and available in accordance with 5 U.S.C. 6304(d)(2). Annual leave so restored and remaining unused upon the transfer of a Helium Program employee to a position of the executive branch outside of the Helium Program shall be liquidated by payment to the employee of a lump sum from the Helium Fund for such leave.

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

(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-Determination Act of 1975, as amended, hereafter funds available to the Department of the Interior 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-Determination Act of 1975 and hereafter funds appropriated in this title shall not 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 implement 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. Notwithstanding any other provision of law, the Steel Industry American Heritage Area, authorized by Public Law 104-333, is hereby renamed the Rivers of Steel National Heritage Area.

SEC. 117. (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 Kan-

sas 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 Wyandotte County, Kansas (as surveyed and marked on the ground on August 15, 1888, by William Millor, Civil Engineer and Surveyor), described as follows:

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

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

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

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

"Thence West 11 and one-half poles;

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

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, hereafter 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. Section 211(d) of division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4110; 16 U.S.C. 81p) is amended by striking "depicted on the map dated August 1993, numbered 333/

80031A," and inserting "depicted on the map dated August 1996, numbered 333/80031B."

SEC. 123. A grazing permit or lease that expires (or is transferred) during fiscal year 2000 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa-50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority.

SEC. 124. Notwithstanding any other provision of law, for the purpose of reducing the backlog of Indian probate cases in the Department of the Interior, the hearing requirements of chapter 10 of title 25, United States Code, are deemed satisfied by a proceeding conducted by an Indian probate judge, appointed by the Secretary without regard to the provisions of title 5, United States Code, governing the appointments in the competitive service, for such period of time as the Secretary determines necessary: Provided, That the Secretary may only appoint such Indian probate judges if, by January 1, 2000, the Secretary is unable to secure the services of at least 10 qualified Administrative Law Judges on a temporary basis from other agencies and/or through appointing retired Administrative Law Judges: Provided further, That the basic pay of an Indian probate judge so appointed may be fixed by the Secretary without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, governing the classification and pay of General Schedule employees, except that no such Indian probate judge may be paid at a level which exceeds the maximum rate payable for the highest grade of the General Schedule, including locality pay.

SEC. 125. (a) LOAN TO BE GRANTED.—Notwithstanding any other provision of law or of this Act, the Secretary of the Interior (hereinafter the "Secretary"), in consultation with the Secretary of the Treasury, shall make available to the Government of American Samoa (hereinafter "ASG"), the benefits of a loan in the amount of \$18,600,000 bearing interest at a rate equal to the United States Treasury cost of borrowing for obligations of similar duration. Repayment of the loan shall be secured and accomplished pursuant to this section with funds, as they become due and payable to ASG from the Escrow Account established under the terms and conditions of the Tobacco Master Settlement Agreement (and the subsequent Enforcing Consent Decree) (hereinafter collectively referred to as "the Agreement") entered into by the parties November 23, 1998, and judgment granted by the High Court of American Samoa on January 5, 1999 (Civil Action 119-98, American Samoa Government v. Philip Morris Tobacco Co., et. al.).

(b) CONDITIONS REGARDING LOAN PROCEEDS.—Except as provided under subsection (e), no proceeds of the loan described in this section shall become available until ASG—

(1) has enacted legislation, or has taken such other or additional official action as the Secretary may deem satisfactory to secure and ensure repayment of the loan, irrevocably transferring and assigning for payment to the Department of the Interior (or to the Department of the Treasury, upon agreement between the Secretaries of such departments) all amounts due and payable to ASG under the terms and conditions of the Agreement for a period of 26 years with the first payment beginning in 2000, such repayment to be further secured by a pledge of the full faith and credit of ASG;

(2) has entered into an agreement or memorandum of understanding described in subsection (c) with the Secretary identifying with specificity the manner in which approximately \$14,300,000 of the loan proceeds will be used to pay debts of ASG incurred prior to April 15, 1999; and

(3) has provided to the Secretary an initial plan of fiscal and managerial reform as described in subsection (d) designed to bring the ASG's annual operating expenses into balance with projected revenues for the years 2003 and beyond, and identifying the manner in which approximately \$4,300,000 of the loan proceeds will be utilized to facilitate implementation of the plan.

(c) PROCEDURE AND PRIORITIES FOR DEBT PAYMENTS.—

(1) In structuring the agreement or memorandum of understanding identified in subsection (b)(2), the ASG and the Secretary shall include provisions, which create priorities for the payment of creditors in the following order—

(A) debts incurred for services, supplies, facilities, equipment and materials directly connected with the provision of health, safety and welfare functions for the benefit of the general population of American Samoa (including, but not limited to, health care, fire and police protection, educational programs grades K-12, and utility services for facilities belonging to or utilized by ASG and its agencies), wherein the creditor agrees to compromise and settle the existing debt for a payment not exceeding 75 percent of the amount owed, shall be given the highest priority for payment from the loan proceeds under this section;

(B) debts not exceeding a total amount of \$200,000 owed to a single provider and incurred for any legitimate governmental purpose for the benefit of the general population of American Samoa, wherein the creditor agrees to compromise and settle the existing debt for a payment not exceeding 70 percent of the amount owed, shall be given the second highest priority for payment from the loan proceeds under this section;

(C) debts exceeding a total amount of \$200,000 owed to a single provider and incurred for any legitimate governmental purpose for the benefit of the general population of American Samoa, wherein the creditor agrees to compromise and settle the existing debt for a payment not exceeding 65 percent of the amount owed, shall be given the third highest priority for payment from the loan proceeds under this section;

(D) other debts regardless of total amount owed or purpose for which incurred, wherein the creditor agrees to compromise and settle the existing debt for a payment not exceeding 60 percent of the amount owed, shall be given the fourth highest priority for payment from the loan proceeds under this section;

(E) debts described in subparagraphs (A), (B), (C), and (D) of this paragraph, wherein the creditor declines to compromise and settle the debt for the percentage of the amount owed as specified under the applicable subparagraph, shall be given the lowest priority for payment from the loan proceeds under this section.

(2) The agreement described in subsection (b)(2) shall also generally provide a framework whereby the Governor of American Samoa shall, from time-to-time, be required to give 10 business days notice to the Secretary that ASG will make payment in accordance with this section to specified creditors and the amount which will be paid to each of such creditors. Upon issuance of payments in accordance with the notice, the Governor shall immediately confirm such payments to the Secretary, and the Secretary shall within three business days following receipt of such confirmation transfer from the loan proceeds an amount sufficient to reimburse ASG for the payments made to creditors.

(3) The agreement may contain such other provisions as are mutually agreeable, and which

are calculated to simplify and expedite the payment of existing debt under this section and ensure the greatest level of compromise and settlement with creditors in order to maximize the retirement of ASG debt.

(d) FISCAL AND MANAGERIAL REFORM PROGRAM.—

(1) The initial plan of fiscal and managerial reform, designed to bring ASG's annual operating expenses into balance with projected revenues for the years 2003 and beyond as required under subsection (b)(3), should identify specific measures which will be implemented by ASG to accomplish such goal, the anticipated reduction in government operating expense which will be achieved by each measure, and should include a timetable for attainment of each reform measure identified therein.

(2) The initial plan should also identify with specificity the manner in which approximately \$4,300,000 of the loan proceeds will be utilized to assist in meeting the reform plan's targets within the timetable specified through the use of incentives for early retirement, severance pay packages, outsourcing services, or any other expenditures for program elements reasonably calculated to result in reduced future operating expenses for ASG on a long term basis.

(3) Upon receipt of the initial plan, the Secretary shall consult with the Governor of American Samoa, and shall make any recommendations deemed reasonable and prudent to ensure the goals of reform are achieved. The reform plan shall contain objective criteria that can be documented by a competent third party, mutually agreeable to the Governor and the Secretary. The plan shall include specific targets for reducing the amounts of ASG local revenues expended on government payroll and overhead (including contracts for consulting services), and may include provisions which allow modest increases in support of the LBJ Hospital Authority reasonably calculated to assist the Authority implement reforms which will lead to an independent audit indicating annual expenditures at or below annual Authority receipts.

(4) The Secretary shall enter into an agreement with the Governor similar to that specified in subsection (c)(2) of this section, enabling ASG to make payments as contemplated in the reform plan and then to receive reimbursement from the Secretary out of the portion of loan proceeds allocated for the implementation of fiscal reforms.

(5) Within 60 days following receipt of the initial plan, the Secretary shall approve an interim final plan reasonably calculated to make substantial progress toward overall reform. The Secretary shall provide copies of the plan, and any subsequent modifications, to the House Committee on Resources, the House Committee on Appropriations Subcommittee on the Department of the Interior and Related Agencies, the Senate Committee on Energy and Natural Resources, and the Senate Committee on Appropriations Subcommittee on the Department of the Interior and Related Agencies.

(6) From time-to-time as deemed necessary, the Secretary shall consult further with the Governor of American Samoa, and shall approve such mutually agreeable modifications to the interim final plan as circumstances warrant in order to achieve the overall goals of ASG fiscal and managerial reforms.

(e) RELEASE OF LOAN PROCEEDS.—From the total proceeds of the loan described in this section, the Secretary shall make available—

(1) upon compliance by ASG with paragraphs (b)(1) and (b)(2) of this section and in accordance with subsection (c), approximately \$14,300,000 in reimbursements as requested from time-to-time by the Governor for payments to creditors;

(2) upon compliance by ASG with paragraphs (b)(1) and (b)(3) of this section and in accordance with subsection (d), approximately \$4,300,000 in reimbursements as requested from time-to-time by the Governor for payments associated with implementation of the interim final reform plan; and

(3) notwithstanding paragraphs (1) and (2) of this subsection, at any time the Secretary and the Governor mutually determine that the amount necessary to fund payments under paragraph (2) will total less than \$4,300,000 then the Secretary may approve the amount of any unused portion of such sum for additional payments against ASG debt under paragraph (1).

(f) EXCEPTION.—Proceeds from the loan under this section shall be used solely for the purposes of debt payments and reform plan implementation as specified herein, except that the Secretary may provide an amount equal to not more than 2 percent of the total loan proceeds for the purpose of retaining the services of an individual or business entity to provide direct assistance and management expertise in carrying out the purposes of this section. Such individual or business entity shall be mutually agreeable to the Governor and the Secretary, may not be a current or former employee of, or contractor for, and may not be a creditor of ASG. Notwithstanding the preceding two sentences, the Governor and the Secretary may agree to also retain the services of any semi-autonomous agency of ASG which has established a record of sound management and fiscal responsibility, as evidenced by audited financial reports for at least three of the past 5 years, to coordinate with and assist any individual or entity retained under this subsection.

(g) CONSTRUCTION.—The provisions of this section are expressly applicable only to the utilization of proceeds from the loan described in this section, and nothing herein shall be construed to relieve ASG from any lawful debt or obligation except to the extent a creditor shall voluntarily enter into an arms length agreement to compromise and settle outstanding amounts under subsection (c).

(h) TERMINATION.—The payment of debt and the payments associated with implementation of the interim final reform plan shall be completed not later than October 1, 2003. On such date, any unused loan proceeds totaling \$1,000,000 or less shall be transferred by the Secretary directly to ASG. If the amount of unused loan proceeds exceeds \$1,000,000, then such amount shall be credited to the total of loan repayments specified in paragraph (b)(1). With approval of the Secretary, ASG may designate additional payments from time-to-time from funds available from any source, without regard to the original purpose of such funds.

SEC. 126. The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service and in consultation with the Director of the National Park Service, shall undertake the necessary activities to designate Midway Atoll as a National Memorial to the Battle of Midway. In pursuing such a designation the Secretary shall consult with organizations with an interest in Midway Atoll. The Secretary shall consult on a regular basis with such organizations, including the International Midway Memorial Foundation, Inc. on the management of the National Memorial.

SEC. 127. 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 to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2000. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 128. 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. 129. None of the funds provided in this Act may be used by the Department of the Interior to implement the provisions of Principle 3(C)ii and Appendix section 3(B)(4) in Secretarial Order 3206, entitled "American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act".

SEC. 130. 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 provide up to \$2,000,000 in the form of a grant to the Fairbanks 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 appropriated in title V up to \$1,000,000 in the form of a grant to the Municipality of Anchorage for the acquisition of approximately 34 acres of wetlands adjacent to a municipal park in Anchorage (the Jewel Lake Wetlands).

SEC. 131. FUNDING FOR THE OTTAWA NATIONAL WILDLIFE REFUGE AND CERTAIN PROJECTS IN THE STATE OF OHIO. Notwithstanding any other provision of law, from the unobligated balances appropriated for a grant to the State of Ohio for the acquisition of the Howard Farm near Metzger Marsh, Ohio—

(1) \$500,000 shall be derived by transfer and made available for the acquisition of land in the Ottawa National Wildlife Refuge;

(2) \$302,000 shall be derived by transfer and made available for the Dayton Aviation Heritage Commission, Ohio; and

(3) \$198,000 shall be derived by transfer and made available for a grant to the State of Ohio for the preservation and restoration of the birthplace, boyhood home, and schoolhouse of Ulysses S. Grant.

SEC. 132. CONVEYANCE TO NYE COUNTY, NEVADA. (a) DEFINITIONS.—In this section:

(1) COUNTY.—The term "County" means Nye County, Nevada.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(b) PARCELS CONVEYED FOR USE OF THE NEVADA SCIENCE AND TECHNOLOGY CENTER.—

(1) IN GENERAL.—The Secretary shall convey to the County, subject to the requirements of 43 U.S.C. 869 and subject to valid existing rights, all right, title, and interest in and to the parcels of public land described in paragraph (2). Such conveyance shall be made at a price determined to be appropriate for the conveyance of land for educational facilities under the Act of June 14, 1926 (43 U.S.C. 869 et seq.) and in accordance with the Bureau of Land Management Document entitled "Recreation and Public Purposes Act", dated October 1994, under the category of Special Pricing Program Uses for Governmental Entities.

(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are the following:

(A) The portion of Sec. 13 north of United States Route 95, T. 15 S., R. 49 E., Mount Diablo Meridian, Nevada.

(B) In Sec. 18, T. 15 S., R. 50 E., Mount Diablo Meridian, Nevada:

(i) W 1/2 W 1/2 NW 1/4.

(ii) The portion of the W 1/2 W 1/2 SW 1/4 north of United States Route 95.

(3) USE.—

(A) IN GENERAL.—The parcels described in paragraph (2) shall be used for the construction and operation of the Nevada Science and Technology Center as a nonprofit museum and exposition center, and related facilities and activities.

(B) REVERSION.—The conveyance of any parcel described in paragraph (2) shall be subject to reversion to the United States, at the discretion

of Secretary, if the parcel is used for a purpose other than that specified in subparagraph (A).

(c) PARCELS CONVEYED FOR OTHER USE FOR A COMMERCIAL PURPOSE.—

(1) RIGHT TO PURCHASE.—For a period of 5 years beginning on the date of the enactment of this Act, the County shall have the exclusive right to purchase the parcels of public land described in paragraph (2) for the fair market value of the parcels, as determined by the Secretary.

(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are the following parcels in Sec. 18, T. 15 S., R. 50 E., Mount Diablo Meridian, Nevada:

(A) E 1/2 NW 1/4.

(B) E 1/2 W 1/2 NW 1/4.

(C) The portion of the E 1/2 SW 1/4 north of United States Route 95.

(D) The portion of the E 1/2 W 1/2 SW 1/4 north of United States Route 95.

(E) The portion of the SE 1/4 north of United States Route 95.

(3) USE OF PROCEEDS.—Proceeds of a sale of a parcel described in paragraph (2)—

(A) shall be deposited in the special account established under section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345); and

(B) shall be available for use by the Secretary—

(i) to reimburse costs incurred by the local offices of the Bureau of Land Management in arranging the land conveyances directed by this Act; and

(ii) as provided in section 4(e)(3) of that Act (112 Stat. 2346).

SEC. 133. CONVEYANCE OF LAND TO CITY OF MESQUITE, NEVADA. Section 3 of Public Law 99-548 (100 Stat. 3061; 110 Stat. 3009-202) is amended by adding at the end the following:

"(e) FIFTH AREA.—

"(1) RIGHT TO PURCHASE.—

"(A) IN GENERAL.—For a period of 12 years after the date of the enactment of this Act, the City of Mesquite, Nevada, subject to all appropriate environmental reviews, including compliance with the National Environmental Policy Act and the Endangered Species Act, shall have the exclusive right to purchase the parcels of public land described in paragraph (2).

"(B) APPLICABILITY.—Subparagraph (A) shall apply to a parcel of land described in paragraph (2) that has not been identified for disposal in the 1998 Bureau of Land Management Las Vegas Resource Management Plan only if the conveyance is made under subsection (f).

"(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are as follows:

"(A) In T. 13 S., R. 70 E., Mount Diablo Meridian, Nevada:

"(i) The portion of sec. 27 north of Interstate Route 15.

"(ii) Sec. 28: NE 1/4, S 1/2 (except the Interstate Route 15 right-of-way).

"(iii) Sec. 29: E 1/2 NE 1/4 SE 1/4, SE 1/4 SE 1/4.

"(iv) The portion of sec. 30 south of Interstate Route 15.

"(v) The portion of sec. 31 south of Interstate Route 15.

"(vi) Sec. 32: NE 1/4 NE 1/4 (except the Interstate Route 15 right-of-way), the portion of NW 1/4 NE 1/4 south of Interstate Route 15, and the portion of W 1/2 south of Interstate Route 15.

"(vii) The portion of sec. 33 north of Interstate Route 15.

"(B) In T. 13 S., R. 69 E., Mount Diablo Meridian, Nevada:

"(i) The portion of sec. 25 south of Interstate Route 15.

"(ii) The portion of sec. 26 south of Interstate Route 15.

"(iii) The portion of sec. 27 south of Interstate Route 15.

"(iv) Sec. 28: SW 1/4 SE 1/4.

"(v) Sec. 33: E 1/2.

"(vi) Sec. 34.

“(vii) Sec. 35.

“(viii) Sec. 36.

“(3) NOTIFICATION.—Not later than 10 years after the date of the enactment of this subsection, the city shall notify the Secretary which of the parcels of public land described in paragraph (2) the city intends to purchase.

“(4) CONVEYANCE.—Not later than 1 year after receiving notification from the city under paragraph (3), the Secretary shall convey to the city the land selected for purchase.

“(5) WITHDRAWAL.—Subject to valid existing rights, until the date that is 12 years after the date of the enactment of this subsection, the parcels of public land described in paragraph (2) are withdrawn from all forms of entry and appropriation under the public land laws, including the mining laws, and from operation of the mineral leasing and geothermal leasing laws.

“(6) USE OF PROCEEDS.—The proceeds of the sale of each parcel—

“(A) shall be deposited in the special account established under section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345); and

“(B) shall be available for use by the Secretary—

“(i) to reimburse costs incurred by the local offices of the Bureau of Land Management in arranging the land conveyances directed by this Act; and

“(ii) as provided in section 4(e)(3) of that Act (112 Stat. 2346).

“(f) SIXTH AREA.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this subsection, the Secretary shall convey to the City of Mesquite, Nevada, in accordance with section 47125 of title 49, United States Code, and subject to all appropriate environmental reviews, including compliance with the National Environmental Policy Act and the Endangered Species Act, up to 2,560 acres of public land to be selected by the city from among the parcels of land described in paragraph (2).

“(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are as follows:

“(A) In T. 13 S., R. 69 E., Mount Diablo Meridian, Nevada:

“(i) The portion of sec. 28 south of Interstate Route 15 (except S ½ SE ¼).

“(ii) The portion of sec. 29 south of Interstate Route 15.

“(iii) The portion of sec. 30 south of Interstate Route 15.

“(iv) The portion of sec. 31 south of Interstate Route 15.

“(v) Sec. 32.

“(vi) Sec. 33: W ½.

“(B) In T. 14 S., R. 69 E., Mount Diablo Meridian, Nevada:

“(i) Sec. 4.

“(ii) Sec. 5.

“(iii) Sec. 6.

“(iv) Sec. 8.

“(C) In T. 14 S., R. 68 E., Mount Diablo Meridian, Nevada:

“(i) Sec. 1.

“(ii) Sec. 12.

“(3) WITHDRAWAL.—Subject to valid existing rights, until the date that is 12 years after the date of the enactment of this subsection, the parcels of public land described in paragraph (2) are withdrawn from all forms of entry and appropriation under the public land laws, including the mining laws, and from operation of the mineral leasing and geothermal leasing laws.

“(4) If the land conveyed pursuant to this section is not utilized by the city as an airport, it shall revert to the United States, at the option of the Secretary.

“(5) Nothing in this section shall preclude the Secretary from applying appropriate terms and conditions as identified by the required environmental review to any conveyance made under this section.”

SEC. 134. QUADRICENTENNIAL COMMEMORATION OF THE SAINT CROIX ISLAND INTER-

NATIONAL HISTORIC SITE. (a) FINDINGS.—The Senate finds that—

(1) in 1604, one of the first European colonization efforts was attempted at St. Croix Island in Calais, Maine;

(2) St. Croix Island settlement predated both the Jamestown and Plymouth colonies;

(3) St. Croix Island offers a rare opportunity to preserve and interpret early interactions between European explorers and colonists and Native Americans;

(4) St. Croix Island is one of only two international historic sites comprised of land administered by the National Park Service;

(5) the quadricentennial commemorative celebration honoring the importance of the St. Croix Island settlement to the countries and people of both Canada and the United States is rapidly approaching;

(6) the 1998 National Park Service management plans and long-range interpretive plan call for enhancing visitor facilities at both Red Beach and downtown Calais;

(7) in 1982, the Department of the Interior and Canadian Department of the Environment signed a memorandum of understanding to recognize the international significance of St. Croix Island and, in an amendment memorandum, agreed to conduct joint strategic planning for the international commemoration with a special focus on the 400th anniversary of settlement in 2004;

(8) the Department of Canadian Heritage has installed extensive interpretive sites on the Canadian side of the border; and

(9) current facilities at Red Beach and Calais are extremely limited or nonexistent for a site of this historic and cultural importance.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) using funds made available by this Act, the National Park Service should expeditiously pursue planning for exhibits at Red Beach and the town of Calais, Maine; and

(2) the National Park Service should take what steps are necessary, including consulting with the people of Calais, to ensure that appropriate exhibits at Red Beach and the town of Calais are completed by 2004.

SEC. 135. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 136. None of the funds appropriated or otherwise made available in this Act or any other provision of law, may be used by any officer, employee, department or agency of the United States to impose or require payment of an inspection fee in connection with the export of shipments of fur-bearing wildlife containing 1,000 or fewer raw, crusted, salted or tanned hides or fur skins, or separate parts thereof, including species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora done at Washington, March 3, 1973 (27 UST 1027): Provided, That this provision shall for the duration of the calendar year in which the shipment occurs, not apply to any person who ships more than 2,500 of such hides, fur skins or parts thereof during the course of such year.

SEC. 137. (a) The Secretary of the Interior shall during fiscal year 2000 reorganize and consolidate the Bureau of Indian Affairs' management and administrative functions based on the recommendations of the National Academy of Public Administration.

(b) Bureau of Indian Affairs employees in Central Office West divisions that are moved due to the implementation of the National Academy of Public Administration recommendations, who voluntarily resign or retire from the Bureau of Indian Affairs on or before December 31, 1999, may receive, from the Bureau of Indian Affairs, a lump sum voluntary separation incentive pay-

ment that shall be equal to the lesser of an amount equal to the amount the employee would be entitled to receive under section 5595(c) of title 5, United States Code, if the employee were entitled to payment under such section; or \$25,000.

(1) The voluntary separation incentive payment—

(A) shall not be a basis for payment, and shall not be included in the computation of any other type of Government benefit; and

(B) shall be paid from appropriations or funds available for the payment of the basic pay of the employee.

(2) Employees receiving a voluntary separation incentive payment and accepting employment with the Federal Government within 5 years of the date of separation shall be required to repay the entire amount of the incentive payment to the Bureau of Indian Affairs.

(3) The Secretary may, at the request of the head of an executive branch agency, waive the repayment under paragraph (2) if the individual involved possesses unique abilities and is the only qualified applicant available for the position.

(4) In addition to any other payment which is required to be made under subchapter III of chapter 83 of title 5, United States Code, the Bureau of Indian Affairs shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund an amount equal to 15 percent of the final basic pay of each employee of the Bureau of Indian Affairs to whom a voluntary separation incentive payment has been or is to be paid under the provisions of this section.

(c) Employees of the Bureau of Indian Affairs, in Central Office West divisions that are moved due to the implementation of the National Academy of Public Administration recommendations and who are entitled to severance pay under 5 U.S.C. 5595, may apply for, and the Bureau of Indian Affairs may pay, the total amount of 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 Bureau of Indian Affairs.

(d) Employees of the Bureau of Indian Affairs, in Central Office West divisions that are moved due to the implementation of the National Academy of Public Administration recommendations and who voluntarily resign on or before December 31, 1999, or who are separated, shall be liable for not more than the required employee contribution under 5 U.S.C. 8905a(d)(1)(A) if they elect to continue health benefits after separation. The Bureau of Indian Affairs shall pay for 12 months the remaining portion of required contributions.

SEC. 138. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands from the Haines Borough, Alaska, consisting of approximately 20 acres, more or less, in four tracts identified for this purpose by the Borough, and contained in an area formerly known as "Duncan's Camp"; the Secretary shall use \$340,000 previously allocated from funds appropriated for the Department of the Interior for fiscal year 1998 for acquisition of lands; the Secretary is authorized to convey in fee all land and interests in land acquired pursuant to this section without compensation to the heirs of Peter Duncan in settlement of a claim filed by them against the United States: Provided, That the Secretary shall not convey the lands acquired pursuant to this section unless and until a signed release of all claims is executed.

SEC. 139. Funds appropriated for the Bureau of Indian Affairs for postsecondary schools for fiscal year 2000 shall be allocated among the schools proportionate to the unmet need of the schools as determined by the Postsecondary

Funding Formula adopted by the Office of Indian Education Programs.

SEC. 140. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104-134, as amended by Public Law 104-208, the Secretary may accept and retain land and other forms of reimbursement: Provided, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100-696; 16 U.S.C. 460zz.

SEC. 141. None of the funds made available by this Act shall be used to issue a notice of final rulemaking with respect to the valuation of crude oil for royalty purposes until March 15, 2000. The rulemaking must be consistent with existing statutory requirements.

SEC. 142. EXTENSION OF AUTHORITY FOR ESTABLISHMENT OF THOMAS PAINE MEMORIAL. (a) IN GENERAL.—Public Law 102-407 (40 U.S.C. 1003 note; 106 Stat. 1991) is amended by adding at the end the following:

“SEC. 4. EXPIRATION OF AUTHORITY.

“Notwithstanding the time period limitation specified in section 10(b) of the Commemorative Works Act (40 U.S.C. 1010(b)) or any other provision of law, the authority for the Thomas Paine National Historical Association to establish a memorial to Thomas Paine in the District of Columbia under this Act shall expire on December 31, 2003.”

(b) CONFORMING AMENDMENTS.—

(1) APPLICABLE LAW.—Section 1(b) of Public Law 102-407 (40 U.S.C. 1003 note; 106 Stat. 1991) is amended by striking “The establishment” and inserting “Except as provided in section 4, the establishment”.

(2) EXPIRATION OF AUTHORITY.—Section 3 of Public Law 102-407 (40 U.S.C. 1003 note; 106 Stat. 1991) is amended—

(A) by striking “or upon expiration of the authority for the memorial under section 10(b) of that Act,” and inserting “or on expiration of the authority for the memorial under section 4,”; and

(B) by striking “section 8(b)(1) of that Act” and inserting “section 8(b)(1) of the Commemorative Works Act (40 U.S.C. 1008(b)(1))”.

SEC. 143. USE OF NATIONAL PARK SERVICE TRANSPORTATION SERVICE CONTRACT FEES. Section 412 of the National Parks Omnibus Management Act of 1998 (16 U.S.C. 5961) is amended—

(1) by inserting “(a) IN GENERAL.—” before “Notwithstanding”; and

(2) by adding at the end the following:

“(b) OBLIGATION OF FUNDS.—Notwithstanding any other provision of law, with respect to a service contract for the provision solely of transportation services at Zion National Park, the Secretary may obligate the expenditure of fees received in fiscal year 2000 under section 501 before the fees are received.”

SEC. 144. EXTENSION OF DEADLINE FOR RED ROCK CANYON NATIONAL CONSERVATION AREA. (a) IN GENERAL.—Section 3(c)(1) of Public Law 103-450 (108 Stat. 4767) is amended by striking “the date 5 years after the date of enactment of this Act” and inserting “May 2, 2000”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on November 1, 1999.

SEC. 145. NATIONAL PARK PASSPORT PROGRAM. Section 603(c)(1) of the National Park Omnibus Management Act of 1998 (16 U.S.C. 5993(c)(1)) is amended by striking “10” and inserting “15”.

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, \$202,700,000, 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, \$202,534,000, 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 Maintenance”, and “Land Acquisition”, \$1,269,504,000, 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. 4601-6a(i)); Provided, That unobligated balances available at the start of fiscal year 2000 shall be displayed by extended budget line item in the fiscal year 2001 budget justification.

WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire suppression 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, \$561,354,000, 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 not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal year 1999 shall be transferred, as repayment for past advances that have not been repaid, to the fund established pursuant to section 3 of Public Law 71-319 (16 U.S.C. 576 et seq.): 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, suppression 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, \$398,927,000, 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 unobligated balances of amounts previously appropriated to the Forest Service “Reconstruction and Construction” account as well as any unobligated balances remaining in the “National Forest System” account for the facility maintenance and trail maintenance extended budget line items at the end of fiscal year 1999 may be transferred to and merged with the “Reconstruction and Maintenance” account.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4 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, \$79,575,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which not to exceed \$40,000,000 may be available for the acquisition of lands or interests within the tract known as the Baca Location No. 1 in New Mexico only upon: (1) the enactment of legislation authorizing the acquisition of lands, or interests in lands, within such tract; (2) completion of a review, not to exceed 90 days, by the Comptroller General of the United States of an appraisal conforming with the Uniform Appraisal Standards for Federal Land Acquisition of all lands and interests therein to be acquired by the United States; and (3) submission of the Comptroller General’s review of such appraisal to the Committee on Resources of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committees on Appropriations of the House and Senate: 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 Fed. Reg. 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 boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, 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 governments, public school districts, or other public school authorities pursuant to the Act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 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 available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

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 vehicles; operation and maintenance of aircraft, the purchase of not to exceed three for replacement only, and acquisition 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 buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein, pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901-5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to abolish any region, to move or close any regional office for National Forest System administration of the Forest Service, Department of Agriculture without the consent of the House and Senate Committees on Appropriations.

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions if and only if all previously appropriated emergency contingent funds under the heading "Wildland Fire Management" have been released by the President and apportioned.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and 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 No. 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 No. 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 Conservation 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 the 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, \$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, 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.

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

Notwithstanding any other provision of law, 80 percent of the funds appropriated to the Forest Service in the "National Forest System" and "Reconstruction and Construction" accounts and planned to be allocated to activities under the "Jobs in the Woods" program for projects on National Forest land in the State of Washington may be granted directly to the Washington State Department of Fish and Wildlife for accomplishment of planned projects. Twenty percent of said funds shall be retained by the Forest Service for planning and administering projects. Project selection and prioritization shall be accomplished by the Forest Service with such consultation with the State of Washington as the Forest Service deems appropriate.

Funds appropriated to the Forest Service shall be available for payments to counties within the

Columbia River Gorge National Scenic Area, pursuant to sections 14(c)(1) and (2), and section 16(a)(2) of Public Law 99-663.

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 Disaster Fund as set forth in section 101(c) of Public Law 104-134, the direct grants provided from the Fund shall be considered direct payments for purposes of all applicable law except that these direct grants may not be used for lobbying activities: Provided, That a total of \$22,000,000 is hereby appropriated and shall be deposited into the Southeast Alaska Economic Disaster Fund established pursuant to Public Law 104-134, as amended, without further appropriation or fiscal year limitation of which \$10,000,000 shall be distributed in fiscal year 2000, \$7,000,000 shall be distributed in fiscal year 2001, and \$5,000,000 shall be distributed in fiscal year 2002. The Secretary of Agriculture shall allocate the funds to local communities suffering economic hardship because of mill closures and economic dislocation in the timber industry to employ unemployed timber workers and for related community redevelopment projects as follows:

(1) in fiscal year 2000, \$4,000,000 for the Ketchikan Gateway Borough, \$2,000,000 for the City of Petersburg, \$2,000,000 for the City and Borough of Sitka, and \$2,000,000 for the Metlakatla Indian Community;

(2) in fiscal year 2001, \$3,000,000 for the Ketchikan Gateway Borough, \$1,000,000 for the City of Petersburg, \$1,500,000 for the City and Borough of Sitka, and \$1,500,000 for the Metlakatla Indian Community; and

(3) in fiscal year 2002, \$3,000,000 for the Ketchikan Gateway Borough, \$500,000 for the City and Borough of Sitka, and \$1,500,000 for the Metlakatla Indian Community.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed \$500,000 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, training sessions, management reviews, land purchase negotiations and similar non-litigation related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

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 department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving 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 expenditures"), 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 Washington Office, and when changed by the Washington 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.

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: Provided, That such amounts shall not exceed \$500,000.

From any unobligated balances available at the start of fiscal year 2000, the amount of \$5,000,000 shall be allocated to the Alaska Region, in addition to the funds appropriated to sell timber in the Alaska Region under this Act, for expenses directly related to preparing sufficient additional timber for sale in the Alaska Region to establish a 3-year timber supply.

The Forest Service is authorized through the Forest Service existing budget to reimburse Harry Frey, \$143,406 (1997 dollars) because his home was destroyed by arson on June 21, 1990 in retaliation for his work with the Forest Service.

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 available 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 (INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95-91), including the acquisition of interest, including de-feasible 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, \$419,025,000, 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.

ELK HILLS SCHOOL LANDS FUND

For necessary expenses in fulfilling the second installment payment under the Settlement Agreement entered into by the United States and the State of California on October 11, 1996, as authorized by section 3415 of Public Law 104-106, \$36,000,000, to become available on October 1, 2000, for payment to the State of California for the State Teachers' Retirement Fund from the Elk Hills School Lands Fund.

ENERGY CONSERVATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out energy conservation activities, \$745,242,000, 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 \$168,500,000 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: \$135,000,000 for weatherization assistance grants and \$33,500,000 for State energy conservation grants: Provided further, That, notwithstanding any other provision of law, in fiscal year 2001 and thereafter sums appropriated for weatherization assistance grants shall be contingent on a cost share of 25 percent by each participating State or other qualified participant.

ECONOMIC REGULATION

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

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), \$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 Energy under this or any other Act: Provided further, That all funds transferred pursuant to this authority must be replenished as promptly as possible from oil sale receipts pursuant to the drawdown and sale.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administra-

tion, \$72,644,000, 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: Provided further, That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: Provided further, That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

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 public 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.

The Secretary of Energy in cooperation with the Administrator of General Services Administration shall convey to the City of Bartlesville, Oklahoma, for no consideration, the approximately 15.644 acres of land comprising the former site of the National Institute of Petroleum Energy Research (including all improvements on the land) described as follows: All of Block 1, Keeler's Second Addition, all of Block 2, Keeler's Fourth Addition, all of Blocks 9 and 10, Mountain View Addition, all in the City of Bartlesville, Washington County, Oklahoma.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, \$2,078,967,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) for services furnished by

the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education 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: Provided further, That \$12,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: Provided further, That \$395,290,000 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 1-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 \$228,781,000 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, of which not to exceed \$10,000,000 may be used for such costs associated with new and expanded contracts, grants, self-governance compacts or annual funding agreements: Provided further, That funds available for the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

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, \$318,580,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities: Provided further, That notwithstanding any

provision of law governing Federal construction, \$3,000,000 of the funds provided herein shall be provided to the Hopi Tribe to reduce the debt incurred by the Tribe in providing staff quarters to meet the housing needs associated with the new Hopi Health Center: Provided further, That not to exceed \$500,000 shall be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That not to exceed \$500,000 shall be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: Provided further, That not to exceed \$500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings: Provided further, That from within existing funds, the Indian Health Service may purchase up to 5 acres of land for expanding the parking facilities at the Indian Health Service hospital in Tahlequah, Oklahoma.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefore as authorized by 5 U.S.C. 5901-5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: Provided, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651-2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: Provided further, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health 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), \$2,125,000.

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 five replacement passenger vehicles; purchase, rental, repair, and cleaning of

uniforms for employees, \$372,901,000, of which not to exceed \$43,318,000 for the instrumentation program, collections acquisition, Museum Support Center equipment and move, exhibition reinstallation, the National Museum of the American Indian, the repatriation of skeletal remains program, research equipment, information management, and Latino programming shall remain available until expended and of which \$2,500,000 shall remain available until expended for the National Museum of Natural History's Arctic Studies Center to include assistance to other museums for the planning and development of institutions and facilities that enhance the display of collections, and including such funds as may be necessary to support American overseas research centers and a total of \$125,000 for the Council of American Overseas Research Centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: Provided further, That the Smithsonian Institution may expend Federal appropriations designated in this Act for lease or rent payments for long term and swing space, as rent payable to the Smithsonian Institution, and such rent payments may be deposited into the general trust funds of the Institution to the extent that federally supported activities are housed in the 900 H Street, N.W. building in the District of Columbia: Provided further, That this use of Federal appropriations shall not be construed as debt service, a Federal guarantee of, a transfer of risk to, or an obligation of, the Federal Government: Provided further, That no appropriated funds may be used to service debt which is incurred to finance the costs of acquiring the 900 H Street building or of planning, designing, and constructing improvements to such building.

REPAIR, REHABILITATION AND ALTERATION OF FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of repair, rehabilitation and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed \$10,000 for services as authorized by 5 U.S.C. 3109, \$47,900,000, to remain available until expended, of which \$6,000,000 is provided for repair, rehabilitation and alteration of facilities at the National Zoological Park: Provided, That contracts awarded for environmental systems, protection systems, and repair or rehabilitation of facilities of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price: Provided further, That funds previously appropriated to the "Construction and Improvements, National Zoological Park" account and the "Repair and Restoration of Buildings" account may be transferred to and merged with this "Repair, Rehabilitation and Alteration of Facilities" account.

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.

None of the funds in this or any other Act may be used for the Holt House located at the National Zoological Park in Washington, D.C., unless identified as repairs to minimize water damage, monitor structure movement, or provide interim structural support.

NATIONAL GALLERY OF ART
SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901-5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, \$61,538,000, 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 environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

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

CONSTRUCTION

For necessary expenses for capital repair and rehabilitation of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, \$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 of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, \$6,790,000.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS
GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$85,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to sections 5(c) and 5(g) of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$13,000,000, to remain available until expended, to the Na-

tional Endowment for the Arts: Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

NATIONAL ENDOWMENT FOR THE HUMANITIES
GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$101,000,000, 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, \$14,700,000, to remain available until expended, of which \$10,700,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

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, \$24,400,000, 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), \$1,005,000: Provided, That 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 remain available until expended without further appropriation.

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), \$3,000,000: 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 National Capital Planning Act of 1952 (40 U.S.C. 71-71i), 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 museum's repair and rehabilitation program and \$1,264,000 for the museum's exhibitions program shall remain available until expended.

PRESIDIO TRUST
PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus 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 Secretary 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 procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

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

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

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

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

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

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

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

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be pur-

chased 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 expending 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 agency 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.

(d) EFFECTIVE DATE.—The provisions of this section are applicable in fiscal year 2000 and thereafter.

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 re-programming 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, 2000, 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 Committees on Appropriations and the Committee on Resources of the House of

Representatives and the Committee 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 Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104-208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

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. All interests created under leases, concessions, permits and other agreements associated with the properties administered by the Presidio Trust shall be exempt from all taxes and special assessments of every kind by the State of California and its political subdivisions.

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 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. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated 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, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income 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.

(c) 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. 321. 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 15 year legally mandated date to revise before or during calendar year 2001; 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. 322. No part of any appropriation contained in this Act shall be expended or obligated to complete and issue the 5-year program under the Forest and Rangeland Renewable Resources Planning Act.

SEC. 323. None of the funds in this Act may be used to support Government-wide administrative functions unless such functions are justified in the budget process and funding is approved by the House and Senate Committees on Appropriations.

SEC. 324. Notwithstanding any other provision of law, none of the funds in this Act may be used for GSA Telecommunication Centers or the President's Council on Sustainable Development.

SEC. 325. 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. 326. (a) SHORT TITLE.—This section may be cited as the "National Park Service Studies Act of 1999".

(b) AUTHORIZATION OF STUDIES.—

(1) IN GENERAL.—The Secretary of the Interior ("the Secretary") shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) CRITERIA.—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91-383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105-391; 112 Stat. 3501).

(3) STUDY AREAS.—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-state.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) REPORTS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

SEC. 327. 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 salvage sale fund. Nothing in this section shall be construed to exempt any project from any environmental law.

SEC. 328. None of the funds in this Act may be used to establish a new National Wildlife Refuge in the Kankakee River basin that is inconsistent with the United States Army Corps of Engineers' efforts to control flooding and siltation in that area. Written certification of consistency shall be submitted to the House and Senate Committees on Appropriations prior to refuge establishment.

SEC. 329. None of the funds provided in this or previous appropriations Acts for the agencies funded by this Act or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be transferred to or used to fund personnel, training, or other administrative activities at the Council on Environmental Quality or other offices in the Executive Office of the President for purposes related to the American Heritage Rivers program.

SEC. 330. Other than in emergency situations, none of the funds in this Act may be used to operate telephone answering machines during core business hours unless such answering machines include an option that enables callers to reach promptly an individual on-duty with the agency being contacted.

SEC. 331. ENHANCING FOREST SERVICE ADMINISTRATION OF RIGHTS-OF-WAY AND LAND USES. (a) The Secretary of Agriculture shall develop and implement a pilot program for the purpose of enhancing forest service administration of rights-of-way and other land uses. The authority for this program shall be for fiscal years 2000 through 2004. Prior to the expiration of the authority for this pilot program, the Secretary shall submit a report to the House and Senate Committees on Appropriations, and the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives that evaluates whether the use of funds under this section resulted in more expeditious approval of rights-of-way and special use authorizations. This report shall include the Secretary's recommendation for statutory or regulatory changes to reduce the average processing time for rights-of-way and special use permit applications.

(b) DEPOSIT OF FEES.—Subject to subsections (a) and (f), during fiscal years 2000 through 2004, the Secretary of Agriculture shall deposit into a special account established in the Treasury all fees collected by the Secretary to recover the costs of processing applications for, and monitoring compliance with, authorizations to use and occupy National Forest System lands pursuant to section 28(l) of the Mineral Leasing Act (30 U.S.C. 185(l)), section 504(g) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1764(g)), section 9701 of title 31, United States Code, and section 110(g) of the National Historic Preservation Act (16 U.S.C. 470h-2(g)).

(c) USE OF RETAINED AMOUNTS.—Amounts deposited pursuant to subsection (b) shall be available, without further appropriation, for expenditure by the Secretary of Agriculture to cover costs incurred by the Forest Service for the processing of applications for special use authorizations and for monitoring activities undertaken in connection with such authorizations. Amounts in the special account shall remain available for such purposes until expended.

(d) **REPORTING REQUIREMENT.**—In the budget justification documents submitted by the Secretary of Agriculture in support of the President's budget for a fiscal year under section 1105 of title 31, United States Code, the Secretary shall include a description of the purposes for which amounts were expended from the special account during the preceding fiscal year, including the amounts expended for each purpose, and a description of the purposes for which amounts are proposed to be expended from the special account during the next fiscal year, including the amounts proposed to be expended for each purpose.

(e) **DEFINITION OF AUTHORIZATION.**—For purposes of this section, the term "authorizations" means special use authorizations issued under subpart B of part 251 of title 36, Code of Federal Regulations.

(f) **IMPLEMENTATION.**—This section shall take effect upon promulgation of Forest Service regulations for the collection of fees for processing of special use authorizations and for related monitoring activities.

SEC. 332. HARDWOOD TECHNOLOGY TRANSFER AND APPLIED RESEARCH. (a) The Secretary of Agriculture (hereinafter the "Secretary") is hereby and hereafter authorized to conduct technology transfer and development, training, dissemination of information and applied research 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 Secretary including, but not limited to, the Cooperative Forestry Assistance Act of 1978, as amended (16 U.S.C. 2101 et seq.), and the Forest and Rangeland Renewable Resources Act of 1978, as amended (16 U.S.C. 1600-1614).

(b) In carrying out this authority, the Secretary may enter into grants, contracts, and cooperative agreements with public and private agencies, organizations, corporations, institutions and individuals. The Secretary may accept 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 Secretary 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 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. 333. No timber sale in Region 10 shall be advertised if the indicated rate is deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar: Provided, That sales which

are deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar may be advertised upon receipt of a written request by a prospective, informed bidder, who has the opportunity to review the Forest Service's cruise and harvest cost estimate for that timber. 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 in sales which are not deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar, 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 at prevailing domestic prices. 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 in sales which are not deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar, the volume of western red cedar timber available to domestic processors at prevailing domestic prices in the contiguous 48 United 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 determined 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 percentage 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 markets 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 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 timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

SEC. 334. Subsection 104(d) of Public Law 104-333 (110 Stat. 4102) is amended—

(a) in paragraph (3) by striking "after determining that the projects to be funded from the proceeds thereof are creditworthy and that a repayment schedule is established and only" and inserting "including a review of the creditworthiness of the loan and establishment of a repayment schedule," after "and subject to such terms and conditions,"; and

(b) in paragraph (4) by inserting "paragraph (3) of" before "this subsection".

SEC. 335. The Secretary of Agriculture and the Secretary of the Interior shall:

(1) prepare the report required of them by section 323(a) of the Interior and Related Agencies Appropriations Act, 1998 (Public Law 105-83; 111 Stat. 1543, 1596-7) except that the report describing the estimated production of goods and services for the first 5 years during the course of the decision may be completed for either each individual unit of Federal lands or for each of the Resource Advisory Council or Provincial Advisory Council units that fall within the Basin area;

(2) distribute the report and make such report available for public comment for a minimum of 120 days; and

(3) include detailed responses to the public comment in any final environmental impact

statement associated with the Interior Columbia Basin Ecosystem Management Project.

SEC. 336. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

SEC. 337. (a) **MILLSITES OPINION.**—No funds shall be expended by the Department of the Interior or the Department of Agriculture, for fiscal years 2000 and 2001, to 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 with respect to any patent application grandfathered pursuant to section 113 of the Department of the Interior and Related Agencies, Appropriations Act, 1995; any operation for which a plan of operations has been previously approved; or any operation for which a plan of operations has been submitted to the Bureau of Land Management or Forest Service prior to November 7, 1997.

(b) **NO RATIFICATION.**—Nothing in this Act or the Emergency Supplemental Act of 1999 shall be construed as an explicit or tacit adoption, ratification, endorsement, approval, rejection or disapproval of the opinion dated November 7, 1997, by the solicitor of the Department of the Interior concerning millsites.

SEC. 338. The Forest Service, in consultation with the Department of Labor, shall review Forest Service campground concessions policy to determine if modifications can be made to Forest Service contracts for campgrounds so that such concessions fall within the regulatory exemption of 29 CFR 4.122(b). The Forest Service shall offer in fiscal year 2000 such concession prospectuses under the regulatory exemption, except that, any prospectus that does not meet the requirements of the regulatory exemption shall be offered as a service contract in accordance with the requirements of 41 U.S.C. 351-358.

SEC. 339. PILOT PROGRAM OF CHARGES AND FEES FOR HARVEST OF FOREST BOTANICAL PRODUCTS. (a) **DEFINITION OF FOREST BOTANICAL PRODUCT.**—For purposes of this section, the term "forest botanical product" means any naturally occurring mushrooms, fungi, flowers, seeds, roots, bark, leaves, and other vegetation (or portion thereof) that grow on National Forest System lands. The term does not include trees, except as provided in regulations issued under this section by the Secretary of Agriculture.

(b) **RECOVERY OF FAIR MARKET VALUE FOR PRODUCTS.**—The Secretary of Agriculture shall develop and implement a pilot program to charge and collect not less than the fair market value for forest botanical products harvested on National Forest System lands. The Secretary shall establish appraisal methods and bidding procedures to ensure that the amounts collected for forest botanical products are not less than fair market value.

(c) **FEES.**—

(1) **IMPOSITION AND COLLECTION.**—Under the pilot program, the Secretary of Agriculture shall also charge and collect fees from persons who harvest forest botanical products on National Forest System lands to recover all costs to the Department of Agriculture associated with the granting, modifying, or monitoring the authorization for harvest of the forest botanical products, including the costs of any environmental or other analysis.

(2) **SECURITY.**—The Secretary may require a person assessed a fee under this subsection to

provide security to ensure that the Secretary receives the fees imposed under this subsection from the person.

(d) **SUSTAINABLE HARVEST LEVELS FOR FOREST BOTANICAL PRODUCTS.**—The Secretary of Agriculture shall conduct appropriate analyses to determine whether and how the harvest of forest botanical products on National Forest System lands can be conducted on a sustainable basis. The Secretary may not permit under the pilot program the harvest of forest botanical products at levels in excess of sustainable harvest levels, as defined pursuant to the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528 et seq.). The Secretary shall establish procedures and timeframes to monitor and revise the harvest levels established for forest botanical products.

(e) **WAIVER AUTHORITY.**—

(1) **PERSONAL USE.**—The Secretary of Agriculture shall establish a personal use harvest level for each forest botanical product, and the harvest of a forest botanical product below that level by a person for personal use shall not be subject to charges and fees under subsections (b) and (c).

(2) **OTHER EXCEPTIONS.**—The Secretary may also waive the application of subsection (b) or (c) pursuant to such regulations as the Secretary may prescribe.

(f) **DEPOSIT AND USE OF FUNDS.**—

(1) **DEPOSIT.**—Funds collected under the pilot program in accordance with subsections (b) and (c) shall be deposited into a special account in the Treasury of the United States.

(2) **FUNDS AVAILABLE.**—Funds deposited into the special account in accordance with paragraph (1) in excess of the amounts collected for forest botanical products during fiscal year 1999 shall be available for expenditure by the Secretary of Agriculture under paragraph (3) without further appropriation, and shall remain available for expenditure until the date specified in subsection (h)(2).

(3) **AUTHORIZED USES.**—The funds made available under paragraph (2) shall be expended at units of the National Forest System in proportion to the charges and fees collected at that unit under the pilot program to pay for—

(A) in the case of funds collected under subsection (b), the costs of conducting inventories of forest botanical products, determining sustainable levels of harvest, monitoring and assessing the impacts of harvest levels and methods, and for restoration activities, including any necessary vegetation; and

(B) in the case of fees collected under subsection (c), the costs described in paragraph (1) of such subsection.

(4) **TREATMENT OF FEES.**—Funds collected under subsections (b) and (c) shall not be taken into account for the purposes of the following laws:

(A) The sixth paragraph under the heading "FOREST SERVICE" in the Act of May 23, 1908 (16 U.S.C. 500) and section 13 of the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 500).

(B) The fourteenth paragraph under the heading "FOREST SERVICE" in the Act of March 4, 1913 (16 U.S.C. 501).

(C) Section 33 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1012).

(D) The Act of August 8, 1937, and the Act of May 24, 1939 (43 U.S.C. 1181a et seq.).

(E) Section 6 of the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869-4).

(F) Chapter 69 of title 31, United States Code.

(G) Section 401 of the Act of June 15, 1935 (16 U.S.C. 715s).

(H) Section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-6a).

(I) Any other provision of law relating to revenue allocation.

(g) **REPORTING REQUIREMENTS.**—As soon as practicable after the end of each fiscal year in which the Secretary of Agriculture collects charges and fees under subsections (b) and (c)

or expends funds from the special account under subsection (f), the Secretary shall submit to the Congress a report summarizing the activities of the Secretary under the pilot program, including the funds generated under subsections (b) and (c), the expenses incurred to carry out the pilot program, and the expenditures made from the special account during that fiscal year.

(h) **DURATION OF PILOT PROGRAM.**—

(1) **CHARGES AND FEES.**—The Secretary of Agriculture may collect charges and fees under the authority of subsections (b) and (c) only during fiscal years 2000 through 2004.

(2) **USE OF SPECIAL ACCOUNT.**—The Secretary may make expenditures from the special account under subsection (f) until September 30 of the fiscal year following the last fiscal year specified in paragraph (1). After that date, amounts remaining in the special account shall be transferred to the general fund of the Treasury.

SEC. 340. Title III, section 3001 of Public Law 106-31 is amended by inserting after "Alabama," the following: "in fiscal year 1999 or 2000".

SEC. 341. Section 347 of title III of section 101(e) of division A of Public Law 105-277 is hereby amended—

(1) in subsection (a)—

(A) by inserting ", via agreement or contract as appropriate," before "may enter into"; and

(B) by striking "(28) contracts with private persons and" and inserting "(28) stewardship contracting demonstration pilot projects with private persons or other public or private";

(2) in subsection (b), by striking "contract" and inserting "project";

(3) in subsection (c)—

(A) in the heading, by inserting "Agreements or" before "Contracts";

(B) in paragraph (1)—

(i) by striking "a contract" and inserting "an agreement or contract"; and

(ii) by striking "private contracts" and inserting "private agreements or contracts";

(C) in paragraph (3), by inserting "agreement or" before "contracts"; and

(D) in paragraph (4), by inserting "agreement or" before "contracts";

(4) in subsection (d)—

(A) in paragraph (1), by striking "a contract" and inserting "an agreement or contract"; and

(B) in paragraph (2), by striking "a contract" and inserting "an agreement or contract"; and

(5) in subsection (g)—

(A) in the first sentence by striking "contract" and inserting "pilot project"; and

(B) in the last sentence—

(i) by inserting "agreements or" before "contracts"; and

(ii) by inserting "agreements or" before "contract".

SEC. 342. Notwithstanding section 343 of Public Law 105-83, increases in recreation residence fees shall be implemented in fiscal year 2000 only to the extent that the fiscal year 2000 fees do not exceed the fiscal year 1999 fee by more than \$2,000.

SEC. 343. REDESIGNATION OF BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR IN HONOR OF JOHN H. CHAFEE. (a) **CORRIDOR.**—

(1) **IN GENERAL.**—The Blackstone River Valley National Heritage Corridor established by section 1 of Public Law 99-647 (16 U.S.C. 461 note) is redesignated as the "John H. Chafee Blackstone River Valley National Heritage Corridor".

(2) **REFERENCES.**—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Blackstone River Valley National Heritage Corridor shall be deemed to be a reference to the John H. Chafee Blackstone River Valley National Heritage Corridor.

(b) **COMMISSION.**—

(1) **IN GENERAL.**—The Blackstone River Valley National Heritage Corridor Commission established by section 3 of Public Law 99-647 (16 U.S.C. 461 note) is redesignated as the "John H. Chafee Blackstone River Valley National Heritage Corridor Commission".

(2) **REFERENCES.**—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Blackstone River Valley National Heritage Corridor Commission shall be deemed to be a reference to the John H. Chafee Blackstone River Valley National Heritage Corridor Commission.

(c) **CONFORMING AMENDMENTS.**—

(1) Section 1 of Public Law 99-647 (16 U.S.C. 461 note) is amended in the first sentence by striking "Blackstone River Valley National Heritage Corridor" and inserting "John H. Chafee Blackstone River Valley National Heritage Corridor".

(2) Section 3 of Public Law 99-647 (16 U.S.C. 461 note) is amended—

(A) in the section heading, by striking "BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR COMMISSION" and inserting "JOHN H. CHAFEE BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR COMMISSION"; and

(B) in subsection (a), by striking "Blackstone River Valley National Heritage Corridor Commission" and inserting "John H. Chafee Blackstone River Valley National Heritage Corridor Commission".

SEC. 344. A project undertaken by the Forest Service under the Recreation Fee Demonstration Program as authorized 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 authorization 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 authorization shall be made within the terms and conditions of the authorization and authorities of the impacted agency.

(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—

(A) the private sector provider fails to bid on such opportunities;

(B) the private sector provider terminates its relationship with the agency; or

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

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.

SEC. 345. NATIONAL FOREST-DEPENDENT RURAL COMMUNITIES ECONOMIC DIVERSIFICATION. (a) **FINDINGS AND PURPOSES.**—Section 2373 of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6611) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking "national forests" and inserting "National Forest System land";

(B) in paragraph (4), by striking "the national forests" and inserting "National Forest System land";

(C) in paragraph (5), by striking "forest resources" and inserting "natural resources"; and

(D) in paragraph (6), by striking "national forest resources" and inserting "National Forest System land resources"; and

(2) in subsection (b)(1)—

(A) by striking "national forests" and inserting "National Forest System land"; and

(B) by striking "forest resources" and inserting "natural resources".

(b) **DEFINITIONS.**—Section 2374(1) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6612(1)) is amended by striking "forestry" and inserting "natural resources".

(c) **RURAL FORESTRY AND ECONOMIC DIVERSIFICATION ACTION TEAMS.**—Section 2375(b) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6613(b)) is amended—

(1) in the first sentence, by striking "forestry" and inserting "natural resources"; and

(2) in the second and third sentences, by striking "national forest resources" and inserting "National Forest System land resources".

(d) ACTION PLAN IMPLEMENTATION.—Section 2376(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6614(a)) is amended—

(1) by striking "forest resources" and inserting "natural resources"; and

(2) by striking "national forest resources" and inserting "National Forest System land resources".

(e) TRAINING AND EDUCATION.—Paragraphs (3) and (4) of section 2377(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6615(a)) are amended by striking "national forest resources" and inserting "National Forest System land resources".

(f) LOANS TO ECONOMICALLY DISADVANTAGED RURAL COMMUNITIES.—Paragraphs (2) and (3) of section 2378(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6616(a)) are amended by striking "national forest resources" and inserting "National Forest System land resources".

SEC. 346. INTERSTATE 90 LAND EXCHANGE AMENDMENT. (a) This section shall be referred to as the "Interstate 90 Land Exchange Amendment".

(b) Section 604(a) of the Interstate 90 Land Exchange Act of 1998, Public Law 105-277; 112 Stat. 2681-328 (1998), is hereby amended by adding at the end of the first sentence: "except title to offered lands and interests in lands described as follows: Township 21 North, Range 12 East, Section 15, W.M., Township 21 North, Range 12 East, Section 23, W.M., Township 21 North, Range 12 East, Section 25, W.M., Township 19 North, Range 13 East, Section 7, W.M., Township 19 North, Range 15 East, Section 31, W.M., Township 19 North, Range 14 East, Section 25, W.M., Township 22 North, Range 11 East, Section 3, W.M., and Township 22 North, Range 11 East, Section 19, W.M. must be placed in escrow by Plum Creek, according to terms and conditions acceptable to the Secretary and Plum Creek, for a 3-year period beginning on the later of the date of the enactment of this Act or consummation of the exchange. During the period the lands are held in escrow, Plum Creek shall not undertake any activities on these lands, except for fire suppression and road maintenance, without the approval of the Secretary, which shall not be unreasonably withheld".

(c) Section 604(a) is further amended by inserting in section (2) after the words "dated October 1998" the following: "except the following parcels: Township 19 North, Range 15 East, Section 29, W.M., Township 18 North, Range 15 East, Section 3, W.M., Township 19 North, Range 14 East, Section 9, W.M., Township 21 North, Range 14 East, Section 7, W.M., Township 22 North, Range 12 East, Section 35, W.M., Township 22 North, Range 13 East, Section 3, W.M., Township 22 North, Range 13 East, Section 9, W.M., Township 22 North, Range 13 East, Section 11, W.M., Township 22 North, Range 13 East, Section 13, W.M., Township 22 North, Range 13 East, Section 15, W.M., Township 22 North, Range 13 East, Section 25, W.M., Township 22 North, Range 13 East, Section 33, W.M., Township 22 North, Range 13 East, Section 35, W.M., Township 22 North, Range 14 East, Section 7, W.M., Township 22 North, Range 14 East, Section 9, W.M., Township 22 North, Range 14 East, Section 11, W.M., Township 22 North, Range 14 East, Section 15, W.M., Township 22 North, Range 14 East, Section 17, W.M., Township 22 North, Range 14 East, Section 21, W.M., Township 22 North, Range 14 East, Section 31, W.M., Township 22 North, Range 14 East, Section 27, W.M. The appraisal approved by the Secretary of Agriculture on June 14, 1999 (the "Appraisal") shall be ad-

justed by subtracting the values for the parcels described in the preceding sentence determined during the Appraisal process in the context of the whole estate to be conveyed".

(d) Section 604(b) of the Interstate 90 Land Exchange Act of 1998, Public Law 105-277; 112 Stat. 2681-328 (1998), is hereby amended by inserting after the words "offered land" the following: ", as provided in section 604(a), and placement in escrow of acceptable title to Township 22 North, Range 11 East, Section 3, W.M., Township 22 North, Range 11 East, Section 19, W.M., Township 21 North, Range 12 East, Section 15, W.M., Township 21 North, Range 12 East, Section 23, W.M., Township 21 North, Range 12 East, Section 25, W.M., Township 19 North, Range 13 East, Section 7, W.M., Township 19 North, Range 15 East, Section 31, W.M., and Township 19 North, Range 14 East, Section 25, W.M.".

(e) Section 604(b) is further amended by inserting the following before the colon: "except Township 19 North, Range 10 East, W.M., Section 4, Township 20 North, Range 10 East, W.M., Section 32, and Township 21 North, Range 14 East, W.M., $W\frac{1}{2}W\frac{1}{2}$ of Section 16, Township 12 North, Range 7 East, Sections 4 and 5, W.M., Township 13 North, Range 7 East, Sections 32 and 33, W.M., Township 8 North, Range 4 East, Section 17 and the $S\frac{1}{2}$ of 16, W.M., which shall be retained by the United States". The Appraisal shall be adjusted by subtracting the values determined for Township 19 North, Range 10 East, W.M., Section 4, Township 20 North, Range 10 East, W.M., Section 32, Township 12 North, Range 7 East, Sections 4 and 5, W.M., Township 13 North, Range 7 East, Sections 32 and 33, W.M., Township 8 North, Range 4 East, Section 17 and the $S\frac{1}{2}$ of Section 16, W.M. during the Appraisal process in the context of the whole estate to be conveyed.

(f) After adjustment of the Appraisal, the values of the offered and selected lands, including the offered lands held in escrow, shall be equalized as follows:

(1) the appraised value of the offered lands, as such lands and appraised value have been adjusted hereby, minus the appraised value of the offered lands to be placed into escrow, shall be compared to the appraised value of the selected lands, as such lands and appraised value have been adjusted hereby, and the Secretary shall equalize such values by the payment of cash to Plum Creek at the time that deeds are exchanged, such cash to come from currently appropriated funds, or, if necessary, by reprogramming; and

(2) the Secretary shall compensate Plum Creek for the lands placed into escrow, based upon the values determined for each such parcel during the Appraisal process in the context of the whole estate to be conveyed, through the following, including any combination thereof:

(A) conveyance of any other lands under the jurisdiction of the Secretary acceptable to Plum Creek and the Secretary after compliance with all applicable Federal environmental and other laws; and

(B) to the extent sufficient acceptable lands are not available pursuant to paragraph (A) of this subsection, cash payments as and to the extent funds become available through appropriations, private sources, or, if necessary, by reprogramming.

The Secretary shall promptly seek to identify lands acceptable to equalize values under paragraph (A) of this subsection and shall, not later than July 1, 2000, provide a report to the Congress outlining the results of such efforts.

(g) As funds or lands are provided to Plum Creek by the Secretary, Plum Creek shall release to the United States deeds for lands and interests in lands held in escrow based on the values determined during the Appraisal process in the context of the whole estate to be conveyed. Deeds shall be released for lands and interests in lands in the following order: Township 21

North, Range 12 East, Section 15, W.M., Township 21 North, Range 12 East, Section 23, W.M., Township 21 North, Range 12 East, Section 25, W.M., Township 19 North, Range 13 East, Section 7, Township 19 North, Range 15 East, Section 31, Township 19 North, Range 14 East, Section 25, Township 22 North, Range 11 East, Section 3, W.M., and Township 22 North, Range 11 East, Section 19, W.M.

(h) Section 606(d) is hereby amended to read as follows: "TIMING.—The Secretary and Plum Creek shall make the adjustments directed in section 604(a) and (b) and consummate the land exchange within 30 days of the enactment of the Interstate 90 Land Exchange Amendment, unless the Secretary and Plum Creek mutually agree to extend the consummation date.".

(i) The deadline for the Report to Congress required by section 609(c) of the Interstate 90 Land Exchange Act of 1998 is hereby extended. Such Report is due to the Congress 18 months from the date of the enactment of this Interstate 90 Land Exchange Amendment.

(j) Section 610 of the Interstate 90 Land Exchange Act of 1998, is hereby amended by striking "date of enactment of this Act" and inserting "first date on which deeds are exchanged to consummate the land exchange".

SEC. 347. THE SNOQUALMIE NATIONAL FOREST BOUNDARY ADJUSTMENT ACT OF 1999. (a) IN GENERAL.—The boundary of the Snoqualmie National Forest is hereby adjusted as generally depicted on a map entitled "Snoqualmie National Forest 1999 Boundary Adjustment" dated June 30, 1999. Such map, together with a legal description of all lands included in the boundary adjustment, shall be on file and available for public inspection in the Office of the Chief of the Forest Service in Washington, District of Columbia. Nothing in this subsection shall limit the authority of the Secretary of Agriculture to adjust the boundary pursuant to section 11 of the Weeks Law of March 1, 1911.

(b) RULE FOR LAND AND WATER CONSERVATION FUND.—For the purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the boundary of the Snoqualmie National Forest, as adjusted by this subsection (a), shall be considered to be the boundary of the Forest as of January 1, 1965.

SEC. 348. Section 1770(d) of the Food Security Act of 1985 (7 U.S.C. 2276(d)) is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

"(10) section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(e));".

SEC. 349. None of the funds appropriated or otherwise made available by this Act may be used to implement or enforce any provision in Presidential Executive Order No. 13123 regarding the Federal Energy Management Program which circumvents or contradicts any statutes relevant to Federal energy use and the measurement thereof.

SEC. 350. INVESTMENT OF EXXON VALDEZ OIL SPILL COURT RECOVERY IN HIGH YIELD INVESTMENTS AND IN MARINE RESEARCH. (1) Notwithstanding any other provision of law and subject to the provisions of paragraphs (5) and (7), upon the joint motion of the United States and the State of Alaska and the issuance of an appropriate order by the United States District Court for the District of Alaska, the joint trust funds, or any portion thereof, including any interest accrued thereon, previously received or to be received by the United States and the State of Alaska pursuant to the Agreement and Consent Decree issued in *United States v. Exxon Corporation, et al.* (No. A91-082 CIV) and *State of Alaska v. Exxon Corporation, et al.* (No. A91-083 CIV) (hereafter referred to as the "Consent Decree"), may be deposited in—

(A) the Natural Resource Damage Assessment and Restoration Fund (hereafter referred to as

the 'Fund') established in title I of the Department of the Interior and Related Agencies Appropriations Act, 1992 (Public Law 102-154; 43 U.S.C. 1474b);

(B) accounts outside the United States Treasury (hereafter referred to as 'outside accounts'); or

(C) both.

Any funds deposited in an outside account may be invested only in income-producing obligations and other instruments or securities that have been determined unanimously by the Federal and State natural resource trustees for the Exxon Valdez oil spill ('trustees') to have a high degree of reliability and security.

(2) Joint trust funds deposited in the Fund or an outside account that have been approved unanimously by the Trustees for expenditure by or through a State or Federal agency shall be transferred promptly from the Fund or the outside account to the State of Alaska or United States upon the joint request of the governments.

(3) The transfer of joint trust funds outside the Court Registry shall not affect the supervisory jurisdiction of the District Court under the Consent Decree or the Memorandum of Agreement and Consent Decree in *United States v. State of Alaska* (No. A91-081-CIV) over all expenditures of the joint trust funds.

(4) Nothing herein shall affect the requirement of section 207 of the Dire Emergency Supplemental Appropriations and Transfers for Relief From the Effects of Natural Disasters, for Other Urgent Needs, and for the Incremental Cost of 'Operation Desert Shield/Desert Storm' Act of 1992 (Public Law 102-229, 42 U.S.C. 1474b note) that amounts received by the United States and designated by the trustees for the expenditure by or through a Federal agency must be deposited into the Fund.

(5) All remaining settlement funds are eligible for the investment authority granted under this section so long as they are managed and allocated consistent with the Resolution of the Trustees adopted March 1, 1999, concerning the Restoration Reserve, as follows:

(A) \$55 million of the funds remaining on October 1, 2002, and the associated earnings thereafter shall be managed and allocated for habitat protection programs including small parcel habitat acquisitions. Such sums shall be reduced by—

(i) the amount of any payments made after the date of enactment of this Act from the Joint Trust Funds pursuant to an agreement between the Trustee Council and Koniag, Inc. which includes those lands which are presently subject to the Koniag Non-Development Easement, including, but not limited to, the continuation or modification of such Easement; and

(ii) payments in excess of \$6.32 million for any habitat acquisition or protection from the joint trust funds after the date of enactment of this Act and prior to October 1, 2002, other than payments for which the Council is currently obligated through purchase agreements with the Kodiak Island Borough, Afognak Joint Venture and the Eyak Corporation.

(B) All other funds remaining on October 1, 2002, and the associated earnings shall be used to fund a program, consisting of—

(i) marine research, including applied fisheries research;

(ii) monitoring; and

(iii) restoration, other than habitat acquisition, which may include community and economic restoration projects and facilities (including projects proposed by the communities of the EVOS Region or the fishing industry), consistent with the Consent Decree.

(6) The Federal trustees and the State trustees, to the extent authorized by State law, are authorized to issue grants as needed to implement this program.

(7) The authority provided in this section shall expire on September 30, 2002, unless by September 30, 2001, the Trustees have submitted

to the Congress a report recommending a structure the Trustees believe would be most effective and appropriate for the administration and expenditure of remaining funds and interest received. Upon the expiration of the authorities granted in this section all monies in the Fund or outside accounts shall be returned to the Court Registry or other account permitted by law.

SEC. 351. YOUTH CONSERVATION CORPS AND RELATED PARTNERSHIPS. (a) Notwithstanding any other provision of this Act, there shall be available for high priority projects which shall be carried out by the Youth Conservation Corps as authorized by Public Law 91-378, or related partnerships with non-Federal youth conservation corps or entities such as the Student Conservation Association, up to \$1,000,000 of the funds available to the Bureau of Land Management under this Act, in order to increase the number of summer jobs available for youths, ages 15 through 22, on Federal lands.

(b) Within 6 months after the date of the enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior shall jointly submit a report to the House and Senate Committees on Appropriations and the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives that includes the following—

(1) the number of youths, ages 15 through 22, employed during the summer of 1999, and the number estimated to be employed during the summer of 2000, through the Youth Conservation Corps, the Public Land Corps, or a related partnership with a State, local or nonprofit youth conservation corps or other entities such as the Student Conservation Association;

(2) a description of the different types of work accomplished by youths during the summer of 1999;

(3) identification of any problems that prevent or limit the use of the Youth Conservation Corps, the Public Land Corps, or related partnerships to accomplish projects described in subsection (a);

(4) recommendations to improve the use and effectiveness of partnerships described in subsection (a); and

(5) an analysis of the maintenance backlog that identifies the types of projects that the Youth Conservation Corps, the Public Land Corps, or related partnerships are qualified to complete.

SEC. 352. (a) NORTH PACIFIC RESEARCH BOARD.—Section 401 of Public Law 105-83 is amended as follows:

(1) In subsection (c)—

(A) by striking "available for appropriation, to the extent provided in the subsequent appropriations Acts," and inserting "made available";

(B) by inserting "To the extent provided in the subsequent appropriations Acts," at the beginning of paragraph (1);

(C) by inserting "without further appropriation" after "20 percent of such amounts shall be made available"; and

(2) by striking subsection (f).

SEC. 353. None of the funds in this Act may be used by the Secretary of the Interior to 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 the enactment of this Act): Provided, That none of the funds in this Act may be used by the Secretary of the Interior 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).

SEC. 354. Public Law 105-83, the Department of the Interior and Related Agencies Appropriations Act of November 17, 1997, title III, section 331 is hereby amended by adding before the pe-

riod: "": Provided further, That to carryout the provisions of this section, the Bureau of Land Management and the Forest Service may establish Transfer Appropriation Accounts (also known as allocation accounts) as needed".

SEC. 355. WHITE RIVER NATIONAL FOREST.—The Forest Service shall extend the public comment period on the White River National Forest plan revision for 90 days beyond February 9, 2000.

SEC. 356. The first section of Public Law 99-215 (99 Stat. 1724), as amended by section 597 of the Water Resources Development Act of 1999 (Public Law 106-53), is further amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following new subsections:

"(c) The National Capital Planning Commission shall vacate and terminate an Easement and Declaration of Covenants, dated February 2, 1989, conveyed by the owner of the adjacent real property pursuant to subsection (b)(1)(D) in exchange for, and not later than 30 days after, the vacation and termination of the Deed of Easement, dated January 4, 1989, conveyed by the Maryland National Capital Park and Planning Commission pursuant to subsection (b)(1).

"(d) Effective on the date of the enactment of this subsection, the memorandum of May 7, 1985, and any amendments thereto, shall terminate."

SEC. 357. None of the funds in this Act or any other Act shall be used by the Secretary of the Interior to promulgate final rules to revise 43 CFR subpart 3809, except that the Secretary, following the public comment period required by section 3002 of Public Law 106-31, may issue final rules to amend 43 C.F.R. Subpart 3809 which are not inconsistent with the recommendations contained in the National Research Council report entitled "Hardrock Mining on Federal Lands" so long as these regulations are also not inconsistent with existing statutory authorities. Nothing in this section shall be construed to expand the existing statutory authority of the Secretary.

TITLE IV—MISSISSIPPI NATIONAL FOREST IMPROVEMENT ACT OF 1999

SEC. 401. SHORT TITLE.

This title may be cited as the "Mississippi National Forest Improvement Act of 1999".

SEC. 402. DEFINITIONS.

In this title:

(1) AGREEMENT.—The term "Agreement" means the Agreement described in section 405(a).

(2) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(3) STATE.—The term "State" means the State of Mississippi.

(4) UNIVERSITY.—The term "University" means the University of Mississippi.

(5) UNIVERSITY LAND.—The term "University land" means land described in section 404(a).

SEC. 403. CONVEYANCE OF ADMINISTRATIVE SITES AND SMALL PARCELS.

(a) IN GENERAL.—The Secretary may, under such terms and conditions as the Secretary may prescribe, sell or exchange any or all right, title, and interest of the United States in and to the following tracts of land in the State:

(1) Gulfport Laboratory Site, consisting of approximately 10 acres, as depicted on the map entitled "Gulfport Laboratory Site, May 21, 1998".

(2) Raleigh Dwelling Site No. 1, consisting of approximately 0.44 acre, as depicted on the map entitled "Raleigh Dwelling Site No. 1, May 21, 1998".

(3) Raleigh Dwelling Site No. 2, consisting of approximately 0.47 acre, as depicted on the map entitled "Raleigh Dwelling Site No. 2, May 21, 1998".

(4) Rolling Fork Dwelling Site, consisting of approximately 0.303 acre, as depicted on the map entitled "Rolling Fork Dwelling Site, May 21, 1998".

(5) Gloster Dwelling Site, consisting of approximately 0.55 acre, as depicted on the map entitled "Gloster Dwelling Site, May 21, 1998".

(6) *Gloster Office Site*, consisting of approximately 1.00 acre, as depicted on the map entitled "Gloster Office Site, May 21, 1998".

(7) *Gloster Work Center Site*, consisting of approximately 2.00 acres, as depicted on the map entitled "Gloster Work Center Site, May 21, 1998".

(8) *Holly Springs Dwelling Site*, consisting of approximately 0.31 acre, as depicted on the map entitled "Holly Springs Dwelling Site, May 21, 1998".

(9) *Isolated parcels of National Forest land* located in Township 5 South, Ranges 12 and 13 West, and in Township 3 North, Range 12 West, sections 23, 33, and 34, St. Stephens Meridian.

(10) *Isolated parcels of National Forest land* acquired after the date of the enactment of this Act from the University of Mississippi located in George and Jackson Counties.

(11) *Approximately 20 acres of National Forest land and structures* located in Township 6 North, Range 3 East, Section 30, Washington Meridian.

(b) **CONSIDERATION.**—Consideration for a sale or exchange of land under subsection (a) may include the acquisition of land, existing improvements, or improvements constructed to the specifications of the Secretary.

(c) **APPLICABLE LAW.**—Except as otherwise provided in this section, any sale or exchange of land under subsection (a) shall be subject to the laws (including regulations) applicable to the conveyance and acquisition of land for the National Forest System.

(d) **CASH EQUALIZATION.**—Notwithstanding any other provision of law, the Secretary may accept a cash equalization payment in excess of 25 percent of the value of land exchanged under subsection (a).

(e) **SOLICITATION OF OFFERS.**—

(1) **IN GENERAL.**—The Secretary may solicit offers for the sale or exchange of land under this section on such terms and conditions as the Secretary may prescribe.

(2) **REJECTION OF OFFERS.**—The Secretary may reject any offer made under this section if the Secretary determines that the offer is not adequate or not in the public interest.

(f) **DEPOSIT OF PROCEEDS.**—The Secretary shall deposit the proceeds of a sale or exchange under subsection (a) in the fund established under Public Law 90-171 (16 U.S.C. 484a) (commonly known as the "Sisk Act").

(g) **USE OF PROCEEDS.**—Funds deposited under subsection (f) shall be available until expended for—

(1) the construction of a research laboratory and office facility at the Forest Service administrative site located at the Mississippi State University at Starkville, Mississippi;

(2) the acquisition, construction, or improvement of administrative facilities in connection with units of the National Forest System in the State; and

(3) the acquisition of land and interests in land for units of the National Forest System in the State.

SEC. 404. DE SOTO NATIONAL FOREST ADDITION.

(a) **ACQUISITION.**—The Secretary may acquire for fair market value all right, title, and interest in land owned by the University of Mississippi within or near the boundaries of the De Soto National Forest in Stone, George, and Jackson Counties, Mississippi, comprising approximately 22,700 acres.

(b) **BOUNDARIES.**—

(1) **IN GENERAL.**—The boundaries of the De Soto National Forest shall be modified as depicted on the map entitled "De Soto National Forest Boundary Modification—April, 1999" to include any acquisition of University land under this section.

(2) **AVAILABILITY OF MAP.**—The map described in paragraph (1) shall be available for public inspection in the office of the Chief of the Forest Service in Washington, District of Columbia.

(3) **ALLOCATION OF MONEYS FOR FEDERAL PURPOSES.**—For the purpose of section 7 of the Land

and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-9), the boundaries of the De Soto National Forest, as modified by this subsection, shall be considered the boundaries of the De Soto National Forest as of January 1, 1965.

(c) **MANAGEMENT.**—

(1) **IN GENERAL.**—The Secretary shall assume possession and all management responsibilities for University land acquired under this section on the date of acquisition.

(2) **COOPERATIVE MANAGEMENT AGREEMENT.**—For the fiscal year containing the date of the enactment of this Act and each of the four fiscal years thereafter, the Secretary may enter into a cooperative agreement with the University that provides for Forest Service management of any University land acquired, or planned to be acquired, under this section.

(3) **ADMINISTRATION.**—University land acquired under this section shall be—

(A) subject to the Act of March 1, 1911 (16 U.S.C. 480 et seq.) (commonly known as the "Weeks Act") and other laws (including regulations) pertaining to the National Forest System; and

(B) managed in a manner that is consistent with the land and resource management plan applicable to the De Soto National Forest on the date of the enactment of this Act, until the plan is revised in accordance with the regularly scheduled process for revision.

SEC. 405. FRANKLIN COUNTY LAND.

(a) **IN GENERAL.**—The Agreement dated April 24, 1999, entered into between the Secretary, the State, and the Franklin County School Board that provides for the Federal acquisition of land owned by the State for the construction of the Franklin Lake Dam in Franklin County, Mississippi, is ratified and the parties to the Agreement are authorized to implement the terms of the Agreement.

(b) **FEDERAL GRANT.**—

(1) **IN GENERAL.**—Subject to reservations and exceptions contained in the Agreement, there is granted and quit claimed to the State all right, title, and interest of the United States in the federally-owned land described in Exhibit A to the Agreement.

(2) **MANAGEMENT.**—The land granted to the State under the Agreement shall be managed as school land grants.

(c) **ACQUISITION OF STATE LAND.**—

(1) **IN GENERAL.**—All right, title, and interest in and to the 655.94 acres of land described as Exhibit B to the Agreement is vested in the United States along with the right of immediate possession by the Secretary.

(2) **COMPENSATION.**—Compensation owed to the State and the Franklin County School Board for the land described in paragraph (1) shall be provided in accordance with the Agreement.

(d) **CORRECTION OF DESCRIPTIONS.**—The Secretary and the Secretary of State of the State may, by joint modification of the Agreement, make minor corrections to the descriptions of the land described on Exhibits A and B to the Agreement.

(e) **SECURITY INTEREST.**—

(1) **IN GENERAL.**—Any cash equalization indebtedness owed to the United States pursuant to the Agreement shall be secured only by the timber on the granted land described in Exhibit A of the Agreement.

(2) **LOSS OF SECURITY.**—The United States shall have no recourse against the State or the Franklin County School Board as the result of the loss of the security described in paragraph (1) due to fire, insects, natural disaster, or other circumstance beyond the control of the State or Board.

(3) **RELEASE OF LIENS.**—On payment of cash equalization as required by the Agreement, the Secretary (or the Supervisor of the National Forests in the State or other authorized representative of the Secretary) shall release any liens on the granted land described in Exhibit A of the Agreement.

SEC. 406. DISPOSITION OF FUNDS FROM LAND CONVEYANCES.

(a) **IN GENERAL.**—The Secretary shall deposit any funds received by the United States from land conveyances authorized under section 405 in the fund established under Public Law 90-171 (16 U.S.C. 484a) (commonly known as the "Sisk Act").

(b) **USE.**—Funds deposited in the fund under subsection (a) shall be available until expended for the acquisition of land and interests in land for the National Forest System in the State.

(c) **PARTIAL DISTRIBUTION.**—Any funds received by the United States from land conveyances authorized under this Act shall not be subject to partial distribution to the State under—

(1) the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine", approved May 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C. 500);

(2) section 13 of the Act of March 1, 1911 (36 Stat. 963, chapter 186; 16 U.S.C. 500); or

(3) any other law.

SEC. 407. PHOTOGRAPHIC REPRODUCTIONS AND MAPS.

Section 387 of the Act of February 16, 1938 (7 U.S.C. 1387) is amended in the first sentence—

(1) by striking "such" the first place it appears and inserting "information such as georeferenced data from all sources,";

(2) by striking "(not less than estimated cost of furnishing such reproductions)"; and

(3) by inserting after "determine" the following: "(but not less than the estimated costs of data processing, updating, revising, reformatting, repackaging and furnishing the reproductions and information)".

SEC. 408. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

TITLE V—UNITED MINE WORKERS OF AMERICA COMBINED BENEFIT FUND

SEC. 501. Notwithstanding any other provision of law, an amount of \$68,000,000 in interest credited to the fund established by section 401 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231) for fiscal years 1993 through 1995 not transferred to the Combined Fund identified in section 402(h)(2) of such Act shall be transferred to such Combined Fund within 30 days after the enactment of this Act to pay the amount of any shortfall in any premium account for any plan year under the Combined Fund. The entire amount transferred by this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VI—PRIORITY LAND ACQUISITIONS AND LAND EXCHANGES

SEC. 601. For priority land acquisitions, land exchange agreements, and other activities consistent with the Land and Water Conservation Fund Act of 1965, as amended, \$197,500,000, to be derived from the Land and Water Conservation Fund and to remain available until September 30, 2003, of which \$81,000,000 is available to the Secretary of Agriculture and \$116,500,000 is available to the Secretary of the Interior: Provided, That of the funds made available to the Secretary of Agriculture, not to exceed \$61,000,000 may be used to acquire interests to protect and preserve the Baca Ranch, subject to the same terms and conditions placed on other funds provided for this purpose in this Act under the heading "Forest Service, Land Acquisition", and \$5,000,000 shall be available for the Forest Legacy program notwithstanding any other provision of law: Provided further, That of the funds made available to the Secretary of the Interior, \$10,000,000 shall be available for Elwha River ecosystem restoration, and \$5,000,000 shall be available for maintenance in the National Park Service, notwithstanding any

other provision of law, \$20,000,000 shall be available for the State assistance program, not to exceed \$5,000,000 may be used to acquire interests to protect and preserve the California desert, not to exceed \$2,000,000 may be used to acquire interests to protect and preserve the Rhode Island National Wildlife Refuge Complex, not to exceed \$19,500,000 may be used to acquire mineral rights within the Grand Staircase-Escalante National Monument, and not to exceed \$35,000,000 may be for State grants for land acquisition in the State of Florida, subject to the same terms and conditions placed on other funds provided for this purpose in this Act under the heading "National Park Service, Land Acquisition and State Assistance": Provided further, That none of the funds appropriated under this title for purposes other than for State grants for land acquisition in the State of Florida, the State assistance program, Elwha River ecosystem restoration, or acquisitions of interests in the Baca Ranch, the California desert, the Grand Staircase-Escalante National Monument, and the Rhode Island National Wildlife Refuge Complex shall be available until the House Committee on Appropriations and the Senate Committee on Appropriations approve, in writing, a list of projects to be undertaken with such funds.

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

Following is explanatory language on H.R. 3423, as introduced on November 17, 1999.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS

The conferees on H.R. 3194 agree with the matter inserted in this division of this conference agreement and the following description of this matter. This matter was developed through negotiations on the differences in H.R. 2466, the Department of the Interior and Related Agencies Appropriations Act, 2000, by members of the subcommittee of both the House and Senate with jurisdiction over H.R. 2466.

The conference agreement with respect to fiscal year 2000 appropriations for the Department of the Interior and Related Agencies incorporates some of the provisions of House Report 106-222 and Senate Report 106-99. Report language and allocations set forth in either of those reports, which are not changed by the conference agreement, are approved. The agreement described herein, while repeating some report language for emphasis, does not negate the language referenced above unless expressly provided. Administrative provisions and general provisions which are identical in the House-passed and Senate-passed versions of H.R. 2466 that are unchanged by the conference agreement are approved unless provided to the contrary herein.

ALLOCATION OF CONGRESSIONAL FUNDING PRIORITIES

When Congressional instructions are provided, these instructions are to be closely monitored and followed. In this and future years, earmarks for Congressional funding priorities shall be allocated for those projects or programs prior to determining and allocating the remaining funds. Field units or programs should not have their allocations reduced because of earmarks for Congressional priorities without direction from or approval of the House and Senate Committees on Appropriations. Further, it is a Congressional responsibility to determine the level of funds provided for Federal agencies and how those funds should be distributed. It is not useful or productive to have Administration officials refer to Congressional directives as condescending and encroaching on executive responsibility to direct agency operations.

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

The conference agreement provides \$646,218,000 for management of lands and resources instead of \$631,068,000 as proposed by the House and \$634,321,000 as proposed by the Senate.

Increases above the House include \$2,500,000 for grazing permits, \$1,500,000 for invasive species, \$1,000,000 for riparian management, \$750,000 for Idaho weed control, \$50,000 for Rio Puerco, \$1,000,000 for the Colorado plateau ecosystem study, \$500,000 for the national laboratory grazing study, \$1,400,000 for fisheries, \$900,000 for salmon restoration on the Yukon River and Caribou-Poker Creek, \$1,330,000 for recreation resource management, \$400,000 for the National Petroleum Reserve-Alaska, \$4,400,000 for Alaska Conveyance, \$300,000 for the Utah wilderness study, \$350,000 for the Montana mapping project, and a \$1,000,000 restoration of the general decrease.

Decreases below the House include \$500,000 from standards and guidelines, \$400,000 from wildlife, and \$1,330,000 from recreation operations.

In addition to the increase of \$2,500,000 as proposed by the House and provided in the conference agreement for the processing of permits for coalbed methane activities, the conference agreement includes bill language that makes the use of some of the Bureau's funds contingent upon a written agreement between the coal mine operator and the gas producer prior to permit issuance if the permitted activity is in an area where there is a conflict between coal mining operations and coalbed methane production. This restrictive language only applies to the additional \$2,500,000.

The conference agreement earmarks \$750,000 for the Couer d'Alene Basin Commission for mining related cleanup activities with the clear understanding that funding will be provided only on a one-time basis.

The Senate bill calls for a report by USDA's Forest Service dealing with integration of watershed and community needs. It is expected that this report be a joint Forest Service and Bureau of Land Management report as stated on page 75 of Senate Report 106-99.

The Bureau appears to be introducing new burdensome and questionable requirements on domestic oil and gas applications for permits to drill, and it is expected that the Bureau to cease requiring companies to apply paint to ground that will be disturbed by drilling activities.

The conference agreement concurs with the Senate report language providing guidance on the Southern Nevada Public Lands Management Act as stated in Senate Report 106-99.

The conference agreement maintains the funding level for Kane and Garfield counties at the fiscal year 1999 level of \$250,000.

The conference agreement contains modified bill language in Title III as proposed by the Senate to allow the Bureau to use up to \$1,000,000 for the Youth Conservation Corps.

WILDLAND FIRE MANAGEMENT

The conference agreement provides \$292,282,000 for wildland fire management instead of \$292,399,000 as proposed by the House and \$283,805,000 as proposed by the Senate.

Changes to the House include an increase of \$57,500 to reimburse Trinity County for expenses incurred as part of the July 2, 1999, Lowden fire, and a decrease of \$175,000 as an offset against the Weber Dam project.

CENTRAL HAZARDOUS MATERIALS FUND

The conference agreement provides \$10,000,000 for the central hazardous mate-

rials fund as proposed by the House and Senate.

CONSTRUCTION

The conference agreement provides \$11,425,000 for construction instead of \$11,100,000 as proposed by the House and \$12,418,000 as proposed by the Senate.

Increases above the House include \$50,000 for the La Puebla pit tank, \$250,000 for the California Trail Interpretive Center, and \$25,000 for uncontrollable costs.

PAYMENTS IN LIEU OF TAXES

The conference agreement provides \$135,000,000 for payments in lieu of taxes as proposed by the Senate instead of \$145,000,000 as proposed by the House.

LAND ACQUISITION

The conference agreement provides \$15,500,000 for land acquisition instead of \$15,000,000 as proposed by the House and \$17,400,000 as proposed by the Senate. Funds should be distributed as follows:

| State and project | Amount |
|--|-------------|
| CA—California Wilderness (Catellus property) | \$5,000,000 |
| AZ—Cerat Foothills | 500,000 |
| UT—Grafton Preservation | 250,000 |
| NM—La Cienega ACEC | 1,000,000 |
| CA—Otay Mts./Kuchamaa | 750,000 |
| WA—Rock Cr. Watershed (Escure Ranch) | 500,000 |
| CA—Santa Rosa Mts. NSA | 500,000 |
| CO—Upper Arkansas River Basin | 2,500,000 |
| ID—Upper Snake/S. Fork Snake River | 500,000 |
| OR—West Eugene Wetlands | 500,000 |
| Subtotal | 12,000,000 |
| Emergency/Hardships/Inholdings | 500,000 |
| Acquisition Management .. | 3,000,000 |
| Total | 15,500,000 |

The \$250,000 provided for Grafton, Utah is for acquisition of a 30-acre portion of the 220-acre Stout property. The 30 acres are foothill land adjacent to BLM managed public land and are appropriate for BLM acquisition. It is expected that the Grafton Heritage Project and the Grand Canyon Trust will be responsible for acquisition and management of the balance of the Stout property.

The conference agreement provides \$5,000,000 to the National Park Service (NPS) and \$5,000,000 to the Bureau of Land Management (BLM) for land acquisition within the California desert. This funding is based on the understanding that the Wildlands Conservancy will acquire 8,000 additional acres, in consultation with the NPS and BLM, from willing seller and small private inholdings within Joshua Tree National Park and the Mojave National Preserve within the next year. An additional \$5,000,000 is provided in Title VI for this acquisition.

No additional funds will be provided for Catellus land acquisition in future years unless and until the Department of the Interior and the Department of Defense completely resolve remaining issues relating to desert tortoise mitigation and land acquisition and expansion at the National Training Center for the Army at Fort Irwin, California.

Furthermore, the House and Senate Committees on Appropriations will consider an additional \$15,000,000 for California desert land acquisition of the Catellus lands up to a total of \$30,000,000. Future funding decisions will be based upon resolution by the two departments of the issues concerning desert tortoise mitigation and land acquisition and expansion at the National Training Center for the Army of Fort Irwin.

OREGON AND CALIFORNIA GRANT LANDS

The conference agreement provides \$99,225,000 for Oregon and California grant lands as proposed by the House and Senate.

RANGE IMPROVEMENTS

The conference agreement provides an indefinite appropriation for range improvements of not less than \$10,000,000 as proposed by the House and Senate.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

The conference agreement provides an indefinite appropriation for service charges, deposits, and forfeitures which is estimated to be \$8,800,000 as proposed by the House and Senate.

MISCELLANEOUS TRUST FUNDS

The conference agreement provides an indefinite appropriation of \$7,700,000 for miscellaneous trust funds as proposed by the House and Senate.

UNITED STATES FISH AND WILDLIFE SERVICE
RESOURCE MANAGEMENT

The conference agreement provides \$716,046,000 for resource management instead of \$710,700,000 as proposed by the House and \$684,569,000 as proposed by the Senate.

Changes to the House position in endangered species programs include an increase of \$100,000 in candidate conservation and a decrease of \$300,000 in listing. The conference agreement includes increases of \$100,000 for the Broughton Ranch demonstration project and \$300,000 for a coldwater fish HCP in Montana and a decrease of \$300,000 for other program activities in consultation. Also included are increases of \$3,857,000 for Washington salmon recovery, \$500,000 for the Bruneau hot springs snail, \$400,000 for the Prebles meadow jumping mouse, \$1,500,000 for small landowner partnerships, and \$200,000 for a Weber Dam study, and a decrease of \$1,100,000 for other program activities in recovery. The conference agreement includes a decrease of \$1,500,000 for the small landowner incentive program.

Changes to the House position in habitat conservation include increases of \$250,000 for Hawaii ESA community conservation and \$150,000 for Nevada biodiversity and decreases of \$200,000 for the Washington State Department of Fish and Wildlife grant program and \$500,000 for other program activities in the partners for fish and wildlife program. There is a decrease of \$500,000 for FERC relicensing in project planning; an increase of \$193,000 for Long Live the Kings and a decrease of \$300,000 for other program activities in the coastal program; and a decrease of \$500,000 for the National wetlands inventory.

For refuge operations and maintenance changes to the House position include an increase of \$200,000 for Spartina grass research at the University of Washington and decreases of \$250,000 for coral reefs, \$500,000 for the Volunteer and Community Partnership Act, a net decrease of \$250,000 for tundra to tropics, leaving \$250,000 specifically for Hawaii ecosystems and \$1,000,000 for other program activities in refuges operations. There is also a decrease of \$500,000 for refuge maintenance. For law enforcement there is a decrease from the House position of \$500,000 for operations. In migratory bird management there is an increase over the House position of \$400,000 for Canada geese depredation, including dusky Canada geese, and a decrease of \$400,000 for other program activities.

Changes to the House position for hatchery operations and maintenance include increases of \$200,000 for White Sulphur Springs NFH, \$500,000 for other hatchery operations and maintenance, and \$3,600,000 for Washington State Hatchery Improvement as discussed below. Changes to the House position for the fish and wildlife management account include increases of \$200,000 for Yukon River fisheries management studies, \$100,000 for Yukon River Salmon Treaty public education programs, \$110,000 for Caribou-Poker

Creek salmon passage assistance, \$1,018,000 for fish passage improvements in Maine, \$600,000 for a prototype machine to mark hatchery reared salmon at the Washington Department of Fish and Wildlife, \$400,000 for Great Lakes fish and wildlife restoration, and \$368,000 for a fisheries resource project in cooperation with the Juniata Valley School District in Alexandria, PA. There is a decrease of \$300,000 for Atlantic salmon recovery.

Changes to the House position in general administration include an increase of \$200,000 for the National Conservation Training Center and decreases in international affairs of \$700,000 for CITES permits and invasive species, \$100,000 for the Russia initiative and \$150,000 for neotropical migrants. There is also a decrease of \$250,000 for the National Fish and Wildlife Foundation.

Bill Language.—The conference agreement provides that the amount of funding for certain endangered species listing programs may not exceed \$6,232,000 instead of \$6,532,000 as proposed by the House and \$5,932,000 as proposed by the Senate.

The conference agreement makes permanent the authority provided in the Senate bill for National Wildlife Refuges in Louisiana and Texas to retain funds collected from oil and gas related damages under the Comprehensive Environmental Response, Compensation and Liability Act, the Oil Pollution Act and the Clean Water Act. The Senate provision extended the authority only through fiscal year 2000. The House had no similar provision.

Under General Provisions, Department of the Interior, the conference agreement modifies Senate Section 127 limiting the use of funds to implement Secretarial Order 3206. The modification permits implementation of the order except for two provisions. The first would give preferential treatment to Indian activities at the expense of non-Indian activities in determining conservation restrictions to species listed under the Endangered Species Act. The second would give preferential treatment to tribal lands at the expense of other privately owned lands in designating critical habitat under the Endangered Species Act. The House had no similar provision.

The conference agreement provides for the following:

1. The Service should continue to support the Nez Perce Tribe's wolf monitoring efforts. This program has been very successful and it should be continued at least at the funding level provided in fiscal year 1999.

2. Small landowner partnerships under the ESA recovery program are not transferred to the landowner incentive program as proposed by the House, but the Service should consider seriously consolidating these programs in the fiscal year 2001 budget.

3. The \$200,000 for a Weber Dam Study should be used by the Service, through a contract or memorandum of understanding with the Bureau of Reclamation, to (1) investigate alternatives to the modification of Weber Dam on the Walker River Paiute Reservation in Nevada; (2) evaluate the feasibility and effectiveness of the installation of a fish ladder at Weber Dam; and (3) evaluate opportunities for Lahontan cutthroat trout restoration in the Walker River Basin. Any future funding requirements identified for program implementation should not be the responsibility of the U.S. Fish and Wildlife Service.

4. The \$600,000 provided to assist with the Tongass Land Management Plan is included with the understanding that the State of Alaska should receive assistance as a partner.

5. The Long Live the Kings salmon program is funded at \$393,000 in the coastal pro-

gram, and \$171,500 of that amount is to be provided directly to the Hood Canal Salmon Enhancement Group.

6. The continuing unmet maintenance needs at Ohio River Islands National Wildlife Refuge that not been addressed adequately in Service budget requests. The Service should ensure that: (1) the Refuge's maintenance requirements are fully included by Region 9 in the Maintenance Management System and (2) future budget requests include sufficient funding for the Ohio River Islands National Wildlife Refuge to cover adequately its growing maintenance needs.

7. The funding provided for Caribou-Poker Creek salmon restoration is for one-time fish passage assistance by the Service. Any future operations and maintenance costs associated with this project should not be borne by the Service.

8. The funding for fish passage improvements in Maine, related to removal of Edwards Dam, is provided on a one-time basis to help address a first-year shortfall in funding for fish passage assistance and restoration as anticipated by the Lower Kennebec River Comprehensive Hydropower Settlement Accord, of which the Service is a partner. The Service, as a partner in the Accord, should consider its responsibilities under the Accord as it prepares future budget requests.

9. The funding provided for the Washington Department of Fish and Wildlife for a prototype machine to mark hatchery reared salmon completes the Federal funding for this project.

10. The strategic plan required by the House for dealing with over-populations of snow geese and Canada geese should consider lethal means, including hunting, as possible solutions.

11. The conference agreement notes the Service's failure to gather the necessary information to delist the concho water snake. Before distributing the ESA recovery program increase, the Service should provide \$300,000 for the activities required to process the delisting of the concho water snake. It is expected the Service will proceed as quickly as possible, with the goal of gathering the necessary information within one year or as soon thereafter as possible.

12. The House Committee on Appropriations has received several expressions of concern about uncooperative responses from the Carlsbad ecological services office in California. The Service should report to the House and Senate Committees on Appropriations on actions taken to improve communications between that office and State and local agencies and the public. Such actions should not involve increases in operational funding.

13. The increase provided for the coastal program is not limited to any particular coastal areas. The Senate reference to South Carolina and Texas is not intended to limit increased funding to those areas. The Maine coastal program is also commended.

14. Within the funds provided for resource management, the Service should set aside \$500,000 for the Blackwater NWR, MD nutria eradication program. There is no objection to the use of carryover funds for a portion of this earmark. This program should serve as a prototype for nutria eradication throughout the country. The Service should notify the House and Senate Committees on Appropriations of what funds will be used for this program within 30 days of enactment of this Act and prior to distribution of program increases to the field. Sufficient funds should be included in the fiscal year 2001 budget request to complete this important project, the cost of which is being shared by several non-Federal partners.

15. The conference agreement notes that the Fish and Wildlife Service designated

critical habitat for the cactus ferruginous pygmy-owl on July 12, 1999, and expresses concern regarding the impact this designation will have on activities in southern Arizona. The Service should devote the necessary resources to respond adequately and efficiently to the needs of the people who are affected by this new rule and to conduct appropriate scientific studies.

16. In 1997 Congress requested the Northwest Power Planning Council to conduct a review of all Federally funded fish hatcheries in the Columbia River Basin and to make recommendations for a coordinated hatchery policy. Congress also requested the Council to provide the direction necessary to implement such a policy. The Council's report, "Artificial Production Review, Report and Recommendations of the Northwest Power Planning Council," identifies several immediate actions to begin implementation of its recommendations. The Service should cooperate with the Council, the National Marine Fisheries Service, State fish and wildlife agencies, and the Columbia Basin Indian tribes to begin implementing the report's recommendations. The Service should begin identifying the amount needed for these reforms and to request initial funds in its FY 2001 budget.

17. The \$100,000 provided in the ESA consultation account for the Broughton Ranch should be provided as a grant to the Washington Agriculture and Forestry Education Foundation for a demonstration project on the Broughton Ranch in Walla Walla, Washington. This project should serve as a template for how small private landowners can establish habitat conservation plans in cooperation with Federal agencies.

18. To conserve and restore Pacific salmon, the conference agreement includes \$3,857,000 in the recovery program for a competitively awarded matching grant program in Washington State. The funds should be provided in an advance payment of the entire amount on October 1, or as soon as practicable thereafter, to the National Fish and Wildlife Foundation, a Congressionally chartered, non-profit organization with a substantial record of leveraging Federal funds with non-Federal funds, coordinating private and public partnerships, managing peer reviewed challenge grant programs, and tracking the expenditure of funds. The funds will be available for award to community-based organizations in Washington State for on-the-ground projects that may include conservation and restoration of in-stream habitat, riparian zones, upland areas, wetlands, and fish passage projects. Within the amount provided, \$451,000 is for the River CPR Puget Sound Drain Guard Campaign. The Foundation should work with the affected local community in the Methow Valley in Okanogan

County, Washington, on salmon enhancement projects. The Foundation should give priority in awarding funds to cooperative projects in rural communities throughout the State.

19. The funding for Washington State hatchery improvement activities is to support this new program as follows: The \$3,600,000 provided for hatchery reform in Washington State should be deposited with the Washington State Interagency Council for Outdoor Recreation. The director of the Interagency Council for Outdoor Recreation shall ensure these funds are expended as specified in the report of May 7, 1999, titled "The Reform of Salmon and Steelhead Hatcheries in Puget Sound and Coastal Washington to Recover Natural Stocks While Providing Fisheries", and at the direction of the Hatchery Scientific Review Group (as discussed below).

Funds should be used for the improvement of hatcheries in the Puget Sound area and other coastal communities as follows: (1) \$300,000 for activities associated with the Hatchery Scientific Review Group which will work with agencies to produce guidelines and recommended actions and ensure that the goals of hatchery reform are carried out, identify scientific needs, and make recommendations on further experimentation; (2) \$800,000 for agencies and tribes to establish a team of scientists to generate and maintain data bases, analyze existing data, determine and undertake needed experiments, purchase scientific equipment, develop technical support infrastructures, initiate changes to the hatcheries based on their findings and establish a science-based decision making process; (3) \$1,400,000 to improve hatchery management practices to augment fisheries, protect genetic resources, avoid negative ecological interactions between wild and hatchery fish, promote recovery of naturally spawning populations, and employ new rearing protocols to improve survival and operational efficiencies; (4) \$900,000 to conduct scientific research evaluating hatchery management operations; and (5) \$200,000 to Long Live the Kings to facilitate co-managers' design and implementation of Puget Sound hatchery reform.

A leading group of scientists representing Federal, State, and tribal agencies has been meeting for the past year to discuss the role of fish hatcheries in the Pacific Northwest. The listing of over 10 salmon species in the Columbia River over the past decade and the most recent the listing of 3 salmon species in other parts of the State have led many in the Northwest to question and challenge the role of fish hatcheries in the recovery of the listed wild salmon stocks.

Hatcheries can play a positive role in salmon management and the recovery of wild

salmon stocks. Scientists are testing ways hatcheries can be retrofitted and managed to provide hatchery stocks to maintain a vibrant fishery in the Pacific Northwest without significantly impacting precious wild stocks.

The efforts of the advisory team that has established a framework designed to guide an effort to reform more than 100 State, tribal, Federal, and private hatcheries in Puget Sound and the Washington coast are commended. Many watersheds on the west coast of Washington have multiple hatcheries run by different agencies and tribes. Hatchery operations must be coordinated within logical geographical management units. There must be a coordinated effort among all levels of government to obtain the positive results expected by hatchery management reform. The framework outlined by the advisory committee should be implemented at hatcheries in Puget Sound and the west coast of Washington.

There is to be established a Hatchery Scientific Review Group which will serve as an independent panel. It should be comprised of five independent scientists selected by the advisory team from a pool of nine candidates nominated by the American Fisheries Society and four agency representatives; one each designated by the Washington Department of Fish and Wildlife, the Northwest Indian Fisheries Commission, the National Marine Fisheries Service and the U.S. Fish and Wildlife Service. Each of these designees should have technical skills in relevant fields such as fish biology or fish genetics. All appointments should be made no later than 30 days after enactment of this Act. The members of the group may be compensated for time and travel through this appropriation. The chair of the Hatchery Scientific Review Group should be one of the independent scientists chosen from the American Fisheries Society nominations and should be selected by the group itself. Hereafter, when an independent scientist on the group steps down, a replacement should be selected by the group from a list of three nominees provided by the American Fisheries Society.

The Hatchery Scientific Review Group should report to Congress by June 1, 2000, on progress made and work remaining in reforming Puget Sound hatcheries. Long Live the Kings should report to Congress by June 1, 2000, on its progress.

CONSTRUCTION

The conference agreement provides \$54,583,000 for construction instead of \$43,933,000 as proposed by the House and \$40,434,000 as proposed by the Senate. Funds are to be distributed as follows:

| Project | Description | Amount |
|---|------------------------------------|-------------|
| 6 National Fish Hatcheries in New England | Water treatment improvements | \$1,803,000 |
| Alaska Maritime NWR, AK | Headquarters/visitor center | 7,900,000 |
| Alchesay/Williams Creek NFH, AZ | Environmental pollution control | 373,000 |
| Bear River NWR, UT | Dikes/water control structures | 450,000 |
| Bear River NWR, UT | Education/visitor center | 1,500,000 |
| Brazoria NWR, TX | Replace Walker Bridge | 277,000 |
| Canaan Valley NWR, WV | Repair office/visitor center | 150,000 |
| Chase Lake NWR, ND | Construct vehicle shop | 625,000 |
| Chincoteague NWR, VA | Headquarters/visitor center | 1,000,000 |
| Cross Creeks NWR, TN | 5 bridges/water control structures | 1,500,000 |
| Dexter NFH, NM | Irrigation wells | 524,000 |
| Genoa NFH, WI | Water supply system | 1,717,000 |
| Hagerman NFH, ID | Replace main hatchery building | 1,000,000 |
| Hatchie NWR, TN | Log Landing Slough Bridge | 284,000 |
| Hatchie NWR, TN | Loop Road/Bear Creek Bridge | 367,000 |
| Havasu NWR, AZ | Replace/rehabilitate 3 bridges | 409,000 |
| J.N. Ding Darling NWR, FL | Construction of exhibits | 750,000 |
| Lake Thibadeau NWR, MT | Lake Thibadeau diversion dam | 250,000 |
| Little White Salmon NFH, WA | Replace upper raceways | 3,990,000 |
| Mattamuskeet NWR, NC | Structural columns in Lodge | 600,000 |
| Mattamuskeet NWR, NC | Refuge sewage system | 400,000 |
| McKinney Lake NFH, NC | Dam safety construction | 600,000 |
| Natchitoches NFH, LA | Aeration & electrical system | 750,000 |
| National Eagle & Wildlife Repository, CO | Eagle processing laboratory | 176,000 |
| National Eagle & Wildlife Repository, CO | Storage units | 65,000 |
| Necedah NWR, WI | Ryerson dam | 3,440,000 |
| Neosho NFH, MO | Rehabilitate deficient pond | 450,000 |
| NFW Forensics Laboratory, OR | Forensics laboratory expansion | 500,000 |

| Project | Description | Amount |
|--|-----------------------------------|------------|
| Parker River NWR, MA | Headquarters complex | 2,130,000 |
| Salt Plains NWR, OK | Wilson's Pond Bridge | 74,000 |
| San Bernard NWR, TX | Woods Road Bridge | 75,000 |
| Seney NWR, MI | Replace water control structure | 1,450,000 |
| Sevilleta NWR, NM | Replace office/visitor building | 927,000 |
| Silvio O. Conte NWR, VT | Education center | 1,500,000 |
| Smith Island NWR, MD | Restoration | 450,000 |
| St. Marks NWR, FL | Otter Lake public use facilities | 200,000 |
| St. Vincent NWR, FL | Repair/Replace support facilities | 556,000 |
| Tern Island, NWR, HI | Rehabilitate seawall | 1,800,000 |
| Tishomingo NFH, OK | Pennington Creek Footbridge | 44,000 |
| Tishomingo NWR, OK | Replace/rehabilitate 2 bridges | 54,000 |
| Upper Mississippi River NWR, IA | Construction & exhibits | 1,200,000 |
| White River NFH, VT | Replace roof/modify structures | 600,000 |
| White Sulphur Springs NFH, WV | Fingerling tanks and raceways | 95,000 |
| Wichita Mountains WR, OK | Road rehabilitation | 1,564,000 |
| Wichita Mountains WR, OK | Replace/rehabilitate 23 bridges | 1,537,000 |
| Subtotal | | 46,106,000 |
| Service-wide bridge safety inspections | | 495,000 |
| Service-wide dam safety inspections | | 545,000 |
| Construction management | | 7,437,000 |
| Total | | 54,583,000 |

Bill Language.—The conference agreement includes bill language proposed by the Senate authorizing a single procurement for construction of the headquarters and visitors center at the Alaska Maritime NWR.

The conference agreement provides for the following:

1. The funding provided for construction of the headquarters and visitors center at Alaska Maritime NWR completes the Federal funding for this project by the Fish and Wildlife Service.

2. The funding for the education center at the Silvio O. Conte NWR, VT is provided with the understanding that the Federal commitment will not exceed \$2,900,000 and that the cost share will be substantially more than 50 percent.

3. Funding for the Tern Island seawall is provided with the understanding that the total cost of the project will not exceed \$12,000,000 and that project initiation will be delayed until appropriated funding is sufficient to provide for uninterrupted construction. Such an approach will avoid costly shut down and start up costs associated with piecemeal construction in this remote location. Although the Fish and Wildlife Service's efforts to obtain logistical support from the Navy have been, so far, unsuccessful, the Service is encouraged to continue to pursue such support.

4. Funding provided for the Upper Mississippi River Discovery Center, IA represents the full Federal funding by the Fish and Wildlife Service. Within the \$1,200,000 provided, \$300,000 is for construction and installation of exhibits detailing the mission of the Fish and Wildlife Service and interpreting the Upper Mississippi River NWR, IA.

5. The \$615,000 decrease to the House recommended level for construction management eliminates the proposed increase for seismic compliance. Seismic compliance should be incorporated into overall priorities.

6. The conference agreement notes with concern that the Service has allowed the floodgates on and around Mattamuskeet NWR, North Carolina, to deteriorate substantially over the past 15 years, thus permitting saltwater intrusion onto surrounding farmlands of Hyde County, North Carolina. This situation has been exacerbated by the recent flooding in eastern North Carolina due to hurricanes, including Hurricane Floyd. While the Service has legitimate concerns with respect to water salinity and quality on the refuge, the Service should cooperate with other water users and landowners to ensure that their interests are adequately protected.

LAND ACQUISITION

The conference agreement provides \$50,513,000 in new land acquisition funds and

a reprogramming of \$8,000,000 in prior year funds instead of \$42,000,000 as proposed by the House and \$56,444,000 as proposed by the Senate. Funds should be distributed as follows:

| State and project | Amount |
|--|-----------|
| SC—ACE Basin NWR | \$500,000 |
| LA—Atchafalaya River (LA Black Bear) | 1,000,000 |
| TX—Attwater Prairie Chicken NWR | 1,000,000 |
| VA—Back Bay NWR | 1,000,000 |
| TX—Balcones Canyonlands NWR | 1,500,000 |
| LA—Black Bayou NWR | 3,000,000 |
| MD—Blackwater NWR | 500,000 |
| NE—Boyer Chute NWR | 1,000,000 |
| AZ—Buenos Aires NWR (Leslie Canyon) | 1,500,000 |
| WV—Canaan Valley NWR | 500,000 |
| KY—Clarks River NWR | 500,000 |
| IL—Cypress Creek NWR | 750,000 |
| CA—Don Edwards SF Bay NWR | 1,678,000 |
| NJ—E.B. Forsythe NWR | 800,000 |
| AL—Grand Bay NWR | 1,000,000 |
| MA—Great Meadows NWR | 500,000 |
| NJ—Great Swamp NWR | 500,000 |
| FL—J.N. Ding Darling NWR | 4,000,000 |
| NH—Lake Umbagog NWR | 2,750,000 |
| TX—Lower Rio Grande NWR | 2,000,000 |
| ME—Moosehorn NWR | 1,000,000 |
| IA—Neal Smith NWR | 500,000 |
| WA—Nisqually NWR (Black River) | 850,000 |
| ND—North Dakota Prairie NWR | 500,000 |
| MN/IA—Northern Tallgrass Prairie Project | 500,000 |
| HI—Oahu Forest (proposed NWR) | 1,000,000 |
| WV—Ohio River Islands NWR | 400,000 |
| OR—Oregon Coast NWR Complex | 500,000 |
| IN—Patoka River NWR | 500,000 |
| FL—Pelican Island NWR | 2,000,000 |
| ME—Petit Manan NWR | 250,000 |
| ME—Rachel Carson NWR | 750,000 |
| VA—Rappahannock River Valley NWR | 1,100,000 |
| MT—Red Rock NWR (Centennial Valley) | 1,000,000 |
| RI—Rhode Island Refuge Complex | 500,000 |
| CA—San Diego NWR | 3,100,000 |
| MI—Shiawassee NWR | 835,000 |
| CT—Stewart McKinney NWR (Calves Island) | 2,000,000 |
| CT—Stewart McKinney NWR (Great Meadow) | 500,000 |
| TX—Trinity River NWR | 500,000 |
| SC—Waccamaw NWR | 1,500,000 |
| NJ—Wallkill NWR | 750,000 |
| MT—Western Montana Project | 1,000,000 |

| State and project | Amount |
|--------------------------------|------------|
| Reprogram FY99 Funds (Palmyra) | —8,000,000 |

| | |
|------------------------|------------|
| Subtotal | 39,513,000 |
| Emergencies/hardships | 1,000,000 |
| Inholdings | 750,000 |
| Exchanges | 750,000 |
| Acquisition management | 8,500,000 |
| Total | 50,513,000 |

The \$8,000,000 allocated in fiscal year 1999 for the acquisition of Palmyra Atoll has been reprogrammed because the non-Federal matching funds essential to purchase the property are not available at this time. The House and Senate Committees on Appropriations recognize the unique biological value of this tropical habitat and will consider providing funding in the future should the non-Federal share be secured.

In addition to the funds provided in this account for the Rhode Island Refuge Complex, there is \$2,000,000 provided in Title VI.

The House and Senate Committee on Appropriations have conducted a preliminary review of the Federal land management agencies' definition of acquisition management costs. These initial findings indicate that the U.S. Fish and Wildlife Service is out of sync with the other agencies and the Committees are concerned about several issues, including the fact that only 65 percent of the acquisition management staff of the Service is accounted for in its acquisition management account, and that other costs are being assessed against the individual projects such as 10 percent third party costs. The other agencies do not consider such costs. The Department should prepare a complete analysis of land acquisition costs, which includes the Forest Service program, and report to the Committees no later than March 15, 2000, with recommendations for standardizing the situation.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

The conference agreement provides \$23,000,000 for the cooperative endangered species conservation fund instead of \$15,000,000 as proposed by the House and \$21,480,000 as proposed by the Senate. The increase above the House is for habitat conservation planning land acquisition. Bill language is included, as proposed by the Senate, to ensure that these funds are derived from the cooperative endangered species conservation fund.

NATIONAL WILDLIFE REFUGE FUND

The conference agreement provides \$10,779,000 for the national wildlife refuge fund as proposed by the House instead of \$10,000,000 as proposed by the Senate.

NORTH AMERICAN WETLANDS CONSERVATION FUND

The conference agreement provides \$15,000,000 for the North American wetlands conservation fund as proposed by both the House and the Senate.

WILDLIFE CONSERVATION AND APPRECIATION FUND

The conference agreement provides \$800,000 for the wildlife conservation and appreciation fund as proposed by both the House and the Senate.

MULTINATIONAL SPECIES CONSERVATION FUND

The conference agreement provides \$2,400,000 for the multinational species conservation fund as proposed by the Senate instead of \$2,000,000 as proposed by the House.

COMMERCIAL SALMON FISHERY CAPACITY REDUCTION

The conference agreement provides \$5,000,000 for the Federal share of a salmon fishery capacity reduction program. The funds should be given as a grant to the State of Washington Department of Fish and Wildlife and will be used to reimburse commercial fishermen for forfeiting their commercial fishing licenses for Fraser River Sockeye. The program will support the implementation of the 1999 Pacific Salmon Treaty Agreement between the United States and Canada.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

The conference agreement provides \$1,365,059,000 for operation of the National park system instead of \$1,387,307,000 as proposed by the House and \$1,355,176,000 as proposed by the Senate. The agreement provides \$255,399,000 for Resources Stewardship instead of \$265,114,000 as proposed by the House and \$247,905,000 as proposed by the Senate. Changes to the House level include decreases of \$6,915,000 for special need parks, \$500,000 to natural resources preservation, \$500,000 to native and exotic species, \$500,000 to inventory and monitoring, \$500,000 to cultural resources preservation, elimination of \$500,000 for the new resource protection act initiative, and a \$300,000 decrease for collections management. Despite these reductions from the House position, the conference agreement still provides significant funding for the new science data initiative, as well as increases above the budget request for special need parks and increases to both cultural resource preservation and collections management above current year funding levels. The amount provided does not include funds specifically for the Civil War initiative as proposed by the Senate.

The conference agreement provides \$318,970,000 for Visitor Services instead of \$320,558,000 as proposed by the House and \$317,806,000 as proposed by the Senate. Changes to the House level include a \$3,908,000 decrease to special need parks and an increase of \$2,320,000 for anti-terrorism base costs.

The conference agreement provides \$432,923,000 for Maintenance instead of \$442,881,000 as proposed by the House and \$432,081,000 as proposed by the Senate. Changes to the House level include decreases of \$4,458,000 to special need parks, \$3,000,000 for cyclic maintenance and \$2,500,000 for repair and rehabilitation. Therefore, the conference agreement provides a \$1,000,000 increase for cyclic maintenance and a \$2,500,000 increase for repair and rehabilitation above the current year funding levels.

The conference agreement provides \$248,482,000 for park support instead of \$248,895,000 as proposed by the House and \$248,099,000 as proposed by the Senate. Changes to the House level include an in-

crease of \$137,000 for special need parks, a decrease of \$250,000 for partners for parks, a decrease of \$500,000 for the challenge cost share program and an increase of \$200,000 for cooperative agreements on the Lamprey Wild and Scenic River.

The conference agreement provides \$109,285,000 for external administrative costs as proposed by the Senate instead of \$109,859,000 as proposed by the House. Changes to the House level include a decrease of \$800,000 for GSA space and an increase of \$226,000 for electronic acquisition system.

The success of the bear management program at Yosemite National Park is noted and is encouraged the Park Service to continue this worthwhile effort.

The conference agreement does not provide an earmark for the Kawerak Eskimo Heritage Program within the funds provided for Beringia as proposed by the Senate.

The beneficial uses at the Lake Roosevelt National Recreation Area include historical and traditional agriculture, grazing, recreation and cultural uses pursuant to a permit issued by the Service. Pursuant to the Lake Roosevelt National Recreation Area's new general management plan, existing and past historical use, and community moorage/public access facilities permitted by the Service at the Area may remain permitted under Service authority until it is determined by the Service that the permitted facility or activity is in conflict with a new or expanded concession facility. At such time the Service may choose to terminate that specific permit.

The Civil War battlefields throughout the country hold great significance and provide vital historic educational opportunities for millions of Americans. There is concern, however, about the isolated existence of these Civil War battle sites in that they are often not placed in the proper historical context.

The Service does an outstanding job of documenting and describing the particular battle at any given site, but in the public displays and multi-media presentations, it does not always do a similarly good job of documenting and describing the historical social, economic, legal, cultural and political forces and events that originally led to the larger war which eventually manifested themselves in specific battles. In particular, the Civil War battlefields are often weak or missing vital information about the role that the institution of slavery played in causing the American Civil War.

The Secretary of the Interior is directed to encourage the National Park Service managers of Civil War battle sites to recognize and include in all of their public displays and multi-media educational presentations the unique role that the institution of slavery played in causing the Civil War and its role, if any, at the individual battle sites. The Secretary is further directed to prepare a report by January 15, 2000, on the status of the educational information currently included at Civil War sites that are consistent with and reflect this concern.

The conference agreement expresses concern over the unsafe conditions at the intersection of Routes 29 and 234 in Manassas National Battlefield, in Prince William County, Virginia which remain hazardous to local residents and visitors traveling through the intersection. The safety concerns at Routes 29 and 234 have been a long-standing problem for the local communities. The National Park Service and the Virginia Department of Transportation are strongly encouraged to finalize plans to allow for construction to begin by March, 2000.

The conference agreement has not provided funding as proposed in the budget request for

full implementation of a new maintenance management system. The Service is approved to pursue a pilot demonstration program for a new facility management system, and understand that base funds will be applied toward this effort during fiscal year 2000. The Service is expected to provide an update on the results of the pilot program before proceeding with service-wide implementation.

The House and Senate Committees on Appropriations continue to monitor closely the Recreational Fee Demonstration program authorized in fiscal year 1996, particularly the National Park Service portion because of the size of that particular program. It is the Appropriations Committees' understanding that the Assistant Secretary for Policy, Management and Budget and the Assistant Secretary for Fish and Wildlife and Parks have both agreed upon a procedure for the National Park Service to follow in obtaining review and approval of expenditures of Recreational Fee Demonstration funds. All 80 percent projects for which the estimated total cost is \$500,000 or greater are reviewed by the NPS Development Advisory Board and require approval by the Director and both Assistant Secretaries, and are then submitted to the House and Senate Committees on Appropriations for approval prior to the obligation of funds for the project. For 80 percent projects for which the estimated total cost is \$100,000 or less, projects are reviewed against established program criteria and are approved by the respective NPS Regional Directors. All 80 percent projects over \$100,000 but less than \$500,000 require approval by the NPS Director and the Assistant Secretary for Fish and Wildlife and Parks, unless the project is replacement in kind or routine maintenance that protects prior investments, for which approval authority remains with the Regional Director. All 20 percent projects require approval by the NPS Director and both Assistant Secretaries, and those over \$500,000 are submitted to the Committees for approval. Listings of all projects, regardless of dollar amounts, are to be provided quarterly to the House and Senate Committees on Appropriations. Once the lists have been provided to the Committees for approval, any subsequent changes to these lists must also be forwarded to the Appropriations Committees for approval.

The Committees are aware of proposals to address needs in parks through the pursuit of non-Federal sponsors. The Committees have been, and continue to be, supportive of partnerships that further the Service's mission. The need for a certain degree of flexibility in order to respond to private philanthropic opportunities is understood. However, the conference agreement reiterates that partnerships should be linked to the accomplishment of service-wide goals and not pursued strictly for enhancing park infrastructure.

Partnership arrangements, including those where no Federal funds are involved, are not to be viewed as a way to bypass compliance with or adherence to existing policies, procedures, and approval requirements. Partnerships that benefit NPS sites or programs must have active involvement by NPS managers, and should be subject to the same review and approval requirements as projects funded with NPS funds. Review by the Development Advisory Board is expected for all partnership donation projects with a total cost above \$500,000. While some projects may be proposed to be accomplished without any Federal funds, the operation and maintenance requirements are frequently assumed to be the responsibility of the Service, and for this reason full review is expected before commitments are made.

Within the amounts provided, not less than \$500,000 is for maintenance activities at Isle

Royale National Park to address infrastructure and visitor facility deterioration.

The National Park Service is directed to prepare a General Management Plan for the Lower East Side Tenement National Historic Site by November 2000 pursuant to section 104(c) of Public Law 105-378.

South Florida.—The conference agreement retains bill language in the land acquisition and state assistance account, as proposed by the House, that makes the \$10,000,000 grant to the State of Florida in the land acquisition account and the \$35,000,000 in Title VI subject to a fifty percent match of newly appropriated non-Federal funds. The State may not use funds for land acquisition which were previously provided in another fiscal year as the match. These funds are also subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades and other natural areas.

The conference agreement includes modified bill language in the land acquisition account which makes the release of the \$10,000,000 State grant funds subject to the Administration submitting legislative language that will ensure a guaranteed water supply to Everglades National Park and the remaining natural system areas located in the Everglades watershed, including but not limited to Big Cypress National Preserve, Biscayne National Park, Loxahatchee National Wildlife Refuge and Water Conservation Areas 2 and 3, as well as Biscayne Bay. While there has been recent testimony by the other partners, including the Army Corps of Engineers and the Florida Water Management District, assuring the Congress that there will be adequate water supply to the natural areas, the water supply must include high-quality water and not merely storm water runoff.

It would be useful to have a complete estimate of the total costs to restore the South Florida ecosystem. The House and Senate Committees on Appropriations believe that this new estimate will exceed the \$7,800,000,000 estimate that has been used over the last five years. This recalculated estimate should include all three goals of this initiative, namely, (1) getting the water right, (2) restoring and enhancing the natural habitat, and (3) transforming the built environment. The Congress and the American people are committed to this project. Over \$1,300,000,000 has been appropriated to date; however, and the public deserves to know how much this project will truly cost. This information should be submitted to the House and Senate Committees on Appropriations no later than February 1, 2000, and should be updated biennially.

The Secretary of the Interior, in his capacity as Chair of the South Florida Restoration Task Force, is directed to develop a region-wide strategic plan as recommended by the General Accounting Office. The plan should coordinate and integrate Federal and non-Federal activities necessary to achieve the three ecosystem restoration goals. The Secretary is directed to submit a progress report to the House and Senate Committees on Appropriations in February, 2000, and the final strategic plan no later than July 31, 2000. This plan should be updated every two years.

The timely resolution of disputes regarding South Florida ecosystem restoration is important to avoid cost overruns and unnecessary delays in attaining the goals and benefits of the initiative. The Secretary of the Interior is directed to develop recommendations for resolving the most difficult conflicts and submit recommendations to the House and Senate Committees on Appropriations by February 15, 2000. These recommendations should be developed in consultation with the other major partners in this effort.

The Committees, through previous appropriations, have supported the preparation of a new General Management Plan for Gettysburg NMP to enable the NPS to interpret more adequately the Battle of Gettysburg and to preserve the artifacts and landscapes that help to tell the story of this great conflict of the Civil War. Accordingly, the conference agreement acknowledges the need for a new visitors facility and supports the proposed public-private partnership as a unique approach to the interpretive needs of our National Parks.

NATIONAL RECREATION AND PRESERVATION

The conference agreement provides \$53,899,000 for National recreation and preservation instead of \$49,449,000 as proposed by the House and \$51,451,000 as proposed by the Senate. The agreement provides \$533,000 for Recreation programs, the same as the House and Senate. The agreement provides \$10,090,000 for Natural programs as proposed by the House instead of \$10,555,000 as proposed by the Senate. This includes a \$500,000 general program increase and a \$285,000 increase for hydropower relicensing. While the conference agreement has not earmarked the River and Trails Conservation Assistance program, consideration should be given to the following projects: Mt. Independence NHL trail work, the Back to the River initiative, NE, and the Harlan County coal heritage project, KY. This is a technical assistance program, and therefore it is not meant to provide for annual operating expenses or technical assistance beyond two years.

The conference agreement provides \$19,614,000 for Cultural programs instead of \$19,364,000 as proposed by the House and \$19,914,000 as proposed by the Senate. The change to the House level is an increase of \$250,000 for a Revolutionary War/War of 1812 Study. The conference agreement does not provide the increase of \$300,000 as proposed by the Senate for a pilot demonstration project to provide technical preservation and development assistance to non-Federal National Historic Landmarks. However, in providing funds for this core program, it is expected that the National Park Service will provide technical assistance to non-Federal National Historic Landmarks. This is the core mission of the National Historic Landmarks program: to identify and help protect significant historic properties possessing exceptional value such as the Weston State Hospital in West Virginia.

The conference agreement provides \$1,699,000 for International park affairs as proposed by the House and Senate, \$373,000 for environmental and compliance review as proposed by the House and Senate and \$1,819,000 for Grant administration as proposed by the House and Senate.

The conference agreement provides \$6,886,000 for the heritage partnership program as proposed by the House instead of \$5,886,000 as proposed by the Senate. The conference agreement provides the following disbursements of funds: \$1,000,000 each for the Ohio and Erie Canal National Heritage Corridor, the Essex National Heritage Area and the Rivers of Steel National Heritage Area, \$800,000 each for the Hudson Valley National Heritage Area and the South Carolina National Heritage Corridor and the balance of \$1,400,000 for the other four areas. The conference agreement provides \$886,000 for technical assistance, of which not more than \$150,000 may be provided for the Service's overhead expenses and the balance of which should be made available to the heritage areas for technical assistance agreed to by both the Alliance of National Heritage Areas and the National Park Service.

The conference agreement provides \$10,885,000 for Statutory or Contractual Aid

instead of \$4,685,000 as proposed by the House and \$9,172,000 as proposed by the Senate. Funds are to be distributed as follows:

| | |
|--|-----------|
| Alaska Native Cultural Center | \$750,000 |
| Aleutian World War II National Historic Area | 800,000 |
| Automobile Heritage Area | 300,000 |
| John H. Chafee Blackstone River Valley National Heritage Corridor Commission | 450,000 |
| Brown Foundation | 102,000 |
| Chesapeake Bay Gateways | 600,000 |
| Dayton Aviation Heritage Commission | 48,000 |
| Delaware and Lehigh Navigation Canal | 450,000 |
| Ice Age National Scientific Reserve | 806,000 |
| Illinois and Michigan Canal National Heritage Corridor Commission | 242,000 |
| Johnstown Area Heritage Association | 50,000 |
| Lackawanna Heritage | 450,000 |
| Mandan On-a-Slant Village | 400,000 |
| Martin Luther King, Jr. Center ... | 534,000 |
| National Constitution Center | 500,000 |
| National First Ladies Library | 300,000 |
| Native Hawaiian culture and arts program | 750,000 |
| New Orleans Jazz Commission | 67,000 |
| Oklahoma City Memorial | 866,000 |
| Quinebaug-Shetucket National Heritage Preservation Commission | 250,000 |
| Roosevelt Campobello International Park Commission | 670,000 |
| Sewall-Belmont House | 500,000 |
| Vancouver National Historic Reserve | 400,000 |
| Wheeling National Heritage Area | 600,000 |

The conference agreement provides \$600,000 for a new Chesapeake Bay Gateways and Water Trails network and grants assistance program pursuant to Public Law 105-312. Of this amount, up to \$200,000 is provided for completing a Chesapeake Bay Watershed-wide framework for implementing this law. It is expected that this framework and the criteria and procedures for the proposed assistance program will be completed by the Service and approved by the House and Senate Committees on Appropriations prior to providing any specific grants and technical assistance to states, communities or other groups. The remaining \$400,000 will be available for competitive grants to meet the goals of the framework. A report is to be provided to the House and Senate Committees on Appropriations by April 1, 2000, on the framework goals and grants criteria and an annual end-of-year report, that details how the grants and technical assistance were allocated, the specific results of those individual grants and technical assistance and specifically how those projects relate to the framework and goals of the program.

The conference agreement provides on a one-time only basis, \$866,000 for the operation of the Oklahoma City Memorial, OK. It is noted that there was an unexpected delay in the construction of the memorial museum, which is the planned revenue source for the memorial.

The conference agreement provides \$2,000,000 for the Urban Parks and Recreation Recovery program instead of \$4,000,000 as provided by the House and \$1,500,000 as provided by the Senate.

The conference agreement includes language in the bill providing authority for the retention of fees for historic preservation tax certifications. Similar language was proposed by both the House and Senate.

HISTORIC PRESERVATION FUND

The conference agreement provides \$75,212,000 for the Historic preservation fund

instead of \$46,712,000 as proposed by the House and \$42,412,000 as proposed by the Senate. Changes to the House level include decreases of \$500,000 for the State Historic Preservation Offices and \$1,000,000 for Historically Black Colleges and Universities. The amounts provided for each program are increases above the fiscal year 1999 levels.

The conference agreement also includes \$30,000,000 for the second and last year of the Millennium Program. These grants are subject to a fifty percent cost share and no single project may receive more than one grant from this program. The funds are to be distributed as follows:

| Project | Amount |
|--|-----------|
| Admiral Theatre (WA) | \$400,000 |
| African American Heritage Center (KY) | 1,000,000 |
| Aurora Civil War Memorial (IL) | 300,000 |
| Benjamin Franklin National Memorial (PA) | 300,000 |
| Intrepid Sea Air Space Museum (NY) | 2,500,000 |
| Mari Sandoz Cultural Center (NE) | 450,000 |
| Mark Twain House (CT) | 2,000,000 |
| McKinley Monument (OH) | 100,000 |
| Mission San Juan Capistrano (CA) | 320,000 |
| Montpelier (VA) | 1,000,000 |
| Mukai Farm and Garden (WA) | 150,000 |
| Nathaniel Orr Pioneer Home Site (WA) | 250,000 |
| National First Ladies Library—City National Bank Building (OH) | 2,500,000 |
| National Home for Disabled Volunteer Soldiers (OH) | 130,000 |
| River Heritage Museum (KY) | 300,000 |
| Saturn V Rocket, U.S. Space and Rocket Center (AL) | 700,000 |
| Sewell Building, Dimock Center (MA) | 300,000 |
| Sitka Pioneer Home (AK) .. | 150,000 |
| St. Nicholas Cathedral (FL) | 150,000 |
| Tacoma Art Museum (WA) .. | 600,000 |
| Tannehill/Brierfield Ironworks Restoration Project (AL) | 250,000 |
| Thaddeus Stevens Hall at Gettysburg College (PA) .. | 300,000 |
| Unalaska Aerology Building (AK) | 100,000 |
| Weston State Hospital (WV) | 750,000 |

Additional project recommendations for funding shall be subject to formal approval of the House and Senate Appropriations Committees prior to any distribution of funds.

CONSTRUCTION

The conference agreement provides \$225,493,000 for construction instead of \$169,856,000 as proposed by the House and \$223,153,000 as proposed by the Senate. The funds are to be distributed as follows:

| Project | Amount |
|--|-----------|
| Apostle Islands NL, WI | \$500,000 |
| Assateague Island NS, MD/VA | 973,000 |
| Badlands NP, SD | 1,572,000 |
| Big Cypress N. Pres., FL ... | 4,965,000 |
| Black Archives (FL A&M), FL | 2,800,000 |
| John H. Chafee Blackstone River Valley NHC, MA/RI .. | 1,000,000 |
| Boston NHP, MA | 1,049,000 |
| Brown v. Board of Education NHS, KS | 4,300,000 |

| Project | Amount |
|--|-------------|
| Castle Clinton NM, NY | 460,000 |
| Chickasaw NRA, OK | 1,275,000 |
| Colonial NHP, VA | 714,000 |
| Crater Lake NP, OR | 1,733,000 |
| Cumberland Island NS, GA .. | 1,400,000 |
| Cuyahoga Valley NRA, OH .. | 3,850,000 |
| Dayton Aviation NHP, OH .. | 242,000 |
| Death Valley NP, CA | 6,335,000 |
| Delaware Water Gap NRA, NJ | 500,000 |
| Delaware Lehigh Heritage, PA | 500,000 |
| Denali NP&P, AK | 3,200,000 |
| Edison NHS, NJ | 3,032,000 |
| Everglades NP (water delivery), FL | 12,000,000 |
| Everglades NP (water treatment), FL | 1,288,000 |
| Florissant Fossil Beds NM, CO | 1,131,000 |
| Fort Stanwix NM, NY | 1,100,000 |
| Fort Sumter NM, SC | 8,250,000 |
| Gateway NRA, NJ | 1,593,000 |
| George Washington Memorial Parkway, MD | 1,800,000 |
| George Washington Memorial Parkway, VA | 500,000 |
| Gettysburg NMP, PA | 1,100,000 |
| Glacier Bay NP&P, AK | 2,300,000 |
| Golden Gate NRA, CA | 1,075,000 |
| Grand Canyon NP, AZ | 779,000 |
| Harpers Ferry NHP, WV | 800,000 |
| Hispanic Cultural Center, NM | 3,000,000 |
| Historic Preservation Training Ctr., MD | 568,000 |
| Home of FDR NHS, NY | 1,400,000 |
| Hot Springs NP, AR | 1,000,000 |
| Hovenweep NM, UT | 1,000,000 |
| Ice Age NST, WI | 125,000 |
| Indiana Dunes NL, IN | 500,000 |
| Kaloko-Honokohau NHP, HI | 1,169,000 |
| Lake Mead NRA, AZ | 3,839,000 |
| Lewis & Clark Bicentennial | 500,000 |
| Lincoln Home NHS, IL | 600,000 |
| Lincoln Library, IL | 3,000,000 |
| Missouri River NRA | 200,000 |
| Mount Rushmore NM, SD .. | 4,568,000 |
| Natchez Trace Parkway, MS | 500,000 |
| National Capital Region (FDR Memorial), DC | 3,000,000 |
| National Constitution Center, PA | 10,000,000 |
| National Underground R.R. Freedom Center, OH | 1,000,000 |
| New Bedford Whaling NHP, MA | 800,000 |
| New Jersey Coastal Heritage Trail, NJ | 100,000 |
| New River Gorge NR, WV .. | 675,000 |
| Olympic NP, WA | 12,000,000 |
| Padre Island NS, TX | 823,000 |
| Perry's Victory & IPM, OH .. | 200,000 |
| Salem Maritime NHS, MA .. | 704,000 |
| Sequoia & Kings Canyon NP, CA | 5,621,000 |
| Shiloh NMP, TN (shore erosion) | 1,500,000 |
| Shiloh NMP, MS (Corinth visitor center) | 700,000 |
| Sitka NHP, AK | 3,645,000 |
| Southwest Penn. Heritage, PA | 3,000,000 |
| Statue of Liberty & Ellis Island, NY/NJ | 1,000,000 |
| Timucuan Reserve, FL | 550,000 |
| Tonto NM, AZ | 703,000 |
| Vancouver NHR, WA | 817,000 |
| Wheeling National Heritage Area, WV | 3,000,000 |
| Wilson's Creek NB, MO | 500,000 |
| Yellowstone NP, WY | 5,715,000 |
| Yosemite NP, CA | 1,850,000 |
| Zion NP, UT | 1,800,000 |
| Subtotal, line-item projects | 155,788,000 |

| Project | Amount |
|---------------------------------------|-------------|
| Emerg/unscheduled housing | 3,500,000 |
| Dam safety | 1,440,000 |
| Equipment replacement | 18,000,000 |
| General management plans .. | 9,225,000 |
| Construction planning | 15,940,000 |
| Pre-planning & supplementary | 4,500,000 |
| Construction program management | 17,100,000 |
| Total | 225,493,000 |

The conference agreement provides \$15,940,000 for planning, which includes the budget request of \$10,195,000, as well as adjustments between the planning and line-item activities. The increases are provided for the following projects:

| | |
|---|-----------|
| Chickasaw NRA | \$286,000 |
| Cuyahoga Valley NRA | 150,000 |
| Dayton Aviation Heritage NHP | 186,000 |
| Delaware Water Gap NRA .. | 64,000 |
| Denali NP&P (front country) | 450,000 |
| Fort Stanwix NM | 250,000 |
| Great Smoky Mountains NP | 450,000 |
| Lincoln Home NHS (Morse House) | 92,000 |
| Mammoth Cave NP (water system) | 221,000 |
| Mojave National Preserve .. | 731,000 |
| Mount Rainier NP: | |
| Paradise Visitor Center .. | 1,400,000 |
| Guide House | 170,000 |
| National Constitution Center | 30,000 |
| Shiloh NMP (erosion control) | 360,000 |
| Shiloh NMP (Corinth visitor center) | 300,000 |
| Timucuan Reserve (boat docks) | 55,000 |
| Washita Battlefield NHS ... | 250,000 |
| Vancouver NHR | 100,000 |
| Yosemite NP | 200,000 |

Bill Language.—The conference agreement does not include bill language as proposed by the House permitting Ellis Island to retain 100 percent of franchise fees subject to a requirement that these revenues be matched with non-Federal funds in fiscal year 2001.

The conference agreement earmarks \$885,000 for realignment of the Denali National Park and Preserve entrance road instead of \$1,100,000 as proposed by the Senate.

The conference agreement provides authority for the use of \$3,000,000 for the FDR Memorial instead of \$3,500,000 as proposed by the Senate. The Service is directed to modify the scope of the project to accomplish the same goal of providing an appropriate space for the privately funded new sculpture. The National Park Service should work closely with the National Organization on Disability on the plans for installing a statue at the FDR Memorial in Washington, D.C.

There are no earmarked funds for planning and development of interpretive sites at Saint Croix Island NHS as proposed in the Senate bill. Funds for this purpose should be derived from available planning funds.

The conference agreement provides \$500,000, subject to authorization, for studies on the preservation of certain Civil War battlefields along the Vicksburg Campaign Trail instead of \$1,000,000 as proposed by the Senate.

The conference agreement provides \$3,000,000 for the Wheeling National Heritage Area construction instead of \$5,000,000 as proposed by the Senate.

Language is included that provides one-year authorization of funding for the Lincoln Library and the Southwest Pennsylvania Heritage Area.

Language in Title I, General Provisions provides the National Park Service with authority to obligate certain fees for transportation services at Zion National Park in advance of the receipt of such fees.

The conference agreement provides \$4,300,000 for the Brown v. Board of Education NHS in Kansas. These funds are to complete the rehabilitation of the building and for exhibit planning. The amount provided is based on a revised estimate of obligations in fiscal year 2000.

Funds are provided for rehabilitation of sewer systems at Glacier National Park. The National Park Service has determined that the existing system cannot be upgraded sufficiently to meet state standards, and that therefore a replacement system likely will be required. Due to the additional time required to redesign the project, construction funds for this project cannot be obligated in fiscal year 2000.

The conference agreement provides \$2,300,000 for Glacier Bay National Park and Preserve in Alaska. It is intended that \$1,400,000 be expended on the clean-up of contaminated soils at the site of the proposed visitor center. Another \$400,000 is provided for the Secretary to enter into a memorandum of understanding with the park concessionaire to design a visitor center that will be co-managed and co-operated by the Service and the concessionaire. Design costs are to be shared equally between the Service and the concessionaire except that the concessionaire may use in-kind services, cash, or a combination of both, as its share. The facility is expected to be at least 6,500 square feet and reserve an appropriate amount of space for non-exclusive use by the Hoonah Indian Association. In 1998, Congress approved the Glacier Bay National Park Boundary Adjustment Act of 1998 (P.L. 105-317), the purpose of which was to establish a process that could lead to the construction of a hydroelectric facility to provide power to Gustavus, Alaska. The hydroelectric project should be built and connected to the Park to protect the environment and to be more consistent with the purposes of the Park than the Park's use of diesel generators for power. Accordingly, \$500,000 is expected to be made available as a grant to Gustavus Electric Company to pay for studies required by the Act.

The conference agreement provides a total of \$3,650,000 for Denali National Park and Preserve in Alaska. These funds are intended for the following projects: \$2,015,000 for site work, \$885,000 for road realignment, \$175,000 for the South Denali/CIRI plan, \$125,000 for wildlife inventories and \$450,000 for planning for Phase I. The conference agreement directs funding of \$175,000 for the further development of plans to site National Park Service visitor services in facilities on Native lands near Talkeetna, Alaska.

The conference agreement does not earmark planning funds specifically for Kenai Fjords National Park. To the extent funds previously appropriated for this project are not sufficient to continue planning through fiscal year 2000, the Service should seek to provide any necessary funds from available planning funds.

The conference agreement provides \$500,000 for the G.W. Memorial Parkway in Virginia. Of this total, \$400,000 is available for a temporary alternative route at the Humpback Bridge, and \$100,000 is to conduct and complete a study to extend the Mt. Vernon multi-use trail north to I-495 in Virginia.

The conference agreement includes \$1,000,000 for the National Underground Railroad Freedom Center in Cincinnati subject to a non-Federal match and the enactment of authorization.

While the conference agreement has provided \$3,000,000 in funds for a new Lincoln Li-

brary in Springfield, Illinois, \$3,000,000 for Southwest Pennsylvania Heritage and \$3,000,000 for construction at the Wheeling National Heritage Area in West Virginia in fiscal year 2000, any future funding for these projects will be contingent on enacted authorization.

The conference agreement provides a total of \$500,000 for the research library administrative annex at Wilson's Creek National Battlefield Visitor Center in Missouri. This completes the federal share of this project.

The conference agreement provides an appropriation of \$675,000 for the New River Gorge National River, West Virginia, for various construction projects. The agreement notes that \$500,000 in unobligated prior year funds are available to the New River Gorge for construction and that these funds are intended to be added to the \$675,000 in new appropriations (for a total of \$1,175,000) to carry out the highest priority construction needs of the New River Gorge National River for fiscal year 2000 as identified in Senate Report 106-99.

The conference agreement has not provided funds for unscheduled housing because the unobligated balance in this account exceeds \$22,000,000. The Committees have not agreed to release these funds until the Park Service agrees on a consistent new housing policy and standard construction designs that will be used for all trailer replacement units. The Service was supposed to present a complete package to the Committees on Appropriations in September 1999. As of November 5, 1999, no such proposal had been forwarded. The Service is strongly encouraged to submit the information to the Committees on Appropriations for approval so that these funds can be released.

The conference agreement provides \$12,000,000 for the Olympic National Park Elwha dam removal project. Within the funds provided, the National Park Service is directed to use up to \$5,500,000 to plan and design water supply mitigation measures for the City of Port Angeles. The National Park Service shall report final recommendations to the House and Senate Appropriations Committees no later than September 30, 2000. The Park Service shall also reimburse the City for current and future sunk costs reasonably incurred in studying and preparing water supply mitigation options associated with removing the Elwha dams up to \$500,000. The Park Service is urged to enter into a memorandum of understanding with the City of Port Angeles and other regional stakeholders setting forth the federal government's specific obligation with regard to the design, construction, operation, and maintenance of the domestic and industrial water mitigation measures as required by the Elwha River Ecosystem and Fisheries Restoration Act of 1992. The MOU should also define the specific roles of relevant federal agencies, the City of Port Angeles, and/or other regional stakeholders in the development and operation of the necessary water mitigation measures. The City of Port Angeles is encouraged to pursue an appropriate share of the costs related to upgrading its water system from the Environmental Protection Agency. An additional \$10,000,000 is included for this project in Title VI.

The National Park Service is urged to acquire title to the Elwha and Glines Canyon Dams by February 29, 2000, subject to agreement between the owners and the National Park Service on the details of the transfer. Pending completion of planning, design, and engineering work for removal of the dams, the Secretary may cease power production if he determines that such production is not cost effective.

The Service is directed to prepare special resource studies on the following areas: An-

derson Cottage, Washington, District of Columbia; Bioluminescent Bay, Puerto Rico; Civil Rights Sites, multi-state; Crossroads of the American Revolution, Central New Jersey; Fort Hunter Liggett, California; Fort King, Florida; Gaviota Coast Seashore, California; Kate Mullany House, New York; Loess Hills, Iowa; Low Country Gullah Culture, multi-state; Nan Madol, State of Ponape, Federated States of Micronesia; Walden Pond and Woods, Massachusetts; World War II Sites, Commonwealth of the Northern Marianas; and World War II Sites, Republic of Palau. Bill language is included in Section 326 authorizing these studies.

LAND AND WATER CONSERVATION FUND
(RESCISSION)

The conference agreement rescinds the contract authority provided for fiscal year 2000 by 16 U.S.C. 4601-10a as proposed by both the House and the Senate.

LAND ACQUISITION AND STATE ASSISTANCE

The conference agreement provides \$120,700,000 for land acquisition including stateside grants instead of \$132,000,000 as proposed by the House and \$107,725,000 as proposed by the Senate. Funds should be distributed as follows:

| <i>State and Project</i> | <i>Amount</i> |
|--|---------------|
| MD—Antietam NB | \$2,000,000 |
| WI—Apostle Islands NL | 250,000 |
| FL—Big Cypress N Pres | 11,300,000 |
| FL—Biscayne NP | 600,000 |
| MA—Boston Harbor Islands NRA | 2,000,000 |
| PA—Brandywine Battlefield | 500,000 |
| MA—Cape Cod NS | 500,000 |
| MD—Chesapeake and Ohio Canal NHP | 800,000 |
| OH—Cuyahoga Valley NRA | 1,000,000 |
| WA—Ebey's Landing NH Res | 1,000,000 |
| FL—Everglades NP | 20,000,000 |
| VA—Fredericksburg and Spotsylvania NMP | 2,000,000 |
| WV—Gauley River NRA | 750,000 |
| PA—Gettysburg NMP | 1,600,000 |
| FL—Grant to State of FL | 10,000,000 |
| HI—Haleakala NP | 1,500,000 |
| HI—Hawaii Volcanoes NP | 1,500,000 |
| WI—Ice Age National Scenic Trail | 2,000,000 |
| IN—Indiana Dunes NL | 1,200,000 |
| MI—Keweenaw NHP | 1,700,000 |
| VA—Manassas NB | 400,000 |
| CA—Mojave NP&P (Catellus property) | 5,000,000 |
| MD—Monocacy NB | 500,000 |
| WV—New River Gorge NR | 250,000 |
| WI—North Country NST | 500,000 |
| PA—Paoli Battlefield | 1,250,000 |
| NM—Pecos NHP | 1,800,000 |
| NM—Petroglyph NP | 3,000,000 |
| AZ—Saguaro NP | 2,800,000 |
| CA—Santa Monica NRA | 2,000,000 |
| TN—Stones River NB | 1,500,000 |
| VI—Virgin Islands NP (St. John's) | 1,000,000 |
| GU—War in the Pacific NHP | 500,000 |
| CT—Weir Farm NHS | 2,000,000 |
| Subtotal | 84,700,000 |
| Emergencies/hardships | 3,000,000 |
| Inholdings and Exchanges | 2,000,000 |
| Acq. Management | 10,000,000 |
| Stateside Land Acquisition Grants | 20,000,000 |
| State Grants Administration | 1,000,000 |
| Total | 120,700,000 |

The conference agreement provides \$2,000,000 to purchase an easement on Thompson Island as part of the Boston Harbor Islands National Recreation Area in Massachusetts. The release of these funds is contingent upon a non-federal match to acquire the balance of the easement on the property.

The conference agreement provides \$5,000,000 to the National Park Service (NPS) and \$5,000,000 to the Bureau of Land Management (BLM) for land acquisition within the California desert. This funding is based on the understanding that the Wildlands Conservancy will acquire 8,000 additional acres, in consultation with the NPS and BLM, from willing sellers and small private inholdings within Joshua Tree National Park and the Mojave National Preserve during the next year. An additional \$5,000,000 is provided in Title VI for this land acquisition.

No additional funds will be provided for Catellus land acquisition in future years unless and until the Department of the Interior and Department of Defense completely resolve remaining issues relating to desert tortoise mitigation and land acquisition and expansion at the National Training Center for the Army at Fort Irwin in California.

Furthermore, the House and Senate Committees on Appropriations will consider an additional \$15,000,000 for California desert land acquisition up to a total of \$30,000,000. Future funding decisions will be based upon resolution by the two departments of the issues concerning desert tortoise mitigation and land acquisition and expansion at the National Training Center for the Army at Fort Irwin.

The conference agreement provides \$2,000,000 for land purchases at the Fredericksburg-Spotsylvania National Military Park in Virginia. Nearly \$2,000,000 in previously appropriated funds have not been obligated. The Park is strongly urged to obligate fully the funds provided in fiscal years 1999 and 2000. Future funding will not be provided until these funds are expended.

The conference agreement provides an additional \$1,600,000 for the Gettysburg National Military Park in Pennsylvania. This amount together with the \$4,500,000 in unobligated balances from prior fiscal years will complete the purchase of the Brown Ranch and provide for the acquisition of the Tower, which was appraised at \$3,000,000.

The conference agreement provides the following: Lands shall not be acquired for more than the provided appraised value (as addressed in section 301(3) of Public Law 91-646) except for condemnations and declarations of taking and tracts with an appraised value of \$50,000 or less, unless such acquisitions are submitted to the Committees on Appropriations for approval in compliance with established procedures.

The funds included for Paoli and Brandywine Battlefields are contingent upon authorization and a fifty percent non-Federal match.

The conference agreement provides the full \$31,900,000 to complete the land acquisition needs of the Everglades National Park, Biscayne National Park and Big Cypress National Preserve. The agreement provides \$10,000,000 for grants to Florida which are subject to a fifty percent match of newly appropriated non-Federal funds. An additional \$35,000,000 for these grants are provided in Title VI. The House bill language has been modified to make release of the grant funds to Florida subject to the submission of:

(1) detailed legislative language to the House and Senate Committees on Appropriations, agreed to by the Secretaries of the Interior and Army and the Governor of Florida, that provides assurances for the guaranteed supply of water to the natural areas in Southern Florida including all National Parks, Preserves, Wildlife Refuges and other natural areas; and

(2) a complete prioritized list of non-Federal land acquisitions. All State grant funds are contingent on new matching non-Federal funds and are subject to an agreement that the lands to be acquired will be managed in

perpetuity for the restoration of the Everglades.

The conference agreement also provides the additional \$1,000,000 requested in the budget for acquisition management costs in Southern Florida but this amount is incorporated in the total acquisition management account. There was no need to provide a separate line for this purpose.

The conference agreement provides \$20,000,000 for Grants to States; an additional \$20,000,000 is provided for this purpose in Title VI.

Bill language allows the State of Wisconsin to receive grants for the purchase of lands for the Ice Age National Scenic Trail and North Country National Scenic Trail.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

The conference agreement provides \$823,833,000 for surveys, investigations, and research instead of \$820,444,000 as proposed by the House and \$813,093,000 as proposed by the Senate.

Increases above the House include \$250,000 for the Hawaiian volcano program, \$2,000,000 for minerals at risk, \$500,000 for the Great Lakes mapping coalition project, \$998,000 for watershed modeling, \$100,000 for the endocrine disrupter study in the Las Vegas Wash, \$500,000 for a monitoring well in Hawaii, \$200,000 for a hydrologic study of Noyes Slough, \$140,000 for the Southern Maryland ground water study, \$180,000 for a Yukon River salmon study, \$250,000 (for a total of \$500,000) for repairs to the Leetown science center, and \$500,000 for the Great Lakes boat restoration.

Decreases below the House include \$729,000 for technological efficiencies, \$500,000 for the real time hazards program in the water resources division, \$500,000 for amphibian research, and \$500,000 for the cooperative research units.

The House and Senate Committees on Appropriations have agreed to approve in part the Survey's proposed budget restructuring by establishing new "science support" and "facilities" budget line items. This action will improve the Survey's business practices and its relationship with its customers, and represents truth in budgeting. However, the Survey's proposal to establish a new "integrated science" budget activity is not agreed to. The House and Senate Committees on Appropriations see the need for and importance of an integrated approach to science, but believe that establishing such a policy is primarily a management issue and not a function of the structure of the budget. The Director is encouraged to employ the appropriate management, operational, fiscal, and programmatic means at the Director's disposal in order to achieve the goal of establishing an integrated science approach where appropriate.

Because of the severe budget constraints imposed on the appropriations process, no additional funds for new programs that were proposed in this year's budget were provided for. Therefore, no funds were provided for the community information partnership initiative or for the disaster information network.

The Survey should give priority consideration to the installation of water gages on the Alabama, Coosa, Tallapoosa, Apalachicola, Chattahoochee and Flint Rivers.

The conference agreement restores \$3,500,000 for coastal and marine geology programs. The conference agreement provides that a total of \$1,250,000 is designated for continuation of the joint Survey-Sea Grant Consortium South Carolina/Georgia Coastal Erosion Study as outlined in the Phase II Study Plan, of which \$250,000 is provided for the South Carolina coastal erosion monitoring program. Further, the Survey should

continue its other high priority coastal and marine research programs, such as major studies of the Louisiana barrier islands, wetlands, hypoxia, and Lake Ponchartrain with the remaining available funds.

The conference agreement provides \$1,600,000 for the purchase of seismographic equipment as proposed by the House. It is expected that these funds will be allocated as indicated in the budget estimate.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

The conference agreement provides \$110,682,000 for royalty and offshore minerals management as proposed by the Senate instead of \$110,082,000 as proposed by the House.

The \$600,000 increase above the House is for the Center for Marine Resources and the Environmental Technology program.

Within the funds provided \$1,400,000 is earmarked for the Offshore Technology Resource Center at Texas A&M University for high-priority offshore research associated with deepwater development.

OIL SPILL RESEARCH

The conference agreement provides \$6,118,000 for oil spill research as proposed by both the House and the Senate.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

The conference agreement provides \$95,891,000 for regulation and technology as proposed by the Senate instead of \$95,693,000 as proposed by the House. Funding for the activities should follow the Senate recommendation.

ABANDONED MINE RECLAMATION FUND

The conference agreement provides \$196,208,000 for the abandoned mine reclamation fund instead of \$196,458,000 as proposed by the House and \$185,658,000 as proposed by the Senate. The agreement provides \$181,019,000 for the environmental restoration activity, an increase of \$10,879,000 above the fiscal year 1999 funding level. Funding for the other activities follows the House recommendation. The House and Senate Committees on Appropriations have agreed on the House proposal to designate \$300,000 for the western Pennsylvania water quality demonstration project. The conference agreement authorizes up to \$8,000,000 for the Appalachian clean streams initiative as proposed by the House. The agreement includes the Senate proposed language allowing all funds from Title IV of the Surface Mining Control and Reclamation Act to be used as non-Federal cost shares.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

The conference agreement provides \$1,670,444,000 for the operation of Indian programs instead of \$1,631,050,000 as proposed by the House and \$1,633,296,000 as proposed by the Senate.

Increases above the House include \$5,000,000 for the Indian Self Determination Fund, \$5,000,000 for other contract support costs, \$320,000 for new tribes, \$1,000,000 for student transportation, \$3,000,000 for facilities operations, \$2,000,000 for facilities maintenance, \$3,000,000 for tribally controlled community colleges, \$1,000,000 for fisheries enhancement, \$500,000 for tribal resource management, \$5,000,000 for implementation of the National Academy of Public Administration Report recommendations, \$3,000,000 for environmental management, \$20,000,000 for law enforcement, \$250,000 for the Crownpoint Institute of Technology, and \$600,000 for post secondary schools.

Decreases below the House include \$100,000 for Alaska legal services, \$108,000 for general program activities, \$3,573,000 for probate backlog, and \$1,495,000 for land records improvement. From within available funds, the Bureau of Indian Affairs is directed to provide \$108,000 to the United Sioux Tribes of South Dakota Development Corporation.

Over the past several years, the House and Senate Committees on Appropriations and the Department of the Interior have been concerned with improving the management of the Bureau of Indian Affairs which has consistently been criticized for organizational shortcomings. During this period, a number of reforms have been put in place which were designed to improve the Bureau's effectiveness and accountability. To the Bureau's credit it has made substantial progress in addressing its management problems. However, to truly address these issues one needs an analysis of the structure of the Bureau, how its management has changed over time due to increased tribal contracting and compacting, and the lack of concurrent shifts in the Bureau's management structure to these changing circumstances. To this end, the House and Senate Committees on Appropriations working with the Department of the Interior commissioned a study of the Bureau by the National Academy of Public Administration (NAPA). The NAPA study was tasked with providing recommendations for improving the quality, efficiency, and cost-effectiveness of the Bureau's operations.

The House and Senate Committees on Appropriations have received copies of the NAPA report titled, "A Study of Management and Administration: the Bureau of Indian Affairs". The report provides some excellent recommendations to improve the administrative activities of the Bureau and managerial control over the Bureau. The most startling finding of the NAPA study was that some of the basic administrative functions that are necessary for effective management, and that exist in other organizations, are absent in the Bureau. This finding led NAPA to conclude that Bureau personnel are hard working dedicated employees who are not provided with the tools to effectively do their jobs. For example, NAPA concluded that, "there is no existing capability to provide budget, human resources, policy, and other types of assistance to the Assistant Secretary—Indian Affairs and the Bureau." Even prior to the NAPA report, the House and Senate Committees on Appropriations were aware that the Office of the Assistant Secretary—Indian Affairs did not have the capability to develop and analyze policy recommendations. Therefore, \$250,000 has been provided under central office general administration as part of the fiscal year 2000 budget for the establishment of an office of policy analysis and planning in support of NAPA-related program reform efforts.

Consequently, the House and Senate Committees on Appropriations have provided \$5,000,000 to allow the Bureau to proceed with implementation of the NAPA report. In addition, the Bureau should incorporate the NAPA recommendations as part of the Bureau's fiscal year 2001 budget. It is recognized that implementation of the NAPA recommendations may require a reprogramming of funds. The Committees on Appropriations will look favorably on such requests and will try to expedite their approval. Lastly, the conference agreement directs the Bureau and the Department to keep the Committees on Appropriations fully informed as to the progress being made in implementing the NAPA recommendations.

The conference agreement provides \$592,000 for the Gila River Farms project with the understanding that the funding completes this multi-year agriculture project.

Within the funds provided for the Indian Arts and Crafts Board \$290,000 is earmarked for enforcement and compliance activities.

In recognition of the many pressing needs in public safety and justice and in order to allow the tribes and the Bureau to determine the priorities among those needs, the conference agreement has not earmarked funds for animal welfare and control efforts within the funds provided for law enforcement. However, there is concern about the growing problems related to animal welfare and control on reservations and encourage the Bureau and the tribes to work with the Indian Health Service to determine if funding to address these problems should be included in future budget requests.

CONSTRUCTION

The conference agreement provides \$169,884,000 for construction instead of \$146,884,000 as proposed by the Senate and \$126,023,000 as proposed by the House.

Changes to the House number include an increase of \$45,374,000 for replacement school construction and decreases of \$500,000 for employee housing and \$1,013,000 from the safety of dams program. The funding increase provided for replacement school construction completes the next three schools on the priority list.

The House and Senate Committees on Appropriations remain troubled over the growing number of requests to use unobligated prior year school operations funds for replacement or repair of Bureau funded schools. The Congress has increased school operations funding every year for the past five years based on analysis by the Department, the Bureau, and the tribes showing that school operation funds remain well below the per student national average. Based on this analysis the House and Senate Committees on Appropriations are not convinced that any school should have carry-over operations funds at the end of the school year. Nevertheless, bill language has been included to allow the Tate Topa Tribal School, the Black Mesa Community School, and the Alamo Navajo School to use prior year operations funds for repair and replacement purposes. However, to ensure that the additional flexibility provided by this language does not create an incentive for schools to divert scarce operations dollars, any future requests require approval by the Secretary of the Interior. In addition, if this authority is used, the Secretary is directed to certify in writing to the House and Senate Committees on Appropriations that this request will not negatively impact the school's academic standards.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

The conference agreement provides \$27,256,000 for Indian land and water claim settlements and miscellaneous payments to Indians instead of \$25,901,000 as proposed by the House and \$27,131,000 as proposed by the Senate.

Increases above the House level include \$1,000,000 for Aleutian Pribilof church repairs, \$230,000 for the Truckee River, and \$125,000 for the Walker River Paiute Tribe.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

The conference agreement provides \$5,008,000 for the Indian guaranteed loan program as proposed by the House instead of \$5,004,000 as proposed by the Senate.

ADMINISTRATIVE PROVISIONS

The conference agreement includes bill language under the Bureau of Indian Affairs Administrative Provisions as proposed by the Senate that allows the use of prior year school operations funds to be used for replacement or repair of Bureau schools if approved by the Secretary.

The conference agreement modifies Senate proposed bill language included under the Bureau of Indian Affairs Administrative Provisions which clarifies that Bureau funded schools may share their campus with other schools that do not receive Bureau funding and have expanded grades, provided that any additional costs be provided by non-Federal sources.

The conference agreement modifies Senate proposed bill language under Title I General Provisions to direct that the allocation of funds to post secondary schools during fiscal year 2000 be determined by the post secondary funding formula adopted by the Office of Indian Education.

The Senate proposed bill language under General Provisions, Department of the Interior has been modified to allow the Secretary to redistribute Tribal Priority Allocation funds to address unmet needs, dual enrollment, overlapping service areas, or inaccurate distribution methodologies.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

The conference agreement provides \$70,171,000 for assistance to territories instead of \$62,320,000 as proposed by the House and \$67,325,000 as proposed by the Senate. The conference agreement follows the funding levels proposed by the Senate for the activities, except for a decrease of \$154,000 from the level proposed by the Senate for the Office of Insular Affairs and an increase of \$3,000,000 to the territorial assistance activity for Compact-Impact aid to Guam as authorized by the Compact of Free Association Act (P.L. 99-239). The conference agreement includes funding, as suggested by the Senate, for the Compact renegotiation process. The conference agreement also includes the language proposed by the Senate deferring part of the Covenant mandatory payment to the Commonwealth of the Northern Mariana Islands. The deferred funds are allocated to the Virgin Islands for federal mandates as directed by the Senate report. The Secretary should ensure that representatives of Hawaii are consulted during the upcoming compact renegotiation process so the impact to Hawaii of migrating citizens from the freely associated states is appropriately considered.

COMPACT OF FREE ASSOCIATION

The conference agreement provides \$20,545,000 for the Compact of Free Association as proposed by both the House and the Senate.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement provides \$62,864,000 for Departmental Management as proposed by the House instead of \$62,203,000 as proposed by the Senate. The conference agreement provides for the following distribution of funds:

| | |
|---|--------------|
| Departmental direction | \$11,665,000 |
| Management and coordination | 22,780,000 |
| Hearings and appeals | 8,047,000 |
| Central services | 19,527,000 |
| Bureau of Mines workers compensation/unemployment | 845,000 |

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

The conference agreement provides \$40,196,000 for the Office of the Solicitor instead of \$36,784,000 as proposed by the House and the Senate. None of the funds may be used to hire new staff other than filling authorized vacancies and replacement of departing staff. The conference agreement provides for the following distribution of funds:

| | |
|------------------------------|--------------|
| Legal services | \$33,630,000 |
| General administration | 6,566,000 |

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conference agreement provides \$26,086,000 for the Office of Inspector General as proposed by the House instead of \$26,614,000 as proposed by the Senate. The conference agreement provides for the following distribution of funds:

| | |
|----------------------|--------------|
| Audit | \$15,266,000 |
| Investigations | 4,940,000 |
| Administration | 5,880,000 |

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

The conference agreement provides \$90,025,000 for Federal trust programs as proposed by the House instead of \$73,836,000 as proposed by the Senate.

Prior to the Department deploying the Trust Asset and Accounting Management System (TAAMS) in any Bureau of Indian Affairs Area Office, with the exception of locations in the Billings area, the Secretary should advise the Committees on Appropriations that, based on the Secretary's review and analysis, such systems meet TAAMS contract requirements and user requirements.

The conference agreement modifies House proposed bill language under Title I General Provisions to allow the Department to hire individuals other than administrative law judges (ALJ) to hear Indian probate cases, and to allow the Department to secure the services of ALJs from other Federal agencies as a means of reducing the Indian probate backlog.

INDIAN LAND CONSOLIDATION PILOT

The conference agreement provides \$5,000,000 for the Indian land consolidation pilot as proposed by the House and Senate.

The conference agreement includes a technical correction to the bill language to allow funds to be transferred to the Bureau of Indian Affairs for the administration of the consolidation pilot.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

The conference agreement provides \$5,400,000 for the natural resource damage assessment fund as proposed by the House instead of \$4,621,000 as proposed by the Senate.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

The conference agreement includes sections 101 through 112 and sections 114 and 115 from the Senate bill which continue provisions carried in past years.

Section 113 contains a technical correction to the Senate language dealing with contract support costs paid by the Department of the Interior on Indian self-determination contracts and self-governance compacts as proposed by the House.

Section 116 changes the name of the Steel Industry American Heritage Area to the "Rivers of Steel National Heritage Area" as proposed by the House. The Senate had no similar provision.

Section 117 retains the text of section 116 as proposed by the Senate and provides for the protection of lands of the Huron Cemetery for religious and cultural uses and as a burial ground. The House had no similar provision.

Section 118 retains the text of section 114 as proposed by the House and section 118 as proposed by the Senate which permits the retention of rebates from credit card services for deposit to the Departmental Working Capital Fund.

Section 119 retains the text of section 115 as proposed by the House and section 119 as proposed by the Senate which permits the transfer of funds between the Bureau of Indian Affairs and the Office of Special Trustee for American Indians for the Trust Management Improvement Project High Level Implementation Plan.

Section 120 makes permanent the exemption from certain taxes and special assessments for properties at Fort Baker, Golden Gate National Recreation Area. The Senate had provided the exemption for one year.

Section 121 retains the text of section 117 as proposed by the House and section 121 as proposed by the Senate which permits the retention of proceeds from agreements and leases at Fort Baker, Golden Gate National Recreation Area for preservation, restoration, operation, maintenance, interpretation and related activities.

The conference agreement does not include language proposed in section 118 of the House bill requiring the renewal of grazing permits in the Lake Roosevelt National Recreation Area. Senate section 124 contained a similar provision and it is not included in the agreement either.

The House and Senate Committees on Appropriations are deeply concerned with the National Park Service's change in policy regarding historical grazing in the Lake Roosevelt National Recreation Area. The NRA was established on Federal lands acquired or withdrawn for the Grand Coulee Dam project. In 1946 and again in 1990, the Secretary of the Interior designated the NPS as the manager of the Federal lands within the NRA.

The House and Senate Committees on Appropriations recognize the cultural, custom and historic uses of the Lake Roosevelt National Recreation Area and expect the National Park Service to provide documentation to the Committees no later than July 1, 2000, on the history of grazing and all other uses that have existed since 1935 under the terms and provisions of the Columbia Basin Act and since 1946 under the terms and provisions of the Tri-Party Agreement. The report shall include the following: parties affected, acreage affected, description of uses, impacts of such custom and culture on the local economy, an analysis of the circumstances surrounding the National Park Service assumption of management of the area and suggestions for appropriate legislative language.

Section 122 makes a technical correction to the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333, 110 Stat. 4110) relating to a map reference to the Page Landing addition to the Colonial National Historical Park.

Section 123 modifies language proposed by the House in section 119 and by the Senate in section 117. The modification renews grazing permits based on the same terms and conditions as the expiring permits or until the Department completes processing the existing grazing permit backlog. The Department is directed to develop and implement a schedule to address and alleviate this backlog as soon as possible. To this end the conference agreement has provided an additional \$2,500,000 to expedite the grazing permit and lease renewal process. The House and Senate Committees on Appropriations expect these renewals to be completed in a timely manner so there will no longer be a need to continue to address this problem.

Section 124 modifies House section 120 and allows the Department to hire individuals other than administrative law judges and to secure the services of administrative law judges from other Federal agencies to address the Indian probate backlog. The Senate had no similar provision.

Section 125 retains the text of section 121 as proposed by the House allowing American Samoa to receive a loan which will be repaid from its proceeds from a settlement agreement with tobacco manufacturers. The Senate had no similar provision. The House and Senate Committees on Appropriations remain very concerned about the fiscal situation in American Samoa. The conference agreement includes the Senate proposal that the Secretary should not release certain funds withheld in fiscal year 1999 until the Secretary certifies that American Samoa implements activities regarding repayment for health care in Hawaii. It is expected that the substantial loan will be used effectively by American Samoa to provide a long-lasting fiscal remedy and economic development. The government is strongly encouraged to use some of these new funds for health care repayments which remain outstanding. The Secretary is directed to craft the final loan agreement so that the principal of \$18,600,000, and interest calculated at the Congressional Budget Office's estimate of 5.4 percent, be fully repaid through the assignment of the tobacco lawsuit settlement funds over the next 26 years. At such time as these costs have been fully repaid the Secretary should act promptly to restore the tobacco settlement payments directly to American Samoa. The Secretary and the American Samoa government are also encouraged to work cooperatively to identify and bring economic development to the Territory. In addition, the Secretary is encouraged to consult with other Federal departments and agencies in this effort and make use of the recently established President's Interagency Group on Insular Areas to help achieve this goal.

The conference agreement does not include language proposed by the Senate in section 122 prohibiting the use of funds for the removal of the Elwha and Glines Canyon dams.

Section 126 modifies language as proposed by the Senate on a feasibility study for designating Midway Atoll as a National Memorial. The modification directs the Secretary, acting through the Fish and Wildlife Service (and its operating partner, Midway Phoenix Corporation) in coordination with the National Park Service, to pursue designation of Midway Atoll as a National Memorial to the Battle of Midway. It requires no study before establishment of the designation. The House had no similar provision. The Fish and Wildlife Service has an aggressive program underway at Midway relating to historic site protection, restoration and interpretation, and the House and Senate Committees on Appropriations fully support that effort by the Service and its operating partner.

Section 127 modifies section 125 as proposed by the Senate and provides the Secretary one year to redistribute Tribal Priority Allocation funds to address unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. The House had no similar provision.

Section 128 retains the text of section 126 as proposed by the Senate prohibiting the use of funds to transfer land into trust status for the Shoalwater Bay Indian Tribe in Clark County, Washington, until the tribe and county reach agreement on development issues. The House had no similar provision.

Section 129 modifies section 127 as proposed by the Senate and limits the use of funds to implement Secretarial Order 3206 regarding the administration of the Endangered Species Act on Indian tribal lands. The modification permits implementation of the order except for two provisions. The first provision, which may not be implemented, would give preferential treatment to Indian activities at the expense of non-Indian activities in determining conservation restrictions to species listed under the Endangered

Species Act. The second would give preferential treatment to tribal lands at the expense of other privately owned lands in designating critical habitat under the Endangered Species Act. The House had no similar provision.

Section 130 retains the text of section 128 as proposed by the Senate providing authority for the Bureau of Land Management to provide land acquisition grants to two local governments in Alaska. The House had no similar provision.

The conference agreement does not include section 129 as proposed by the Senate dealing with alternatives for the modification of Weber Dam. The projects listed in the section, however, have been funded and incorporated in the appropriate accounts. The House had no similar provision.

Section 131 retains the text of section 130 as proposed by the Senate redirecting \$1,000,000 from fiscal year 1999 appropriated funds for acquisition of the Howard Farm near Metzger Marsh, Ohio. The House had no similar provision.

The conference agreement does not include language proposed in section 131 of the Senate bill to place a moratorium on the issuance of final procedures for class III Indian gaming. This action is based on assurances from the Secretary that he will not implement final procedures until the Federal courts have ruled on this issue.

Section 132 modifies the text of section 132 as proposed by the Senate conveying certain lands to Nye County, Nevada. The House had no similar provision. The modification requires the county to pay an appropriate amount for the land.

Section 133 modifies the text of section 133 as proposed by the Senate conveying certain lands to the City of Mesquite, Nevada. The House had no similar provision. The modification requires the completion of environmental review prior to land conveyance.

Section 134 clarifies that section 134 as proposed by the Senate expresses the Sense of the Senate regarding exhibits commemorating the quadricentennial of European settlement at St. Croix Island IHS.

Section 135 retains the text of section 135 as proposed by the Senate prohibiting the Department of the Interior from studying or implementing any plan to drain Lake Powell or reduce water levels below levels required for the operation of Glen Canyon Dam. The House had no similar provision.

Section 136 modifies section 136 as proposed by the Senate dealing with the prohibition of inspection fees on certain exported hides and skins. The modification specifies that the prohibition on fees does not apply to any person who ships more than 2,500 hides, skins or parts during the course of one year. The House had no similar provision.

The conference agreement does not include language proposed by the Senate in section 138 prohibiting the implementation of sound thresholds at Grand Canyon National Park until 90 days after the National Park Service has provided a report detailing the scientific basis for such thresholds. The House had no similar provision.

Section 137 directs the Bureau of Indian Affairs to begin implementing the National Academy of Public Administration recommendations for improving the administration of the Bureau of Indian Affairs. In addition, this language directs that certain administrative functions be transferred from central office west to central office east. To facilitate this transfer and reduce any disruption, the House and Senate Committees on Appropriations have provided \$5,000,000 and language on employee compensation to alleviate the impact of reductions in force.

Section 138 modifies language as proposed by the Senate regarding funds appropriated

in fiscal year 1998 for land acquisition in Haines Borough, Alaska.

Section 139 modifies section 142 as proposed by the Senate so that funds appropriated for Bureau of Indian Affairs Post Secondary Schools for fiscal year 2000 shall be allocated by the Post Secondary Funding Formula adopted by the Office of Indian Education Programs. The House had no similar provision.

Section 140 clarifies section 143 as proposed by the Senate that land and other reimbursement the Secretary may receive in the conveyance of the Twin Cities Research Center must be used for the benefit of the National Wildlife Refuge System in Minnesota and for activities authorized by Public Law 104-134. The House had no similar provision.

Section 141 modifies section 144 as proposed by the Senate regarding oil valuation regulations. This language places a moratorium on the issuance of the Minerals Management Service oil valuation regulations until March 15, 2000.

Section 142 extends through 2003 the authority of the Thomas Paine National Historical Association to establish a memorial to Thomas Paine in the District of Columbia.

Section 143 provides new contract authority regarding transportation concessions at Zion NP, Utah.

Section 144 provides an extension of the deadline for Red Rock Canyon National Conservation Area to allow the Bureau of Land Management sufficient time to process a pending rights-of-way application.

Section 145 increases to 15 percent the amount of funds that may be used by the National Park Foundation to administer the National Park Passport program.

TITLE II—RELATED AGENCIES DEPARTMENT OF AGRICULTURE FOREST SERVICE

FOREST AND RANGELAND RESEARCH

The conference agreement provides \$202,700,000 for forest and rangeland research instead of \$204,373,000 as proposed by the House or \$187,444,000 as proposed by the Senate. The agreement includes to the Senate proposal to direct \$250,000 to study hydrological and biological impacts of lead and zinc mining on the Mark Twain National Forest, MO. The bill language concerning prospecting permits and land withdrawals on this national forest has been moved to Title III. The agreement includes a funding decrease of \$2,574,000 from lower priority research but it does not include the Senate proposal to reduce non-forest health and productivity research specifically; nor are funds included for uncontrollable fixed cost support as proposed by the House.

The conference agreement includes the House proposed funding level for the forest inventory and analysis program. This program should focus on cost share opportunities with state partners and give first priority to those states that have demonstrated a commitment to achieving the 20 percent annual plot measurement objective through cash or in-kind contributions.

The conference agreement includes the funding for the activities at Mount St. Helens proposed by the House. The Pacific Northwest (PNW) research station should collaborate with the National Monument staff and non-Federal scientists to assemble, summarize and archive long-term data sets on 20 years of biological responses at Mount St. Helens. The PNW should convene scientists with past or future involvement with ecological studies at Mount St. Helens to synthesize current knowledge and promote future studies.

The conference agreement provides no funding in the research account for the Uni-

versity of Washington landscape ecology study; rather, funds for this activity have been provided in the State and Private Forestry appropriation to maintain this effort at the fiscal year 1999 level.

The conference agreement includes the Senate proposal for a funding increase at the Sitka, AK, forest center and includes a \$300,000 increase above the fiscal year 1999 level for the Purdue University hardwood center. Funding for the Sitka facility should be included in the fiscal year 2001 budget justification.

The conference agreement does not include the Senate proposal for the University of Montana research nor the Senate proposed expansion of the CROP program, but it does maintain the CROP program at the fiscal year 1999 level at the Colville National Forest, WA.

The conference agreement moves \$1,000,000 from the national forest system account for the PNW station to fund the demonstration of ecosystem management options (DEMO) program; if additional funds are needed, they should be taken from the national allocation to research. The agreement concurs with the Senate colloquy that projects at West Virginia, Vermont, and the Forest Products lab should be funded at the fiscal year 1999 level as should the Coweeta and Bent Creek projects as proposed by the House. The agreement also provides that funding for the forest science laboratory in Juneau, AK, should be maintained at the fiscal year 1999 level.

The conference agreement directs that up to \$500,000 from the national allocation should be used, in a cost-share effort, to revise and update the Forest Service publication, "Carbon Changes in U.S. Forests". The updated publication should include all documentation of assumptions and methodologies used in estimating and projecting carbon sequestration using the forest carbon accounting model (FORCARB). A final draft of the updated publication should be presented to an accredited forestry school for scientific peer review by June 30, 2000, and an updated publication should be completed by September 30, 2000, and submitted to the House and Senate Committees on Appropriations.

The conference agreement revises instructions regarding services provided by Forest Service scientists in support of National Forest System (NFS) projects. Scientists should be available to support NFS project implementation as an important aspect of their professional public service and technology transfer responsibilities. The Forest Service is also encouraged to increase efforts at extramural research and pursue additional cost-sharing for the full scope of forest and rangeland research.

STATE AND PRIVATE FORESTRY

The conference agreement provides \$202,534,000 for State and private forestry instead of \$181,464,000 as proposed by the House and \$190,793,000 as proposed by the Senate.

The conference agreement provides \$38,825,000 for Federal lands forest health management and \$21,850,000 for cooperative lands forest health management. The agreement includes the House proposal on Asian long-horned beetle work in urban areas and the Senate proposal for the Vermont forest cooperative. The agreement fully funds the gypsy moth slow-the-spread program. The agreement redirects the Senate proposal for Kenai Peninsula Borough, AK, assistance to the state fire assistance activity. The conference agreement directs the Forest Service to improve the control or eradication of the pine beetles in the Rocky Mountain region of the United States; to conduct a study of the causes and effects of, and solutions for, the infestation of pine beetles in the Rocky

Mountain region of the United States; and to submit to the House and Senate Committees on Appropriations a report on the results of the study within six months of enactment of this Act.

The conference agreement includes \$24,760,000 for state fire assistance, including a special allocation of \$250,000 for the Senate-proposed project for wildfire training and equipment in Kentucky and \$2,000,000 for hazardous tree removal resulting from spruce bark beetle infestations in the Kenai Peninsula Borough, AK. The agreement includes the Senate direction concerning a direct lump sum payment to the Kenai Peninsula Borough and other direction concerning this funding. The conference agreement includes \$3,250,000 for volunteer fire assistance, an increase of \$1,250,000 above the fiscal year 1999 funding level.

The conference agreement includes \$29,430,000 for forest stewardship as proposed by the House. This funding includes the House-proposed funding for the New York City watershed and the NE Pennsylvania community forestry program and the Senate proposed funding for the Chesapeake Bay program. The conference agreement includes \$25,000,000 for the forest legacy program of which \$1,500,000 is directed for the Jefferson and Randolph, NH, project as proposed by the Senate, \$2,000,000 is included for the Nicatous Lake, Phase 2 project in Maine and \$1,500,000 is for the Panguitch Lake, UT, project. The Forest Service and the States should develop forest legacy selection criteria that emphasize projects which enhance federal lands, federal investments, or past federal assistance efforts. The conference agreement includes \$31,300,000 for the urban and community forestry program which includes the House-proposed increase for the NE Pennsylvania forestry program and \$500,000 for the Senate-proposed Salt Lake City Olympic tree program. The Forest Service is encouraged to work with and help support the Chicago green streets program for urban forestry. The agreement does not include the Senate direction concerning headquarters staffing for the urban and community forestry program, but greater cost savings are encouraged at headquarters and regional office levels. In addition, the Forest Service is directed to commission an independent study or panel to assess the feasibility and potential for enhanced efficiency by block-granting all or portions of the cooperative forestry program. This evaluation should be done in consultation with the state foresters, the Society of American Foresters, and other interested professional or citizens groups.

The conference agreement includes the following funding for the economic action program and the Pacific Northwest assistance program:

| ECONOMIC ACTION PROGRAM | |
|---|-------------|
| Economic recovery | \$4,900,000 |
| Rural development through forestry | 5,425,000 |
| Forest product conservation and recycling | 2,475,000 |
| Wood in transportation | 1,205,000 |
| Program subtotal | 14,005,000 |
| Special projects: | |
| NY City watershed | 500,000 |
| Lake Tahoe erosion control grants | 1,000,000 |
| Hood River beach facilities OR | 275,000 |
| The Dalles riverfront trail OR | 1,169,000 |
| Columbia River Gorge county payment | 280,000 |
| Hawaii forestry workers training | 100,000 |
| Princeton WV hardwood center increase | 975,000 |

| | |
|---|------------|
| Four Corners sustainable forestry initiative increase | 500,000 |
| Skamania County Drano Lake project WA | 515,000 |
| UW landscape ecology (moved from research) | 300,000 |
| Nordic Ski Center rehab, Chugach NF, AK | 500,000 |
| Projects subtotal | 6,114,000 |
| Economic Action Program total | 20,119,000 |
| Pacific Northwest Assistance program: | |
| Base program | 6,500,000 |
| Forks WA training center | 600,000 |
| UW and WSU technology transfer extension | 900,000 |
| Pacific Northwest Assistance program total | 8,000,000 |

The conference agreement directs that within the funds provided for the rural development through forestry program \$3,000,000 is directed for the Northeast-Midwest area. The agreement includes \$500,000 for the Northern Forest Heritage Park, NH, within the available funds for the economic recovery program but the agreement stipulates that this will be the final Forest Service commitment for this effort and that this funding shall come from the allocation otherwise available to the Northeastern area.

The conference agreement provides an increase of \$100,000 in addition to the \$100,000 for the Hawaii forests and communities initiative within the economic action program as requested by the Administration. The agreement provides an increase of \$975,000 for the Princeton, WV, hardwood center in addition to \$1,520,000 included in the forest products conservation and recycling activity within the economic action program as requested by the administration. This brings the Princeton hardwood center funding to the FY 1999 level. The agreement also provides an increase of \$500,000 for the Four Corners sustainable forestry initiative which is in addition to \$500,000 that the agreement includes within the rural development through forestry activity as requested by the administration; this latter \$500,000 should come from the region's allocation. The agreement concurs with the Senate direction on lump sum payments with respect to the Forks, WA, Training Center.

The conference agreement revises instructions proposed by the House concerning the American Heritage Rivers initiative; the Forest Service may allocate up to \$300,000 for this effort. This funding should be used entirely for field activities, and no funds should be transferred to or used to fund personnel, training or other administrative activities at the Council on Environmental Quality or national interdepartmental coordination or training efforts. Bill language is also included in Title III concerning this matter. The agreement does not object to the Forest Service continuing to provide headquarters and regional administrative or technical support for this effort as they would for any program, but no staff at regional, headquarters or departmental levels should be substantially dedicated to this initiative. The Forest Service is encouraged to develop cost-share efforts for this initiative to the maximum extent feasible.

NATIONAL FOREST SYSTEM
The conference agreement provides \$1,269,504,000 for the national forest system instead of \$1,254,434,000 as proposed by the

House and \$1,239,051,000 as proposed by the Senate. Funds should be distributed as follows:

| | |
|--|---------------|
| Land management planning | \$40,000,000 |
| Inventory and monitoring | 88,350,000 |
| Recreation management | 155,500,000 |
| Wilderness management | 30,151,000 |
| Heritage resources | 13,214,000 |
| Wildlife habitat management | 32,561,000 |
| Inland fish habitat management | 23,341,000 |
| Anadromous fish habitat management | 26,091,000 |
| TE&S species habitat management | 26,932,000 |
| Grazing management | 28,982,000 |
| Rangeland vegetation management | 29,850,000 |
| Timber sales management | 224,500,000 |
| Forestland vegetation management | 63,340,000 |
| Soil, water and air operations | 26,932,000 |
| Watershed improvements .. | 36,850,000 |
| Minerals and geology management | 37,200,000 |
| Real estate management ... | 47,554,000 |
| Land line location | 15,468,000 |
| Law enforcement operations | 67,288,000 |
| General administration | 250,000,000 |
| Land Between the Lakes NRA | 5,400,000 |
| Total, NFS | 1,269,504,000 |

The conference agreement includes the following congressional priorities: recreation management includes a \$500,000 increase for the Monongahela National Forest, WV, as proposed by the Senate; rangeland vegetation management includes \$300,000 for noxious weed control on the Okanogan NF, WA, as proposed by the Senate and \$400,000 for Region 5 grazing monitoring as proposed by the House; timber sales management includes \$2,000,000 for the aspen program in Colorado as proposed by the Senate; forestland vegetation management includes \$240,000 for pinelands work on the Mark Twain NF, MO, and \$500,000 for spruce budworm work on the Gifford Pinchot NF, WA, proposed by the Senate and \$300,000 for the CROP project on the Colville NF, WA, and \$300,000 for Cradle of Forestry, NC, environmental education as proposed by the House. The agreement provides no funds for the newly proposed forest ecosystem restoration and improvement activity but \$2,000,000 is included in the forestland vegetation management activity for work of this nature as well as \$1,000,000 for the Blue Ridge project on the Apache-Sitgreaves NF that the Senate had proposed funding within the forest ecosystem restoration and improvement activity. The Forest Service should consider enhancing the ecosystem restoration program, including the use of partnerships, in Region 3. The conference agreement also includes \$1,000,000 for the Wayne NF, OH, acid mine drainage work as proposed by the House; \$750,000 for Lake Tahoe basin watershed improvements proposed by the Senate; and \$750,000 for the Weyerhaeuser-Huckleberry land exchange supplemental environmental impact statement in Washington state as proposed by the Senate.

The conference agreement modifies bill language proposed by the House to require the display of unobligated balances by extended budget line items in the fiscal year 2001 budget justification.

The conference agreement provides funding in the timber sales management activity sufficient to maintain the same total timber sale volume as was proposed for fiscal year

1999; the total sale volume for fiscal year 2000 should be no less than the volume in fiscal year 1999. The report proposed by the Senate concerning timber growth, inventory and mortality should be submitted to the House and Senate Committees on Appropriations within 180 days of enactment. The drug law enforcement effort in Kentucky funding should be maintained at the 1999 level. The Forest Service should cooperate with the City of Fredonia, AZ, on standards for facilities for the North Kaibab ranger station and consider entering into an agreement with the city to occupy the facilities upon completion.

The conference agreement revises instructions proposed by the House concerning a detailed report on USDA and Forest Service fiscal, budget and related business activities. The Forest Service and the Department of Agriculture should present a clear exposition in their budget justifications explaining their respective responsibilities and funding concerning fiscal, budget and related business activities. The agreement also requests that the Forest Service provide a report to the House and Senate Committees on Appropriations within 180 days of enactment describing the public affairs and communications programs and outlining objectives, performance measures and expected costs for this effort. The agreement concurs with House recommended language concerning the Knutson-Vandenburg reforestation fund, salvage sale and brush disposal funds except that these funds may be used for national commitments within the Forest Service if the project relates to the fund's administration, management or authorized activity.

The conference agreement concurs with the House language that directs that no funds be used for the natural resource agenda or conservation education national commitment categories until a detailed, agency-wide spending plan, including funding sources and expected results, is approved by the House and Senate Committees on Appropriations. The agreement directs that no funds be used for the construction of a national museum or visitor center in the Sidney R. Yates building without the review and approval of the House and Senate Committees on Appropriations. The agreement does not request the GSA report requested by the Senate concerning alternative office space for the Washington Office at this time.

Land Between the Lakes National Recreation Area—The agreement notes that the Energy and Water Development Appropriations Act, 2000, does not include funding for operation of the Land Between the Lakes National Recreation Area, KY and TN. Therefore, the management of this area will be transferred from the Tennessee Valley Authority to the U.S. Forest Service as directed by the Land Between the Lakes Protection Act of 1998 Title V of Sec. 101(e) of Public Law 105-277. The Land Between the Lakes (LBL) shall be managed as part of the national forest system for recreation in a manner consistent with the multiple use mandate of the Forest Service and the original 1972 LBL mission statement. The conference agreement also directs an orderly transfer of management from the Tennessee Valley Authority to the Forest Service. The agreement directs that the previously published guidelines for the transfer be followed; these are delineated on pages 1246 and 1247 of House Report 105-825 accompanying P.L. 105-277, the Omnibus Consolidated and Emergency Supplemental Appropriations Act for fiscal year 1999. The agreement includes a total of \$7,000,000 for the operation of LBL; this includes \$5,400,000 in the national forest system appropriation, \$1,300,000 in the reconstruction and maintenance appropriation and \$300,000 in the wildland fire management appropriation account.

The Forest Service wilderness management policy should consider the need for mitigating the adverse effect of human impact on vegetation, soil, water and wildlife. The agreement suggests that the policy should consider solitude as one among a number of qualities valuable to a wilderness experience but recognize that the 1964 Wilderness Act does not require solitude on every trail. The Forest Service should not impose a wilderness-wide blanket of determining use by social encounters (solitude).

The conference agreement recognizes the structural problems of the Long Park Dam in Daggett County, Utah. Recognizing the unique circumstances of the dam, its proximity to the Flaming Gorge National Recreation Area, and its significant contribution to the local economy of Daggett County, Utah, the agreement encourages the Secretary of Agriculture to make repair of the dam a priority within the Department of Agriculture's Natural Resource Conservation Service appropriation. The State of Utah is participating in the project on a 50/50 cost share basis. Should budgetary adjustments be necessary to provide for the federal share, the Secretary should do so in consultation with the House and Senate Committees on Appropriations.

WILDLAND FIRE MANAGEMENT

The conference agreement provides \$651,354,000 for wildland fire management instead of \$561,354,000 as proposed by the House and \$650,980,000 as proposed by the Senate. The conference agreement includes funding for fire operations and preparedness (including Land Between the Lakes NRA) as proposed by the House and contingent emergency funding as proposed by the Senate. The agreement concurs with the Senate direction concerning acquisition of a high band radio system for the Monongahela NF, WV. The agreement calls for about \$70,000,000 to be reserved for hazardous fuel operations of which \$500,000 is designated for hazardous tree removal on the Chugach National Forest, AK, and \$1,500,000 is for implementing the Quincy Library group project as proposed by the Senate. The agreement does not specify any set amount of funding for particularly severe forest health areas as proposed by the House, but the Forest Service should follow other House and Senate instructions concerning this program, including a report within 120 days and full integration of this program with other vegetation, habitat management and watershed improvement programs. The agreement includes bill language proposed by the House which requires the transfer of not less than 50 percent of the unobligated balances remaining at the end of fiscal year 1999 to pay back funds previously advanced from the Knutson-Vandenburg reforestation fund during severe emergencies. This fund is still owed \$392,871,000 which was advanced for emergency wildfire fighting during previous years. The administration is again encouraged to make efforts to repay this important environmental restoration and protection fund.

RECONSTRUCTION AND MAINTENANCE

The conference agreement provides \$398,927,000 for reconstruction and maintenance instead of \$396,602,000 as proposed by the House and \$362,095,000 as proposed by the Senate. The conference agreement provides for the following distribution of funds:

| | |
|--|-------------|
| Facilities Reconstruction and Construction | Amount |
| Research facilities: | |
| Auburn University re- | |
| search facility AL | \$4,000,000 |
| Inst. Pacific Islands For- | |
| estry HI | 400,000 |

| | |
|--|---------------------|
| Admin. request projects | Amount 7,510,000 |
| Subtotal: Research facilities | 11,910,000 |
| Fire, admin, other facilities: | |
| Marienville RS consolidation PA | 1,140,000 |
| Black Hills NF fire training facility SD | 800,000 |
| Wayne NF supervisors office completion OH | 475,000 |
| Admin. request projects | 22,946,000 |
| Subtotal: FAO facilities | 25,361,000 |
| Recreation facilities: | |
| Allegheny NF rec facilities PA | 400,000 |
| Angeles NF toilet and water system rehab CA | 1,200,000 |
| Badin Lake campground NC | 400,000 |
| Boone NF Rockcastle and Noe's Dock boat ramp KY | 425,000 |
| Chugach NF, Begich Boggs visitor center AK | 1,400,000 |
| Cradle of Forestry NC | 1,078,000 |
| Franklin County dam MS | 2,000,000 |
| Ocoee boater put-in and Thunder Rock campgd TN | 600,000 |
| Sacajewea education center, Salmon ID | 75,000 |
| San Bernardino NF Dogwood campground CA .. | 1,125,000 |
| Santa Inez First Crossing recreation area CA | 950,000 |
| Talladega NF Pinhoti trail bridge AL | 30,000 |
| Waldo Lake sanitation OR | 700,000 |
| Admin. request projects | 32,949,000 |
| Subtotal: Recreation facilities | 43,332,000 |
| Subtotal facilities reconstruction and construction | 80,603,000 |
| Trail Reconstruction and Construction | |
| Continental Divide trail (various) | 500,000 |
| Florida National Scenic Trail | 250,000 |
| Taft Tunnel ID | 750,000 |
| Winding Stair Mt NRWA OK | 130,000 |
| Ocoee river trail system TN | 300,000 |
| VA Creeper trail repair VA | 500,000 |
| Admin. request projects ... | 12,979,000 |
| Other trail reconstruction base program | 14,173,000 |
| Subtotal trails reconstruction and construction | 29,582,000 |
| Road Reconstruction and Construction | |
| Boone NF Tunnel Ridge road KY, | 1,000,000 |
| Increase for timber support Monongahela NF landslide damage WV | 2,091,000 |
| Olympic NF Hamma Hamma road WA | 641,000 |
| Hamma road WA | 800,000 |

| | |
|---|-------------|
| Admin. request projects | 96,468,000 |
| Subtotal road recon- struction and con- struction | 101,000,000 |
| Reconstruction and con- struction subtotal | 211,185,000 |
| Maintenance | |
| Facilities | 54,813,000 |
| Road maintenance and de- commissioning | 111,184,000 |
| Trails | 20,445,000 |
| Maintenance subtotal .. | 186,442,000 |
| Land Between the Lakes, maintenance, repairs | 1,300,000 |
| Total reconstruction and maintenance | 398,927,000 |

The conference agreement has included bill language as proposed by the Senate that requires the Forest Service to provide an opportunity for public comment on each road decommissioning project. The conference agreement has provided sufficient road reconstruction and construction funding to allow the timber sales program to offer the same level of harvest as in fiscal year 1999. The agreement notes that funds will not be used for the direct construction of new timber access roads; rather, the timber purchasers will provide for the actual construction, although the Forest Service will continue to provide all needed engineering support and project guidance. The agreement does not include the Senate recommendation that road reconstruction decreases should come from the Region 10 funding. The agreement includes \$100,000 for Noe's Dock boat ramp and \$325,000 for the Rockcastle project on the Daniel Boone NF, KY, and directs that the \$300,000 in the budget request originally designated for the Region 9 office move shall be used for the heating, ventilation and air conditioning systems at the Forest Products Lab, WI. The agreement emphasizes that the funding authorization for the Auburn University forestry school construction project requires the University to provide the Forest Service with rent-free use of space for the life of the building for collaborative research.

LAND ACQUISITION

The conference agreement provides \$79,575,000 in new land acquisition funds and a reprogramming of \$40,000,000 in prior year funds instead of a total of \$1,000,000 as proposed by the House and \$36,370,000 as proposed by the Senate. Funds should be distributed as follows:

| State and project | Amount |
|---|-------------|
| CA—Angeles NF (Pacific Crest Trail) | \$1,500,000 |
| CA—Big Sur Ecosystem (Los Padres NF) | 4,000,000 |
| MT—Bitterroot NF (Rye Creek) | 3,500,000 |
| UT—Bonneville Shoreline Trail | 750,000 |
| WI—Chequamegon-Nicolet NF | 1,500,000 |
| TN—Cherokee NF (Gulf Tract) | 3,500,000 |
| AZ—Coconino NF (Bar-T-Bar Ranch) | 5,000,000 |
| AZ—Coconino NF (Sedona Multi.—Continental Divide Trail) | 700,000 |
| KY—Daniel Boone NF | 1,500,000 |
| SC—Francis Marion NF | 3,000,000 |
| VT—Green Mtn. NF | 3,000,000 |
| ID—Hells Canyon NRA | 600,000 |
| IN—Hoosier NF | 750,000 |

| State and project | Amount |
|--|--------------|
| NV/CA—Lake Tahoe Basin | 3,000,000 |
| MT—Lindbergh Lake (Flathead NF) | 3,000,000 |
| MO—Mark Twain NF | 1,000,000 |
| WV—Monongahela NF (Elk River) | 275,000 |
| WA—Mountains To Sound Greenway | 2,500,000 |
| NC—Nantahala/Pisgah NF (Lake Logan) | 1,000,000 |
| FL—Osceola NF (N. FL. Wildlife Corridor) | 1,000,000 |
| WA—Pacific NW Streams .. | 3,000,000 |
| CA—San Bernardino NF .. | 2,500,000 |
| NM—Santa Fe NF (Jemez R.) | 1,000,000 |
| ID—Sawtooth NRA | 1,000,000 |
| MS—Univ. of Mississippi ... | 12,000,000 |
| OH—Wayne NF | 1,000,000 |
| NH—White Mt. NF (Pond of Safety Tract) | 1,500,000 |
| NH—White Mt. NF (Scenic Areas) | 1,000,000 |
| Subtotal | 67,575,000 |
| Acquisition Management .. | 8,500,000 |
| Cash Equalization | 1,500,000 |
| Emergency Acquisitions | 1,500,000 |
| Wilderness Protection | 500,000 |
| Total | \$79,575,000 |

The conference agreement provides \$1,000,000 for the Osceola National Forest, FL, to acquire black bear habitat. The agreement makes these funds contingent on an equal match from non-Federal sources. The project need is in excess of \$100,000,000. The State of Florida should partner with the Federal government on this and other projects which are under serious development threat. The conference agreement notes that the State's annual land acquisition budget exceeds that of the Federal program; the agreement provides Stateside land and water grants within the National Park Service appropriation for the first time in five years.

The conference agreement provides \$3,000,000 for the Pacific Northwest Streams initiative. Of this amount, \$2,000,000 is available for the Bowe Ranch, WA, and \$1,000,000 for the Bonanza Queen Mine, WA.

Senate Report 105-56, which accompanied the Fiscal Year 1999 Interior and Related Agencies Act, included a limitation on the purchase price for the acquisition of certain lands in the Columbia River Gorge NSA (CRGNSA), and also required a donation of a 40-acre tract adjacent to the CRGNSA. Both of these directives are hereby rescinded. The Forest Service shall notify the House and Senate Committees on Appropriations before finalizing the acquisition of these properties if the combined value of the acquisition of the Cannard Tract and the adjacent 40-acre parcel totals more than \$625,000. The agreement includes \$40,000,000 in previously appropriated funds for acquisition of the Baca Ranch subject to a specific authorization. An additional \$61,000,000 for the Baca Ranch acquisition is included in Title VI.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

The conference agreement provides \$1,069,000 for the acquisition of lands for national forests special acts as proposed by both the House and the Senate.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

The conference agreement provides an indefinite appropriation estimated to be \$210,000 for the acquisition of lands to complete land exchanges as proposed by both the House and the Senate.

RANGE BETTERMENT FUND

The conference agreement provides an indefinite appropriation estimated to be

\$3,300,000 for the range betterment fund as proposed by both the House and the Senate.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

The conference agreement provides \$92,000 for gifts, donations and bequests for forest and rangeland research as proposed by both the House and the Senate.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

The conference agreement does not include language proposed by the House concerning Committee approval of organizational restructuring. However, the House and Senate Committees on Appropriations are concerned that the Forest Service is not doing all that is practicable to see that the maximum amount of funding gets to the field where there is so much need for management action and public service. In addition, the House and Senate Committees on Appropriations are concerned that the Forest Service has established new staff units within the Washington Office with very little Congressional consultation. While the agreement concurs that additional resources may be necessary to improve agency accountability, such increases should be strictly limited in order to assure maximum availability of funds for program accomplishment. The agreement directs the Forest Service to consult the House and Senate Committees on Appropriations prior to establishing new units in the Washington Office where such units report to Associate Deputy Chiefs or above and for major reorganizations in the field where there is a significant deviation from the current organizational structure. Such deviation would be significant if the reorganizations involve a net increase in administrative support needs or where groups of employees are geographically relocated.

The conference agreement does not include language proposed by the House allowing the Secretary to use any available funds during wildland fire emergencies; the conference agreement continues the previous procedures as proposed by the Senate. The agreement includes House language which allows the release of non-wildland fire management funds for wildland emergencies only when all previously appropriated emergency contingent wildland fire funds have been released by the President and apportioned. The House and Senate Committees on Appropriations remain concerned that this Administration has been overly anxious to spend the KV reforestation fund on wildland fire emergencies and not sufficiently interested in paying the KV fund back. This fund provides for vital environmental restoration and protection activities including tree planting, watershed restoration, and wildlife and fish habitat enhancement.

The conference agreement does not include language proposed by the House preventing the transfer of Forest Service funds to the USDA working capital fund without advance approval from the House and Senate Committees on Appropriations. Clear statements should be included in future budget justifications concerning these and other departmental charges; the Forest Service should not be charged for Department of Agriculture administrative activities which should be funded by the Agriculture appropriations bill. In addition to the display contained in the agency budget justification, the agency should inform the House and Senate Committees on Appropriations immediately if the estimated total amount of funds to be transferred during the fiscal year differs from the agency estimate by more than 10 percent. The conference agreement further instructs the Secretary to provide the House and Senate Committees on Appropriations with a plan no later than March 31, 2000, for reduction of total charges against the agency beginning in fiscal year 2000.

The conference agreement includes language proposed by the Senate concerning clearcutting on the Shawnee National Forest, IL; this language was carried in previous bills. The conference agreement includes the Senate proposed funding level for the National Forest Foundation and includes the House proposed language concerning the payment to the National Fish and Wildlife Foundation. The agreement includes bill language proposed by the Senate concerning the definition of overhead and indirect expenses and limiting indirect expenses to 20 percent for certain trust funds and cooperative work funds. The House language is included which allows up to \$500,000 to be transferred to the Office of the General Counsel for certain travel and related expenses; the Senate had included similar language. The agreement modifies language proposed by the Senate allowing any funds available to the Forest Service to be used for law enforcement during emergencies; the modified language allows any funds to be used up to a maximum of \$500,000 per year. This authority should only be used during real emergencies and every effort should be made to pay back the borrowed funds promptly during subsequent years. The agreement concurs with the House direction regarding the International Forestry program and it includes the Senate provision authorizing use of Forest Service funds to pay a certain employee for part of the cost of his house and possessions which were destroyed by arson because this arson appears to be retaliation for him performing his official job duties.

The agreement includes bill language directing that \$5,000,000 be allocated to the Alaska Region from fiscal year 1999 unobligated balances (excluding unobligated balances from the Alaska region) in addition to the \$20,600,000 appropriated to sell timber in the normal base program for fiscal year 2000. The funds provided from unobligated balances, plus \$5,100,000 from the base program, shall be used to prepare and make available timber sales to establish a three year timber supply for operators on the Tongass National Forest. Sales are to be prepared which have a high probability of being sold in order to facilitate a reliable Federal timber supply and transition to value added processing for the forest products industry in Southeast Alaska.

The conference agreement also includes bill language which appropriates \$22,000,000 to the Southeast Alaska economic disaster fund to be distributed over three years to the Ketchikan Gateway Borough, the City of Petersburg, the City and Borough of Sitka and the Metlakatla Indian Community. These funds are to be provided as direct lump sum payments and are to be used to employ unemployed timber workers and for related community redevelopment projects.

The House and Senate Committees on Appropriations have received the report from the National Academy of Public Administration (NAPA) on the Forest Service financial systems and budget structures. The House and Senate Committees on Appropriations are currently reviewing this important study and have assurances from the Secretary that he and the Forest Service will provide, by October 31, 1999, a report outlining specific steps, with deadlines, that the Forest Service will take to evaluate and implement NAPA recommendations as appropriate. The Academy's findings that the Forest Service has shown a substantial lack of leadership concerning managerial accountability are of great concern. The Forest Service and the Secretary should continue consultation with the House and Senate Committees on Appropriations concerning changes required to respond to this NAPA study. The Forest Service budget formulation and allocation proc-

esses do not provide sufficient linkage between on-the-ground needs and funding priority work. The Service must also address the consequences of inadequate performance. Development and implementation of sound performance measures will be needed before major budget restructuring is likely to be accepted by the House and Senate Committees on Appropriations. Another concern involves about the Forest Service granting approval to expand greatly the chief financial officer's staffing at headquarters: the Forest Service should pay close attention to NAPA recommendations concerning this matter and organizational structure.

DEPARTMENT OF ENERGY
CLEAN COAL TECHNOLOGY
(DEFERRAL)

The conference agreement provides for the deferral of \$156,000,000 in previously appropriated funds for the clean coal technology program as proposed by the Senate instead of a deferral of \$256,000,000 as proposed by the House. Up to \$14,400,000 may be used for program direction.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT
(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides \$419,025,000 for fossil energy research and development instead of \$280,292,000 as proposed by the House and \$390,975,000 as proposed by the Senate. Of the amount provided, \$24,000,000 is derived by transfer from the biomass energy development account.

Changes to the House position in advanced clean fuels research include increases of \$300,000 for coal preparation/carbon extraction from coal and \$250,000 for indirect liquefaction and a decrease of \$1,475,000 for direct liquefaction. For the advanced clean efficient power system program there is a decrease of \$1,000,000 for low emissions boiler systems and an increase of \$1,500,000 for Vision 21.

For natural gas programs there are increases to the House position in exploration and production of \$375,000 for arctic research and \$1,000,000 for methane hydrates; increases in advanced turbine systems of \$800,000 for mid-size turbines, \$2,500,000 for ramgen technology (coalbed methane), and \$41,008,000 for the utility turbines program that the House had proposed to transfer to the Energy Conservation account; and increases in emerging process technology of \$1,000,000 for gas-to-liquids/ITM Syngas and \$2,000,000 for coal mine methane.

Changes to the House position in the oil technology program include increases of \$375,000 for arctic research and \$250,000 for reservoir characterization/northern mid-continent atlas in exploration and production; an increase of \$750,000 for risk based data management systems and a decrease of \$2,000,000 for preferred petroleum upstream management in recovery field demonstrations; and an increase of \$3,500,000 for diesel biodesulfurization in Alaska.

Other changes to the House position include increases of \$5,000,000 for the black liquor gasification program, \$600,000 for cooperative research and development, \$2,400,000 for federal energy technology center program direction, \$600,000 for general plant projects, and \$79,000,000 which eliminates a general reduction to fossil energy programs.

The conference agreement provides for the following:

1. The black liquor gasification program should include the active involvement of the appropriate officials within the industries of the future program in energy conservation.
2. The funds provided for laser drilling may be used for other innovative technologies in addition to laser drilling.
3. Within the methane hydrate program, the Department is encouraged to consider

the expertise of the Gulf of Mexico Hydrate Research Consortium in safety-related research.

4. Consideration should be given to a proposal to enhance the quality of low-grade sub-bituminous coal from the Powder River Basin by permanently removing moisture from the coal. This proposal also would provide economic development benefits for the Crow Nation. The Department is urged to evaluate this proposal and to consider providing technical assistance or other funding support to the extent the project represents a significant advance in coal dewatering technology, is consistent with the goals and objectives of the fossil energy program, and involves an appropriate degree of cost sharing.

5. The Department's PM 2.5 monitoring and research efforts should focus on developing data that respond to the fine particulate research needs identified in the Congressionally-mandated "National Research Council Priorities for Airborne Particulate Matter." To the extent feasible, the Department should coordinate with industry, State and university research efforts to clarify the uncertainties in the current understanding of fine particulate matter concentration, chemical composition and the relationship between personal exposure and ambient air quality. Research results should help Federal and State environmental regulators design plans that comply with the PM 2.5 ambient air standard and protect the public health.

ALTERNATIVE FUELS PRODUCTION
(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides, as proposed by both the House and the Senate, for the deposit of investment income earned as of October 1, 1999, on principal amounts in a trust fund established as part of the sale of the Great Plains Gasification Plant in Beulah, ND, and immediate transfer of the funds to the General Fund of the Treasury. The amount available as of October 1, 1999, is estimated to be \$1,000,000.

NAVAL PETROLEUM AND OIL SHALE RESERVES

The conference agreement provides no new funding for the Naval petroleum and oil shale reserves as proposed by both the House and the Senate. Unobligated funds from previous fiscal years should be sufficient to continue necessary operations in fiscal year 2000.

ELK HILLS SCHOOL LANDS FUND

The conference agreement provides \$36,000,000 for the second payment from the Elk Hills school lands fund as proposed by the House instead of no funding as proposed by the Senate. This payment will be delayed until October 1, 2000, and the payment should be made on that date or as soon thereafter as possible.

ENERGY CONSERVATION
(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$745,242,000 for energy conservation instead of \$731,822,000 as proposed by the House and \$684,817,000 as proposed by the Senate. Of the amount provided, \$25,000,000 is derived by transfer from the biomass energy development account.

Changes to the House position in building research and standards include increases of \$2,201,000 for building America and \$500,000 for technology roadmaps and a decrease of \$300,000 for industrialized housing in residential buildings; an increase of \$1,700,000 for commercial buildings research and development; and increases of \$470,000 for lighting research and development, \$3,250,000 for space conditioning and refrigeration,

\$1,800,000 for cogeneration/fuel cells and \$1,797,000 for lighting and appliance standards in equipment, materials and tools. For the building technology and assistance program there is an increase of \$2,000,000 for the weatherization assistance program and an increase of \$500,000 for State energy program grants. For management and planning there is a decrease of \$300,000 in support for State and local grants. There are also increases of \$1,000,000 for Rebuild America, \$2,000,000 for cooperative programs with States and \$3,900,000 for the energy efficiency science initiative.

Changes to the House position in industry programs include increases of \$1,000,000 for the petroleum refining vision for biodesulfurization of gasoline, \$2,000,000 for reciprocating engines \$2,000,000 for a cogeneration field test and \$2,000,000 for characterization of oxidation behavior and a decrease of \$3,000,000 for industrial turbines in distributed generation; an increase of \$300,000 for technical assistance/integrated delivery; an increase of \$500,000 for precision forging; a decrease of \$41,008,000 for utility turbines that the House had proposed to transfer from the fossil energy account; and decreases of \$550,000 for NICE³, \$100,000 for inventions and innovations, \$200,000 for industrial assessment centers, \$400,000 for motors and compressed air, and \$250,000 for steam challenge. There are also increases of \$2,000,000 for cooperative programs with the States and \$3,900,000 for the energy efficiency science initiative.

Changes to the House position for transportation programs/vehicle technology include an increase of \$3,000,000 for advanced power electronics and a decrease of \$1,900,000 in hybrid systems; increases of \$400,000 for fuel cell systems, \$1,600,000 for stock components, and \$2,620,000 for fuel processing and storage in fuel cell research and development; decreases of \$500,000 each for light truck engines and for heavy truck engines in the advanced combustion engine program; and increases of \$800,000 each for CARAT and GATE in cooperative research. For fuels utilization there are increases of \$1,600,000 for advanced petroleum fuels for heavy trucks and \$1,000,000 for alternative fuels for automobiles/light trucks. For technology deployment there is a decrease of \$10,000 for advanced vehicle competitions. There are also increases of \$1,000,000 for high power energy storage, \$2,000,000 for heavy vehicle propulsion systems, \$3,000,000 for combustion and aftertreatment, \$1,000,000 for heavy vehicle systems, \$1,500,000 for advanced petroleum fuels for automobiles and light trucks, \$1,000,000 for automotive lightweight materials, \$2,000,000 for cooperative programs with the States, and \$3,900,000 for the energy efficiency science initiative. In policy and management there is an increase of \$1,000,000 for a National Academy of Sciences review of fossil fuel and conservation research efforts as described below and decreases of \$100,000 for the headquarters working capital fund, \$300,000 for international market development programs, and \$200,000 for information and communications.

Bill Language.—Bill language proposed by the House that requires a 25 percent State cost share for the weatherization assistance program has been modified. The modification delays the cost-sharing requirement until fiscal year 2001 and thereafter to allow sufficient time for the States to prepare for this new requirement. The cost share must be non-Federal for each State or other qualified participant but is not strictly limited to funds appropriated by each State or other qualified participant.

The conference agreement provides for the following:

1. While language in the bill earmarking funds for grants to municipal governments

as proposed by the Senate has not been included, the Department is urged to continue working closely with municipal governments and with the States to address municipal and community energy challenges. The Department should support worthy project proposals that address these issues within the amount provided for the buildings, industry and transportation programs.

2. The direction in the House report with respect to continuing fiscal year 1999 programs does not preclude the program eliminations and consolidations proposed in the budget request unless expressly identified to the contrary.

3. In addition to the development project identified in the Senate report, the amount provided for fuel cells for buildings includes \$750,000 to continue the partnership established with Materials and Electrochemical Research Corporation to work on polymer electrolyte membrane (PEM) fuel cells in collaboration with the Oak Ridge National Laboratory.

4. Within the funds provided for the Industries of the Future petroleum program, the Department is encouraged to continue support for research on the biocatalytic desulfurization of gasoline.

5. The reciprocating engine program should include the active involvement of the appropriate officials within the fossil energy program.

6. The increase for characterization of oxidation behavior is for rig testing in the turbine program. The Oak Ridge National Laboratory should be involved in this effort.

7. The Department has placed a high priority on combustion and aftertreatment in the transportation program an increase is provided in that program area. The House and Senate Committees on Appropriations are willing to consider a reprogramming request for additional funds if acceptable offsets are identified.

8. The Department should support hybrid-electric buses by funding integration and refinement of advance hybrid-electric drive trains by bus makers and propulsion teams that have demonstrated the successful application of hybrid-electric drive trains in actual transit programs.

9. The Department should use the expertise of the Consortium for Advanced Transportation Technologies and its streamlined competitive, cost-shared procurement process across the various transportation programs.

10. Continued industry support for the hybrid lighting partnership is encouraging and the Department should continue the program in fiscal year 2000.

11. Reports that cost accounting standards and cost principles in the Federal Acquisition Regulations may be hindering contracting with certain commercial entities are of concern and the Department should submit a report by December 15, 1999 detailing problems in this area and making recommendations for addressing these problems in the future.

12. The \$1,000,000 provided for a National Academy of Sciences study is for a retrospective examination of the costs and benefits of Federal research and development technologies in the areas of fossil energy and energy efficiency. The study should identify improvements that have occurred because of Federal funding for: (1) fossil energy production with regard to performance aspects such as efficiency of conversion into electricity, lower emissions to the environment and cost reduction; and (2) energy efficiency technologies with regard to more efficient use of energy, reductions in emissions and cost impacts in the industrial, transportation, commercial and residential sectors. If the full amount provided is not needed for this

study, the House and Senate Committees on Appropriations should be notified of the available balance. None of these funds may be used to fund overhead costs or other energy conservation programs. The Department has an arrangement with the National Academy of Sciences that will streamline the procurement process and the Department should expedite the necessary paperwork to get this study underway within 30 days of enactment of this Act.

13. A total of \$6,000,000 is provided for crosscutting cooperative programs with the States. No funds should be assessed for this activity from other activities funded by this Act.

14. A total of \$11,700,000 is provided for peer-reviewed, cost-shared, competitively awarded grants in support of an energy efficiency science initiative as approved by the Science Committee in the House of Representatives.

ECONOMIC REGULATION

The conference agreement provides \$2,000,000 for economic regulation as proposed by both the House and the Senate.

STRATEGIC PETROLEUM RESERVE

The conference agreement provides \$159,000,000 for the strategic petroleum reserve as proposed by the Senate instead of \$146,000,000 as proposed by the House. Bill language is included dealing with borrowing authority in the event of an SPR drawdown under this account as proposed by the Senate rather than addressing this provision under Administrative Provisions, Department of Energy as proposed by the House.

ENERGY INFORMATION ADMINISTRATION

The conference agreement provides \$72,644,000 for the energy information administration as proposed by the House instead of \$70,500,000 as proposed by the Senate.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Bill language is included directing the Secretary of Energy, in cooperation with the Administrator of the General Services Administration, to transfer the site of the former National Institute of Petroleum Energy Research to the city of Bartlesville, Oklahoma. The House and Senate Committees on Appropriations understand that the Department agrees that this is an appropriate way to dispose of this property that is no longer needed by the Department because of the privatization of NIPER.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

The conference agreement provides \$2,078,967,000 for Indian health services instead of \$2,085,407,000 as proposed by the House and \$2,138,001,000 as proposed by the Senate.

Changes to the House position in hospital and clinic programs include increases of \$2,440,000 for the operation of Alaska facilities and \$200,000 for epidemiology centers and decreases of \$1,000,000 for the health care improvement fund and \$110,000 for Shoalwater Bay infant mortality prevention.

There are also increases of \$1,500,000 for dental services and \$1,030,000 for public health nursing and a decrease of \$500,000 for mental health services. For contract support costs, there is a decrease of \$10,000,000.

Bill Language.—Language is included permitting the use of Indian Health Care Improvement Fund monies for activities typically funded under the Indian Health Facilities account. The Service should notify the House and Senate Committees on Appropriations on the distribution and use of these funds. A total of \$10,000,000 has been provided. Indian Health Care Improvement Fund

monies should be distributed to increase the level of need funded for the most underfunded tribes. Language also is included permitting the use of up to \$10,000,000 in contract support cost funding for new and expanded contracts and compacts.

The conference agreement provides for the following:

1. The \$4,000,000 provided for the Alaska telemedicine project is for the Alaska Federal Health Care Access Network.
2. The increase provided for epidemiology centers includes a \$100,000 increase for the Portland, OR center. The state-of-the-art work done by this center is impressive and the Service should use the expertise at the Portland center to assist the other epidemiology centers.
3. At least \$1,000,000 of the program increase for dental health should be used to develop four clinical and preventive dental support centers.
4. Within the program increase for public health nursing, the Service should hire a nurse for the Havasupai, AZ clinic.
5. The lack of a resolution to the contract support costs distribution disparity in IHS continues to be a great concern. The Service is strongly encouraged to continue its work with the tribes to resolve the discrepancies that exist currently and ensure that these costs can be funded fairly. Any resolution to the issue should not be made at the expense of funding for medical services and facilities for non-contracting and non-compacting tribes.
6. With respect to the House language on distribution of funds, fixed cost increases that are provided should be distributed equitably across all Service-operated and tribally-operated programs. Other program increases should not automatically be distributed on a pro-rata basis. For example, a \$1,000,000 program increase distributed across all health programs would give each program an insignificant amount of additional funding. In such a case, the Service should select a very limited number of projects so that demonstrable results can be achieved. The Service should develop objective criteria for evaluating project proposals prior to the distribution of program-specific increases that are unrelated to fixed costs.
7. Fetal alcohol syndrome and its impact on Indian families and Indian communities continues to be a great concern and there is a need for more collaborative efforts to address this important health problem. The University of Washington's fetal alcohol syndrome research program should consider a partnership with the Northwest Portland Indian Health Board to provide more direct services to the American Indian and Alaska Native communities through training and consultation and collaborative analysis of the data surrounding fetal alcohol syndrome and fetal alcohol effect.
8. The Service is encouraged to ensure that adequate funding is provided to support IHS and tribal epidemiological activities related to the surveillance and monitoring of AIDS/HIV and other communicable and infectious diseases.
9. On October 27, 1999, the United States Court of Appeals for the Federal Circuit overturned a judgment by the Department of the Interior Board of Contract Appeals with respect to contract support costs (*Bruce Babbitt, Secretary of the Interior v. Oglala Sioux Tribal Public Safety Department*). The court decision clearly states that the law unequivocally makes contracts providing such costs subject to the availability of appropriations and that any agency can only spend as much money as has been appropriated for contract support costs. Any shortfall does not create an unfunded liability for the Federal government.

INDIAN HEALTH FACILITIES

The conference agreement provides \$318,580,000 for Indian health facilities instead of \$312,478,000 as proposed by the House and \$189,252,000 as proposed by the Senate.

Changes to the House position include increases of \$1,500,000 for sanitation construction, \$2,942,000 for the Parker, AZ clinic construction and \$1,000,000 for Fort Defiance, AZ hospital construction and a decrease of \$1,745,000 for the Pawnee, OK clinic design. There is also an increase of \$2,405,000 for facilities and environmental health support.

Bill Language.—Several provisions are included to ensure that the facilities program is able to take advantage of certain purchase opportunities from other agencies and that construction projects can be successfully completed.

Language is included to assist the Hopi Tribe with the debt associated with the construction of staff quarters that is being financed with tribal funds.

Language is included permitting the use of up to \$500,000 to purchase equipment from the Department of Defense and permitting the use of up to \$500,000 to purchase ambulances, including medical equipment, from the General Services Administration.

Language is included permitting the use of up to \$500,000 for demolition of Federal facilities.

Language is included permitting the purchase of up to 5 acres to expand the parking facilities at the IHS hospital in Tahlequah, OK.

The conference agreement provides for the following:

1. The funds provided for Fort Defiance, AZ, hospital construction do not include staff quarters construction which is subject to the guidance provided in item number five below.
2. The funds for staff quarters at Zuni are for uniform building code approved modular housing.
3. The program increase provided for facilities and environmental health support is not specifically earmarked for individual programs; however, a portion of the total increase should be dedicated to injury prevention efforts. The Service should notify the House and Senate Committees on Appropriations on how the Service proposes to distribute these funds.
4. Within the funds provided for maintenance and improvement, \$1,000,000 is to be used for environmental remediation at Talihina, OK.
5. The Service needs to develop a standardized methodology for construction of staff quarters. That methodology should assume the use of uniform building code approved modular housing unless there is a compelling reason why such housing is not appropriate. The methodology should be applied fairly to all quarters projects on the priority list and should encourage tribal funding and alternative financing. The Service should address the new methodology in their 2001 budget request.
6. The Service may use up to \$5,000,000 in sanitation funding for projects to clean up and replace open dumps on Indian lands pursuant to the Indian Lands Open Dump Cleanup Act of 1994.
7. The Service should work closely with the tribes and the Administration to make needed revisions to the facilities construction priority system. Given the extreme need for new and replacement hospitals and clinics, there should be a base funding amount, which serves as a minimum annual amount in the budget request. Issues which need to be examined in revising the current system include, but are not limited to, projects funded primarily by the tribes, anomalies

such as extremely remote locations like Havasupai, recognition of projects that involve no or minimal increases in operational costs such as the Portland area pilot project, and alternative financing and modular construction options. The Service in re-examining the current system for construction of health facilities, should develop a more flexible and responsive program can be developed that will more readily accommodate the wide variances in tribal needs and capabilities.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

The conference agreement provides \$8,000,000 for salaries and expenses of the Office of Navajo and Hopi Indian Relocation as proposed by the Senate instead of \$13,400,000 as proposed by the House.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

The conference agreement provides \$2,125,000 for payment to the institute instead of the \$4,250,000 proposed by the Senate and zero funding as proposed by the House.

The conference agreement provides \$2,125,000 to the institute with the understanding that these funds are subject to a one-to-one match from non-Federal sources. In addition, the House and Senate Committees on Appropriations note that this is the last year that Federal funding will be provided for institute operations.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

The conference agreement provides \$372,901,000 for salaries and expenses instead of \$371,501,000 as proposed by the House and \$367,062,000 as proposed by the Senate. Included in this amount is \$18,329,000 to fund fully the estimated cost increases associated with pay and benefits, utilities, communications and postage, rental space, and implementation of the Panama Canal Treaty at the Tropical Research Institute. A revised estimate of utilities costs by the Smithsonian has resulted in a decrease of \$1,100,000 from the original budget submission and is reflected in the foregoing total. In agreement with the House, an additional amount of \$5,000,000 is provided to the National Museum of the American Indian to meet anticipated expenses that will be incurred in moving staff and collections from New York City to the Cultural Resources Center in Suitland, Maryland. An additional amount of \$2,500,000 is provided to the National Museum of Natural History's Arctic Studies Center. A provision included in the House bill that would allow federal appropriations designated for lease or rent payments to be used as rent payable to the Smithsonian and deposited in the Institution's general trust fund account has been retained in the conference report.

REPAIR, REHABILITATION AND ALTERATION OF FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides an amount of \$47,900,000 to fund activities in this account, as proposed by the House and agreed to by the Senate. Within this total, \$6,000,000 is provided specifically for repairs and improvements at the National Zoological Park. The conference agreement includes the proposal put forward by the Smithsonian to consolidate their previous budget structure, whereby separate accounts for Zoo Construction and Improvements, Repair and Restoration of Buildings, as well as the Alterations and Modifications portion of

the Construction account, have been merged into one broad account designated as Repair, Rehabilitation and Alteration of Facilities. In agreeing to the proposal, the House and Senate Committees on Appropriations want to underscore the Institution's responsibility for ensuring that future budget estimates contain sufficiently detailed information for the various activities covered by this new account. In addition, the Smithsonian Institution is directed to provide the Committees on Appropriations with a report to be submitted annually by December 1, which details expenditures, obligations and remaining balances for this account from the previous fiscal year.

CONSTRUCTION

The conference agreement provides \$19,000,000 for construction as proposed by both the House and the Senate. With this appropriation, the Congress has fulfilled its commitment to provide Federal funding for construction of the National Museum of the American Indian on the National Mall in Washington, D.C.

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

The conference agreement includes a modification of language included in the House bill that will permit the Smithsonian to make minimal necessary repairs to the Holt House.

NATIONAL GALLERY OF ART SALARIES AND EXPENSES

The conference agreement provides \$61,538,000 for salaries and expenses of the National Gallery of Art as proposed by the House instead of \$61,438,000 as proposed by the Senate.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

The conference agreement provides \$6,311,000 for repair, restoration and renovation of buildings as proposed by both the House and the Senate.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

The conference agreement provides \$14,000,000 for operations and maintenance as proposed by the Senate instead of \$12,441,000 as proposed by the House.

CONSTRUCTION

The conference agreement provides \$20,000,000 for construction as proposed by both the House and Senate.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

The conference agreement provides \$6,790,000 for salaries and expenses of the Wilson Center instead of \$7,040,000 as proposed by the House and \$6,040,000 as proposed by the Senate. Funds should be distributed as follows:

| | |
|-----------------------------|-----------|
| Fellowship program | \$983,000 |
| Scholar support | 705,000 |
| Public service | 1,897,000 |
| Administration | 1,796,000 |
| Smithsonian fee | 135,000 |
| Conference/Outreach | 1,109,000 |
| Building requirements | 165,000 |

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

The conference agreement provides \$85,000,000 for grants and administration instead of \$83,500,000 as proposed by the House and \$90,000,000 as proposed by the Senate. The conference agreement includes the Senate proposal to redirect \$1,500,000 from matching grants to program grants.

MATCHING GRANTS

The conference agreement provides \$13,000,000 for matching grants as proposed by the Senate instead of \$14,500,000 as proposed by the House. The conference agreement includes the Senate proposal to redirect \$1,500,000 from matching grants to program grants.

NATIONAL ENDOWMENT FOR THE HUMANITIES GRANTS AND ADMINISTRATION

The conference agreement provides \$101,000,000 for grants and administration as proposed by the Senate instead of \$96,800,000 as proposed by the House. The National Endowment for the Humanities has for several years supported important efforts to preserve disintegrating books, periodicals and other published materials. While the Endowment acknowledges that other elements of our culture and heritage—such as films and sound recordings—are also at risk, its efforts in these areas have been considerably less. The House and Senate Committees on Appropriations are concerned that much of the musical heritage of the nation—as represented by early sound recordings—is irrevocably lost with each passing year. Consequently, the National Endowment for the Humanities is strongly encouraged to strengthen and expand its support of efforts to preserve the rich and important heritage of early sound recordings. Within this effort, the NEH is encouraged to place emphasis on such traditional music forms as folk, jazz and the blues. The Endowment is directed to provide a report to the House and Senate Committees on Appropriations by March 30, 2000, detailing the state by state distribution of the various grants and other NEH funding.

MATCHING GRANTS

The conference agreement provides \$14,700,000 for matching grants as proposed by the Senate instead of \$13,900,000 as proposed by the House.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES OFFICE OF MUSEUM SERVICES GRANTS AND ADMINISTRATION

The conference agreement provides \$24,400,000 for the Office of Museum Services as proposed by the House instead of \$23,905,000 as proposed by the Senate. The conference agreement provides the funding proposed by the House for program administration and agree that the remaining funding increase above that provided in fiscal year 1999 should be designated for national leadership grants for museums.

COMMISSION OF FINE ARTS SALARIES AND EXPENSES

The conference agreement provides \$1,005,000 for the Commission of Fine Arts instead of \$935,000 as proposed by the House and \$1,078,000 as proposed by the Senate. The conference agreement includes the House proposal to provide one-year authority for the Commission to charge fees to cover publication costs and use the fees without subsequent appropriation. The conference agreement includes all House report language.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

The conference agreement provides \$7,000,000 for National Capital Arts and Cultural Affairs as proposed by both the House and the Senate.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

The conference agreement provides \$3,000,000 as proposed by the House instead of \$2,906,000 as proposed by the Senate.

NATIONAL CAPITAL PLANNING COMMISSION SALARIES AND EXPENSES

The conference agreement provides \$6,312,000 as proposed by both the House and

the Senate. The conference agreement includes the Senate proposal to provide one-year authority for appointed members of the Commission to be compensated in a manner similar to other Federal boards and commissions.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

The conference agreement provides \$33,286,000 for the Holocaust Memorial Council as proposed by both the House and the Senate.

The United States Holocaust Memorial Council was established in 1980 to support the planning and construction of a permanent, living memorial museum to the victims of the Holocaust. Having opened in 1993, the United States Holocaust Memorial Museum has achieved remarkable success. Following these first six years of operation, the House Appropriations Committee requested the National Academy of Public Administration (NAPA) to conduct a review of the Council and the Museum. NAPA has completed its report and included a number of recommendations to improve the operation and management of the two entities that will set them on a strong course to ensure future success. The House and Senate Committees on Appropriations strongly support the NAPA findings and recommendations and urge the entities to include those reforms that require statutory changes in a reauthorization bill to the Congress by the opening of the second session of the 106th Congress. Further, the organizations should implement fully the administrative changes recommended in the report by February 15, 2000 and to report to the House and Senate Committees on Appropriations on the completion of their implementation by March 1, 2000.

PRESIDIO TRUST

PRESIDIO TRUST FUND

The conference agreement provides \$44,400,000 for the Presidio Trust as proposed by both the House and the Senate.

TITLE III—GENERAL PROVISIONS

The conference agreement includes sections 301 through 306, sections 308 through 315, sections 317 through 319 and section 325 from the Senate bill, which continue provisions carried in past years. Section 314 adds a reference to Alaska for the Jobs-in-the-Woods program as proposed by the Senate.

Section 307 makes permanent the provision on compliance with the Buy American Act, which was included in the House bill as section 306. The Senate had extended the provision for one year.

The conference agreement does not include language proposed by the House in section 315 and by the Senate in section 316 prohibiting the use of funds for biosphere reserves as part of the Man and Biosphere Program.

Section 316 exempts the Presidio Trust from certain taxes and assessments. While the Presidio Trust, and all property under its administrative jurisdiction, is exempt by law from all taxes of any kind, the conference agreement provides clarification that any interests created under leases or any other agreement associated with Presidio properties are exempt from taxes of any kind, including but not limited to possessory interest taxes.

Section 320 continues the provision contained in the bill in previous years regarding outreach efforts to rural and underserved communities by the NEA, as amended by the House to include urban minorities.

Section 321 modifies a provision concerning Forest Service land management planning which was proposed by the House and the Senate and which was included in

previous Appropriations acts. The modification now allows national forests to begin planning if their existing plans reach the fifteen year mandated date to revise before or during calendar year 2001.

Section 322 continues the limitation on funding for completion and issuance of the five-year program under the Forest and Rangeland Renewable Resources Planning Act as proposed by the Senate. The House had no similar provision.

Section 323 prohibits the use of funds to support government-wide administrative functions unless they are in the budget justification and approved by the House and Senate Committees on Appropriations as proposed by the House. The Senate had no similar provision.

Section 324 modifies a provision proposed by the House prohibiting the use of funds for certain programs. The modification retains the limitation on the use of funds for General Services Administration Telecommunications Centers and for the President's Council on Sustainable Development and deletes the limitation dealing with the National Telecommunications and Information Administration. The Senate had no similar provision.

The conference agreement does not include language proposed by the Senate in section 324 that would continue the moratorium on new or expanded Indian self-determination and self-governance contracts and compacts with the Bureau of Indian Affairs and Indian Health Service. The House had no similar provision.

Section 326 authorizes certain special resource studies. This issue is addressed in more detail under the construction account in the National Park Service.

Section 327 retains the text of section 324 as proposed by the House and section 325 as proposed by the Senate which permits the Forest Service to use the roads and trails fund for backlog maintenance and priority forest health treatments.

Section 328 modifies language proposed by the House in section 325 dealing with the establishment of a National Wildlife Refuge in the Kankakee watershed in northwestern Indiana and northeastern Illinois. The modification stipulates that refuge establishment must be consistent with the U. S. Army Corps of Engineers' efforts to control flooding and siltation in that area. Written certification of consistency and compatibility must be submitted to the House and Senate Committees on Appropriations prior to refuge establishment. The Committees note that any land acquisition for such a refuge may only occur after funds have been requested in subsequent budget submissions and approved by the Committees.

Section 329 modifies language proposed by the House in Section 326 concerning the American Heritage Rivers initiative. The modified language specifically prevents funds from being transferred to, or used to fund personnel, training or other administrative activities at, the Council on Environmental Quality (CEQ) for purposes related to this program, but the language no longer prevents headquarters or departmental activities for these purposes. The Council on Environmental Quality, as part of the Executive Office of the President, is funded through a different appropriations bill to cover all of its program needs, including those associated with the American Heritage Rivers initiative. The Committees note that the appropriations act funding the CEQ provides that no funds other than those specifically appropriated to the CEQ may be used for or by the CEQ. Thus, no detailees from agencies funded by this Act may be used for or by the CEQ. The House and Senate Committees on Appropriations do not object to

the agencies covered by this bill from participating in this initiative if it is a normal part of their programs. In fact, the technical assistance programs funded in this bill are intended to help respond to local initiatives and needs. The House and Senate Committees on Appropriations encourage maximum cost-sharing and expect the agencies to emphasize field-level accomplishments rather than headquarters or regional office bureaucratic efforts.

The House and Senate Committees on Appropriations are very concerned about reports that individuals employed by the Federal government who work on the American Heritage Rivers initiative have engaged in inappropriate lobbying activities with Congressional offices and Federal career employees concerning this legislative issue. Such activities should cease immediately and disciplinary actions should be taken. Such inappropriate behavior by Federal employees should not be tolerated, and staff should not be allowed to interfere with Congressional efforts to improve management and accountability.

Section 330 modifies language proposed by the House in section 327 restricting the use of answering machines during core business hours except in case of emergency. The modification requires that there be an option that permits the caller to reach immediately another individual. The American taxpayer deserves to receive personal attention from public servants. The Senate had no similar provision.

Section 331 modifies a provision proposed by the House concerning Forest Service administration of rights-of-way and land uses. The Senate had no similar provision. The modification retains most of the language proposed by the House, with technical modifications, but the provision now makes this a five-year pilot program and requires annual reports to the House and Senate Committees on Appropriations summarizing activities and funds involved during the previous year. The Forest Service is directed to follow the instructions proposed by the House regarding this provision. The House and Senate Committees on Appropriations and the authorizing committees of jurisdiction will review this pilot program and determine subsequently if it warrants permanent authority.

Section 332 modifies a provision included in the fiscal year 1999 act regarding the Institute of Hardwood Technology Transfer and Applied Research to make the related authorities permanent as proposed by the Senate in section 326. The House had no similar provision.

Section 333 modifies language proposed by the Senate in section 327 to continue a program by which Alaska's surplus western red cedar is made available preferentially to U.S. domestic mills outside Alaska, prior to export abroad. The House had no similar provision. The provision has been modified to conform to the standard transaction evidence timber appraisal system used elsewhere in the national forest system and recently implemented in Region 10.

The conference agreement does not include the Senate-proposed section 328 concerning Forest Service and Bureau of Land Management inventorying, monitoring and surveying requirements. The House had no similar provision.

Section 334 includes language clarifying the Presidio Trust's borrowing authority by requiring that obligations issued to the Secretary of the Treasury be subject to terms and conditions prescribed by the Secretary of the Treasury including a review of the creditworthiness of the properties designed as the source of repayment of the obligations.

Section 335 modifies language regarding reports on the feasibility and cost of imple-

menting the Interior Columbia Basin Ecosystem Management Project as proposed by the House in section 329. The Senate proposed similar language in section 330. The provision has been modified so that a report describing the estimated production of goods and services produced in the study area for the first five years during the course of the decision may be reported for each Resource Advisory Council or Provincial Advisory Council rather than for each individual unit of Federal land as required in the House and Senate passed versions.

The conference agreement does not include section 330 as proposed by the House which would have provided authority for breastfeeding in the National Park Service, the Smithsonian, the John F. Kennedy Center, the Holocaust Memorial Museum and the National Gallery of Art. A separate appropriations bill funding general government programs includes a similar provision, but one that is broader in its application. The Senate bill had no similar provision.

Section 336 prohibits the use of funds to propose or issue rules, regulations, decrees or orders for implementing the Kyoto Protocol prior to Senate ratification as proposed by the House in section 331. The Senate had no similar provision.

The conference agreement does not include House proposed bill language included under section 333 prohibiting the use of funds to directly construct timber access roads in the National Forest System. The Senate had no similar provision.

The conference agreement does not include either the across the board cut proposed by the House in section 333 or the across the board cut proposed by the Senate in section 348.

Section 337 modifies language proposed by the House in section 334 and the Senate in section 335 regarding patent applications. The modification exempts from the Solicitor's opinion of November 7, 1997 mining operations with approved plans of operation, patents that were grandfathered as part of the 1995 mining patent moratorium, and plans of operation submitted prior to the Solicitor's opinion of November 7, 1997. It is inequitable to apply the Solicitor's millsite opinion to those plans of operation retroactively, since the Department of the Interior and the Forest Service have been approving and modifying plans of operation routinely for years without raising an issue with operators about the ratio of millsites to claims. The Departments of the Interior and Agriculture may not implement the millsite opinion for existing plans of operation. Further, the Departments of the Interior and Agriculture may not reopen decisions already made and relied upon by the stakeholders when these existing plans were approved.

The conference agreement does not include language proposed by the House in section 335 prohibiting certain uses of leghold traps and neck snares within the National Wildlife Refuge system.

The conference agreement does not include language as proposed by the House in section 336 that would prohibit implementation of certain portions of the Gettysburg NMP general management plan.

Section 338 modifies a Senate provision in section 330 concerning consistency among federal land managing agencies for the exemption to the Service Contract Act for concession contracts. The modified language deals only with the Forest Service and applies only in fiscal year 2000. The House had no similar provision.

Section 339 modifies section 331 as proposed by the Senate regarding the establishment of a five-year pilot program for the Forest Service to collect fair market value

for forest botanical products. The House had no similar provision. The provision is modified to clarify the definition of forest botanical products, to ensure that the harvest of such products will be sustainable, to exempt some personal use harvest from fee collection at the discretion of the agency, and to return a portion of the funds collected to the national forest unit at which they are generated. The House and Senate Committees on Appropriations want to encourage the development of appropriate small-scale industries but also ensure that the Forest Service carefully manages this program so that plants and fungi are not over-collected. This provision has been modified so that the funds which exceed the level collected in fiscal year 1999 can be used right away rather than delaying expenditure of the funds until fiscal year 2001 as proposed by the Administration and the Senate. Fees will be returned to the forest unit where they are generated and will be used to provide for program administration, inventory, monitoring, sustainable harvest level and impact of harvest determination and restoration activities. The Forest Service is encouraged to develop harvest guidelines that cover species ranges so sharing of fees among units may be required to properly deal with wide-ranging species.

Section 340 includes the Senate-proposed section 333 extending the authorization for the Forest Service to provide funds to Auburn University, AL, for construction of a non-federal building. The House bill had no similar provision.

Section 341 modifies the Senate-proposed section 334 dealing with Forest Service stewardship end-results contracting. The modification deletes the Senate proposal to provide the Northern region with nine additional projects. The modified provision includes technical changes to the language which authorized the pilot program. These changes make it clear that the Forest Service can enter into a contract or agreement with either a public or private entity; that an agreement as opposed to a contract can be the primary vehicle for implementing a pilot project; and there is a national limit on projects, as opposed to contracts. This will allow, if necessary, use of more than one contract to implement a project. The House bill had no similar provision.

The conference agreement does not include Senate proposed bill language included under section 335 that provides that residents living within the boundaries of the White Mountain National Forest are exempt from certain user fees. The House bill had no similar provision.

Section 342 modifies the Senate-proposed section 336 dealing with special use fees paid for recreation residences on Forest Service managed lands. This provision supersedes section 343 of P.L. 105-83 and limits fee increases during fiscal year 2000 to \$2,000 per permit. The House had no similar provision.

The conference agreement does not include language proposed by the Senate in section 337 concerning acquisition of lands within the Columbia River Gorge National Scenic Area. The House had no similar provision.

Section 343 redesignates the Blackstone River Valley National Heritage Corridor as the John H. Chafee Blackstone River Valley National Heritage Corridor.

Section 344 provides that the Forest Service may not use the Recreation Fee Demonstration program to supplant existing recreation contracts on the national forests as proposed by the Senate in section 338. The House bill had no similar provision.

Section 345 amends the National Forest-Dependent Rural Communities Economic Diversification Act, as proposed by the Senate in section 339, to make Forest Service grasslands eligible for economic recovery funding. The House bill had no similar provision.

Section 346 modifies language proposed by the Senate in section 340 regarding the I-90 Land Exchange Act of 1998 to reflect a recently negotiated settlement of a federal district court case involving Plum Creek and five environmental groups. The settlement reconfigures the exchange in a way not reflected in the original amendment in the Senate Interior Appropriations bill. The settlement significantly reduces the scope of the exchange. Several parcels in the Gifford Pinchot National Forest were dropped from the exchange, along with several Plum Creek parcels destined for public ownership. As a result, the new language reflects the settlement agreement. The House had no similar provision.

Section 347 modifies language proposed by the Senate in section 341 adjusting the boundary of the Snoqualmie National Forest. Eight Plum Creek parcels will be placed in escrow for three years to be eligible for Forest Service ownership through either appropriations, additional land conveyances or private donation. If the parcels are not acquired after three years, the titles revert back to Plum Creek. The original section in the Senate Interior Appropriations bill placed five Plum Creek parcels in escrow. However, the value of the lands in escrow remains the same. The House had no similar provision.

Section 348 amends the Food Security Act to protect the confidentiality of Forest Inventory and Analysis data on private lands as proposed by the Senate in section 342. The House bill had no similar provision.

Section 349 provides, as proposed by the Senate in section 343, that none of the funds appropriated or otherwise made available by this Act may be used to implement or enforce any provision in Presidential Executive Order 13123 regarding the Federal Energy Management Program which circumvents or contradicts any statutes relevant to Federal energy use and the measurement thereof. The Department is expected to adhere to existing law governing energy conservation and efficiency in implementing the Federal Energy Management Program. The House had no similar provision.

The conference agreement does not include Senate proposed bill language included under section 344 directing the Forest Service to use funds to improve the control or eradication of pine beetles in the Rocky Mountain region of the United States. The conference agreement provides direction on this matter under the Forest Service heading.

The conference agreement does not include Senate proposed bill language included under section 346 prohibiting the use of funds for certain activities on the Shawnee National Forest, IL.

The conference agreement does not include language proposed by the Senate in section 345 prohibiting funds for the physical relocation of grizzly bears into the Selway-Bitterroot Wilderness of Idaho and Montana. The House had no similar provision. This action is based on written assurances, by letter of November 8, 1999, from the Fish and Wildlife Service that the Service will not reintroduce or relocate grizzly bears during fiscal year 2000.

Section 350 provides for the investment of Exxon Valdez oil spill funds in high yield investments and in marine research.

Section 351 directs that up to \$1,000,000 of Bureau of Land Management funds be used to fund high priority projects to be conducted by the Youth Conservation Corps as proposed by the Senate in section 347. The House bill had no similar provision.

Section 352 makes a permanent appropriation for the North Pacific Research Board. To date, these funds have been subject to appropriation.

Section 353 prohibits the withdrawal of certain lands on the Mark Twain NF, MO, from mining activities and prohibits the issuance of new prospecting permits. The House had no similar provision.

Section 354 makes a minor technical modification to a previously established pilot program. This modification authorizes the Bureau of Land Management and the Forest Service to establish transfer appropriation accounts in order to facilitate efficient inter-agency fund transfers. The House and Senate Committees on Appropriations support the pilot effort of the two agencies to accomplish mutually beneficial management of respective lands. The agencies are expected to provide a combined report to the House and Senate Committees on Appropriations on the use of these accounts by June 30, 2000.

Section 355 provides for an extension of the public comment period for the White River National Forest, CO, forest plan revision for ninety days past the February 9, 2000, deadline currently in place.

Section 356 provides direction to the National Capital Planning Commission concerning a certain easement and other matters regarding the National Harbor project, MD.

Section 357 allows the Bureau of Land Management to promulgate new hardrock mining regulations so long as these regulations are not inconsistent with the recommendations contained in the National Research Council (NRC) report on hardrock mining and with BLM's statutory authority. To the extent necessary to accomplish this, the BLM is permitted to finalize the Draft Environmental Impact Statement on Surface Management Regulations for Locatable Mineral Operations. If the Department of the Interior wishes to implement any regulatory changes that go beyond the recommendations contained in the NRC report and existing statutes, it should provide a detailed report on such recommendations and the rationale for such changes in the fiscal year 2001 budget submission. In addition, the Department should submit any legislative proposals that might be required to implement changes that go beyond the NRC recommendations and existing statutes.

TITLE IV—MISSISSIPPI NATIONAL FOREST IMPROVEMENT ACT OF 1999

The conference agreement includes the Mississippi National Forest Improvement Act of 1999. This new bill language provides for the sale of surplus Forest Service research property and other surplus administrative sites in Mississippi; facilitates a cooperative agreement between the Forest Service and the University of Mississippi; and facilitates a land exchange on the Homochitto National Forest for the Franklin County Dam.

TITLE V—UNITED MINE WORKERS OF AMERICA COMBINED BENEFIT FUND

Title V provides an emergency transfer of interest earned by the Abandoned Mine Reclamation Fund to the United Mine Workers of America Combined Benefit Fund. The Abandoned Mine Reclamation Fund was established by the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231). The Abandoned Mine Land Reclamation Act of 1990 provides for the investment of the unappropriated balances of the fund and the crediting of earned interest to the Abandoned Mine Reclamation Fund. The Coal Industry Retiree Health Benefit Act of 1992 (26 U.S.C. 9701-9722) was included as part of the Energy Policy Act of 1992 and provides for an annual transfer of part of the interest earned by the Abandoned Mine Reclamation Fund to the United Mine Workers of America Combined Benefit Fund.

The transfer of funds provided by this title is in response to rising health care costs and recent court decisions which have combined to seriously erode the solvency of the United Mine Workers of America Combined Benefit Fund. Consequently, the Trustees of the Fund have determined that without the relief provided by this section, cuts in health care benefits to the more than 66,000 retired miners and their dependents throughout the nation are imminent.

The House and Senate Committees on Appropriations recognize that the emergency transfer provided by this title is not the long-term answer to the financial problems associated with the United Mine Workers of America Combined Benefit Fund. It is expected that the legislation necessary to remedy the financial problems of the United Mine Workers of America Combined Benefit Fund will be taken up by the legislative committees of jurisdiction and will be enacted into law in a timely manner. The committees of jurisdiction are urged to work with miners and the contributing companies in ensuring the long-term solvency of the fund. The best long-term solution to the financial problems associated with the fund must include a review of and action on appropriate adjustments to private sector contributions to the fund, including contributions currently being made by the so-called "reach back" companies. At the same time, the long-term solution for the fund should cover all eligible retired miners and their dependents, including the unassigned beneficiaries, as provided for in current law.

The more than 66,000 elderly retired miners and their dependents should not again be brought to the precipice, not knowing whether the Federal Government will continue to meet fully its commitment to provide their health care benefits, as provided in the Coal Industry Retiree Health Benefits Act of 1992.

TITLE VI—PRIORITY LAND ACQUISITION AND LAND EXCHANGES

The conference agreement provides \$197,500,000 for high priority land acquisition and other purposes. This amount is in addition to the \$266,288,000 provided in previous titles of this Act, for a total of \$463,788,000. The agreement provides the following additional funds for specific projects: \$61,000,000 for the Baca Ranch in New Mexico, subject to the same terms and conditions contained under the heading "Forest Service, Land Acquisition"; \$20,000,000 for the State Assistance program, \$5,000,000 for the Catellus property in southern California with the expectation that certain conditions involving the National Training Center for the Army at Fort Irwin will be resolved in the future, \$2,000,000 for the Rhode Island National Wildlife Refuge Complex, \$19,500,000 for the purchase of mining rights in Utah, \$10,000,000 for Elwha River ecosystem restoration, \$5,000,000 for backlog maintenance in the National Park Service, \$5,000,000 for the Forest Legacy program in the Forest Service, and \$35,000,000 for State grants for land acquisition in the State of Florida subject to conditions on guaranteed water supply contained under the heading "National Park Service, Land Acquisition and State Assistance".

With respect to the remainder of the funds totaling \$35,000,000, the conference agreement provides \$20,000,000 to the Department of the Interior and \$15,000,000 to the Department of Agriculture, Forest Service for land acquisitions. These funds and the Forest Legacy funding in this title are made available with the understanding that the House and Senate Committees on Appropriations will notify the Secretaries of Agriculture and the Interior in writing on the individual projects to be funded with these additional monies.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2000 recommended by the Committee of Conference, with comparisons to the fiscal year 1999 amount, the 2000 budget estimates, and the House and Senate bills for 2000 follow:

[In thousands of dollars]

| | |
|--|--------------|
| New budget (obligational) authority, fiscal year 1999 | \$14,297,803 |
| Budget estimates of new (obligational) authority, fiscal year 2000 | 15,266,137 |
| House bill, fiscal year 2000 | 13,934,609 |
| Senate bill, fiscal year 2000 | 14,055,710 |
| Conference agreement, fiscal year 2000 | 14,928,411 |
| Conference agreement compared with: | |
| New budget (obligational) authority, fiscal year 1999 | +630,608 |
| Budget estimates of new (obligational) authority, fiscal year 2000 | -337,726 |
| House bill, fiscal year 2000 | +993,802 |
| Senate bill, fiscal year 2000 | +872,701 |

The conference agreement would enact the provisions of H.R. 3424 as introduced on November 17, 1999. The text of that bill follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I—DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For necessary expenses of the Workforce Investment Act, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act; the Stewart B. McKinney Homeless Assistance Act; the Women in Apprenticeship and Nontraditional Occupations Act; the National Skill Standards Act of 1994; and the School-to-Work Opportunities Act; \$3,002,618,000 plus reimbursements, of which \$1,650,153,000 is available for obligation for the period July 1, 2000 through June 30, 2001; of which \$1,250,965,000 is available for obligation for the period April 1, 2000 through June 30, 2001; of which \$35,500,000 is available for the period July 1, 2000 through June 30, 2003 including \$34,000,000 for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers, and \$1,500,000 under authority of section 171(d) of the Workforce Investment Act for use by the Organizing Committee for the 2001 Special Olympics World Winter Games in Alaska to promote employment opportunities for individuals with disabilities and other staffing needs; and of which \$55,000,000 shall be available from July 1, 2000 through September 30, 2001, for carrying out activities of the School-to-Work Opportunities Act: Provided, That \$58,800,000 shall be for carrying out section 166 of the Workforce Investment Act, including \$5,000,000 for carrying out section 166(j)(1) of the Workforce Investment Act, including the provision of assistance to American Samoans who reside in Hawaii for the co-location of federally funded and State-funded workforce investment activities, and \$7,000,000 shall be for carrying out the National Skills Standards Act of 1994: Provided further, That no funds from

any other appropriation shall be used to provide meal services at or for Job Corps centers: Provided further, That funds provided to carry out section 171(d) of such Act may be used for demonstration projects that provide assistance to new entrants in the workforce and incumbent workers: Provided further, That funding provided to carry out projects under section 171 of the Workforce Investment Act of 1998 that are identified in the Conference Agreement, shall not be subject to the requirements of section 171(b)(2)(B) of such Act, the requirements of section 171(c)(4)(D) of such Act, or the joint funding requirements of sections 171(b)(2)(A) and 171(c)(4)(A) of such Act: Provided further, That funding appropriated herein for Dislocated Worker Employment and Training Activities under section 132(a)(2)(A) of the Workforce Investment Act of 1998 may be distributed for Dislocated Worker Projects under section 171(d) of the Act without regard to the 10 percent limitation contained in section 171(d) of the Act.

For necessary expenses of the Workforce Investment Act, including the purchase and hire of passenger motor vehicles, the construction, alteration, and repair of buildings and other facilities, and the purchase of real property for training centers as authorized by the Workforce Investment Act; \$2,463,000,000 plus reimbursements, of which \$2,363,000,000 is available for obligation for the period October 1, 2000 through June 30, 2001; and of which \$100,000,000 is available for the period October 1, 2000 through June 30, 2003, for necessary expenses of construction, rehabilitation, and acquisition of Job Corps centers.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out the activities for national grants or contracts with public agencies and public or private nonprofit organizations under paragraph (1)(A) of section 506(a) of title V of the Older Americans Act of 1965, as amended, or to carry out older worker activities as subsequently authorized, \$343,356,000.

To carry out the activities for grants to States under paragraph (3) of section 506(a) of title V of the Older Americans Act of 1965, as amended, or to carry out older worker activities as subsequently authorized, \$96,844,000.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during the current fiscal year of trade adjustment benefit payments and allowances under part I; and for training, allowances for job search and relocation, and related State administrative expenses under part II, subchapters B and D, chapter 2, title II of the Trade Act of 1974, as amended, \$415,150,000, together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15 of the current year.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, \$163,452,000, together with not to exceed \$3,090,288,000 (including not to exceed \$1,228,000 which may be used for amortization payments to States which had independent retirement plans in their State employment service agencies prior to 1980), which may be expended from the Employment Security Administration account in the Unemployment Trust Fund including the cost of administering section 1201 of the Small Business Job Protection Act of 1996, section 7(d) of the Wagner-Peyser Act, as amended, the Trade Act of 1974, as amended, the Immigration Act of 1990, and the Immigration and Nationality Act, as amended, and of which the sums available in the allocation for activities authorized by title III of the Social Security Act, as amended (42 U.S.C. 502-504), and the sums available in the allocation for necessary administrative expenses for carrying out 5 U.S.C. 8501-8523, shall be available for obligation by the States through December 31, 2000, except that

funds used for automation acquisitions shall be available for obligation by the States through September 30, 2002; and of which \$163,452,000, together with not to exceed \$738,283,000 of the amount which may be expended from said trust fund, shall be available for obligation for the period July 1, 2000 through June 30, 2001, to fund activities under the Act of June 6, 1933, as amended, including the cost of penalty mail authorized under 39 U.S.C. 3202(a)(1)(E) made available to States in lieu of allotments for such purpose, and of which \$125,000,000 shall be available only to the extent necessary for additional State allocations to administer unemployment compensation laws to finance increases in the number of unemployment insurance claims filed and claims paid or changes in a State law: Provided, That to the extent that the Average Weekly Insured Unemployment (AWIU) for fiscal year 2000 is projected by the Department of Labor to exceed 2,638,000, an additional \$28,600,000 shall be available for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) from the Employment Security Administration Account of the Unemployment Trust Fund: Provided further, That funds appropriated in this Act which are used to establish a national one-stop career center network may be obligated in contracts, grants or agreements with non-State entities: Provided further, That funds appropriated under this Act for activities authorized under the Wagner-Peyser Act, as amended, and title III of the Social Security Act, may be used by the States to fund integrated Employment Service and Unemployment Insurance automation efforts, notwithstanding cost allocation principles prescribed under Office of Management and Budget Circular A-87.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, as amended, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1954, as amended; and for non-repayable advances to the Unemployment Trust Fund as authorized by section 8509 of title 5, United States Code, and to the "Federal unemployment benefits and allowances" account, to remain available until September 30, 2001, \$356,000,000.

In addition, for making repayable advances to the Black Lung Disability Trust Fund in the current fiscal year after September 15, 2000, for costs incurred by the Black Lung Disability Trust Fund in the current fiscal year, such sums as may be necessary.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, \$100,944,000, including \$6,431,000 to support up to 75 full-time equivalent staff, the majority of which will be term Federal appointments lasting no more than 1 year, to administer welfare-to-work grants, together with not to exceed \$45,056,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

PENSION AND WELFARE BENEFITS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Pension and Welfare Benefits Administration, \$99,000,000.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation is authorized to make such expenditures, including financial assistance authorized by section 104 of Public Law 96-364, within limits of funds and borrowing authority available to such Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section

104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program through September 30, 2000, for such Corporation: Provided, That not to exceed \$11,155,000 shall be available for administrative expenses of the Corporation: Provided further, That expenses of such Corporation in connection with the termination of pension plans, for the acquisition, protection or management, and investment of trust assets, and for benefits administration services shall be considered as non-administrative expenses for the purposes hereof, and excluded from the above limitation.

EMPLOYMENT STANDARDS ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses for the Employment Standards Administration, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, \$337,260,000, together with \$1,740,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d) and 44(j) of the Longshore and Harbor Workers' Compensation Act: Provided, That \$2,000,000 shall be for the development of an alternative system for the electronic submission of reports as required to be filed under the Labor-Management Reporting and Disclosure Act of 1959, as amended, and for a computer database of the information for each submission by whatever means, that is indexed and easily searchable by the public via the Internet: Provided further, That the Secretary of Labor is authorized to accept, retain, and spend, until expended, in the name of the Department of Labor, all sums of money ordered to be paid to the Secretary of Labor, in accordance with the terms of the Consent Judgment in Civil Action No. 91-0027 of the United States District Court for the District of the Northern Mariana Islands (May 21, 1992): Provided further, That the Secretary of Labor is authorized to establish and, in accordance with 31 U.S.C. 3302, collect and deposit in the Treasury fees for processing applications and issuing certificates under sections 11(d) and 14 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 211(d) and 214) and for processing applications and issuing registrations under title I of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.).

SPECIAL BENEFITS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by title 5, chapter 81 of the United States Code; continuation of benefits as provided for under the heading "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; sections 4(c) and 5(f) of the War Claims Act of 1948 (50 U.S.C. App. 2012); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, as amended, \$79,000,000 together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year: Provided, That amounts appropriated may be used under section 8104 of title 5, United States Code, by the Secretary of Labor to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a reemployed, disabled beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 1999, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under section 8147(c) of title 5, United States Code, to pay an amount for its fair share of the

cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2000: Provided further, That of those funds transferred to this account from the fair share entities to pay the cost of administration, \$21,849,000 shall be made available to the Secretary as follows: (1) for the operation of and enhancement to the automated data processing systems, including document imaging and medical bill review, in support of Federal Employees' Compensation Act administration, \$13,433,000; (2) for program staff training to operate the new imaging system, \$1,300,000; (3) for the periodic roll review program, \$7,116,000; and (4) the remaining funds shall be paid into the Treasury as miscellaneous receipts: Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under chapter 81 of title 5, United States Code, or 33 U.S.C. 901 et seq., provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

BLACK LUNG DISABILITY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

For payments from the Black Lung Disability Trust Fund, \$1,013,633,000, of which \$963,506,000 shall be available until September 30, 2001, for payment of all benefits as authorized by section 9501(d)(1), (2), (4), and (7) of the Internal Revenue Code of 1954, as amended, and interest on advances as authorized by section 9501(c)(2) of that Act, and of which \$28,676,000 shall be available for transfer to Employment Standards Administration, Salaries and Expenses, \$20,783,000 for transfer to Departmental Management, Salaries and Expenses, \$312,000 for transfer to Departmental Management, Office of Inspector General, and \$356,000 for payment into miscellaneous receipts for the expenses of the Department of Treasury, for expenses of operation and administration of the Black Lung Benefits program as authorized by section 9501(d)(5) of that Act: Provided, That, in addition, such amounts as may be necessary may be charged to the subsequent year appropriation for the payment of compensation, interest, or other benefits for any period subsequent to August 15 of the current year.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, \$382,000,000, including not to exceed \$82,000,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act, which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Occupational Safety and Health Act of 1970; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to \$750,000 per fiscal year of training institute course tuition fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education grants: Provided, That, notwithstanding 31 U.S.C. 3302, the Secretary of Labor is authorized, during the fiscal year ending September 30, 2000, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: Provided further, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 which is applicable to any person who is engaged in a farming

operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Occupational Safety and Health Act of 1970 with respect to any employer of 10 or fewer employees who is included within a category having an occupational injury lost workday case rate, at the most precise Standard Industrial Classification Code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of that Act (29 U.S.C. 673), except—

(1) to provide, as authorized by such Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable abatement period and for any willful violations found;

(3) to take any action authorized by such Act with respect to imminent dangers;

(4) to take any action authorized by such Act with respect to health hazards;

(5) to take any action authorized by such Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by such Act; and

(6) to take any action authorized by such Act with respect to complaints of discrimination against employees for exercising rights under such Act;

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees.

MINE SAFETY AND HEALTH ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, \$228,373,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles; including not to exceed \$750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities, notwithstanding 31 U.S.C. 3302; 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, or private; the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations; and any funds available to the department may be used, with the approval of the Secretary, to provide for the costs of mine rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, \$357,781,000, of which \$6,986,000 shall be for expenses of revising the Consumer Price Index and shall remain available until September 30, 2001, together with not to exceed \$55,663,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

DEPARTMENTAL MANAGEMENT SALARIES AND EXPENSES

For necessary expenses for Departmental Management, including the hire of three sedans, and including up to \$7,250,000 for the President's Committee on Employment of People With Disabilities, and including the management or operation of Departmental bilateral and multilateral foreign technical assistance, \$241,478,000; together with not to exceed \$310,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: Provided, That no funds made available by this Act may be used by the Solicitor of Labor to participate in a review in any United States court of appeals of any decision made by the Benefits Review Board under section 21 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 921) where such participation is precluded by the decision of the United States Supreme Court in *Director, Office of Workers' Compensation Programs v. Newport News Shipbuilding*, 115 S. Ct. 1278 (1995), notwithstanding any provisions to the contrary contained in Rule 15 of the Federal Rules of Appellate Procedure: Provided further, That no funds made available by this Act may be used by the Secretary of Labor to review a decision under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.) that has been appealed and that has been pending before the Benefits Review Board for more than 12 months: Provided further, That any such decision pending a review by the Benefits Review Board for more than 1 year shall be considered affirmed by the Benefits Review Board on the 1-year anniversary of the filing of the appeal, and shall be considered the final order of the Board for purposes of obtaining a review in the United States courts of appeals: Provided further, That these provisions shall not be applicable to the review or appeal of any decision issued under the Black Lung Benefits Act (30 U.S.C. 901 et seq.).

ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND TRAINING

Not to exceed \$184,341,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of 38 U.S.C. 4100-4110A, 4212, 4214, and 4321-4327, and Public Law 103-353, and which shall be available for obligation by the States through December 31, 2000.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$48,095,000, together with not to exceed \$3,830,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in this title for the Job Corps shall be used to pay the compensation of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 103. The Secretary of Labor shall transfer, without charge or consideration, to the City of Salinas in the State of California, all right, title, and interest (including any equitable interest) the United States holds in the real property located at 342 Front Street, Salinas, California (Reference No. SSL-493), to the extent

such right, such title, or such interest was acquired as a result of any loan, grant, guarantee, or other benefit provided by the Secretary to or for the benefit of such city.

This title may be cited as the "Department of Labor Appropriations Act, 2000".

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

For carrying out titles II, III, VII, VIII, X, XII, XIX, and XXVI of the Public Health Service Act, section 427(a) of the Federal Coal Mine Health and Safety Act, title V and section 1820 of the Social Security Act, the Health Care Quality Improvement Act of 1986, as amended, and the Native Hawaiian Health Care Act of 1988, as amended, \$4,584,721,000, of which \$150,000 shall remain available until expended for interest subsidies on loan guarantees made prior to fiscal year 1981 under part B of title VII of the Public Health Service Act, and of which \$122,182,000 shall be available for the construction and renovation of health care and other facilities, and of which \$25,000,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program under section 1820 of such Act: Provided, That the Division of Federal Occupational Health may utilize personal services contracting to employ professional management/administrative and occupational health professionals: Provided further, That of the funds made available under this heading, \$250,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen's Disease Center: Provided further, That in addition to fees authorized by section 427(b) of the Health Care Quality Improvement Act of 1986, fees shall be collected for the full disclosure of information under the Act sufficient to recover the full costs of operating the National Practitioner Data Bank, and shall remain available until expended to carry out that Act: Provided further, That no more than \$5,000,000 is available for carrying out the provisions of Public Law 104-73: Provided further, That of the funds made available under this heading, \$238,932,000 shall be for the program under title X of the Public Health Service Act to provide for voluntary family planning projects: Provided further, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office: Provided further, That \$528,000,000 shall be for State AIDS Drug Assistance Programs authorized by section 2616 of the Public Health Service Act: Provided further, That, notwithstanding section 502(a)(1) of the Social Security Act, not to exceed \$109,307,000 is available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act: Provided further, That of the amount provided under this heading, \$40,000,000 shall be available for children's hospitals graduate medical education payments, subject to authorization: Provided further, That of the amount provided under this heading, \$900,000 shall be for the American Federation of Negro Affairs Education and Research Fund.

MEDICAL FACILITIES GUARANTEE AND LOAN FUND FEDERAL INTEREST SUBSIDIES FOR MEDICAL FACILITIES

For carrying out subsections (d) and (e) of section 1602 of the Public Health Service Act, \$1,000,000, together with any amounts received by the Secretary in connection with loans and loan guarantees under title VI of the Public Health Service Act, to be available without fiscal year limitation for the payment of interest

subsidies. During the fiscal year, no commitments for direct loans or loan guarantees shall be made.

HEALTH EDUCATION ASSISTANCE LOANS PROGRAM

Such sums as may be necessary to carry out the purpose of the program, as authorized by title VII of the Public Health Service Act, as amended. For administrative expenses to carry out the guaranteed loan program, including section 709 of the Public Health Service Act, \$3,688,000.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund, such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the Public Health Service Act, to remain available until expended: Provided, That for necessary administrative expenses, not to exceed \$3,000,000 shall be available from the Trust Fund to the Secretary of Health and Human Services.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

To carry out titles II, III, VII, XI, XV, XVII, XIX and XXVI of the Public Health Service Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act of 1977, sections 20, 21, and 22 of the Occupational Safety and Health Act of 1970, title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980; including insurance of official motor vehicles in foreign countries; and hire, maintenance, and operation of aircraft, \$2,910,761,000 of which \$60,000,000 shall remain available until expended for equipment and construction and renovation of facilities, and in addition, such sums as may be derived from authorized user fees, which shall be credited to this account: Provided, That in addition to amounts provided herein, up to \$71,690,000 shall be available from amounts available under section 241 of the Public Health Service Act, to carry out the National Center for Health Statistics surveys: Provided further, That none of the funds made available for injury prevention and control at the Centers for Disease Control and Prevention may be used to advocate or promote gun control: Provided further, That the Director may redirect the total amount made available under authority of Public Law 101-502, section 3, dated November 3, 1990, to activities the Director may so designate: Provided further, That the Congress is to be notified promptly of any such transfer: Provided further, That notwithstanding any other provision of law, a single contract or related contracts for the development and construction of the infectious disease laboratory through the General Services Administration may be employed which collectively include the full scope of the project: Provided further, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232-18: Provided further, That not to exceed \$10,000,000 may be available for making grants under section 1509 of the Public Health Service Act to not more than 10 States: Provided further, That of the amount provided under this heading, \$3,000,000 shall be for the Center for Environmental Medicine and Toxicology at the University of Mississippi Medical Center at Jackson; \$2,000,000 shall be for the University of Mississippi phytomedicine project; \$500,000 shall be for the Alaska aviation safety initiative; and \$1,000,000 shall be for the University of South Alabama birth defects monitoring and prevention activities.

In addition, \$51,000,000, to be derived from the Violent Crime Reduction Trust Fund, for carrying out sections 40151 and 40261 of Public Law 103-322.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cancer, \$3,332,317,000.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, \$2,040,291,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to dental disease, \$270,253,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to diabetes and digestive and kidney disease, \$1,147,588,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the Public Health Service Act with respect to neurological disorders and stroke, \$1,034,886,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to allergy and infectious diseases, \$1,803,063,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to general medical sciences, \$1,361,668,000.

NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the Public Health Service Act with respect to child health and human development, \$862,884,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to eye diseases and visual disorders, \$452,706,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out sections 301 and 311 and title IV of the Public Health Service Act with respect to environmental health sciences, \$444,817,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the Public Health Service Act with respect to aging, \$690,156,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the Public Health Service Act with respect to arthritis and musculoskeletal and skin diseases, \$351,840,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the Public Health Service Act with respect to deafness and other communication disorders, \$265,185,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the Public Health Service Act with respect to nursing research, \$90,000,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the Public Health Service Act with respect to alcohol abuse and alcoholism, \$293,935,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the Public Health Service Act with respect to drug abuse, \$689,448,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the Public Health Service Act with respect to mental health, \$978,360,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the Public Health Service Act with respect to human genome research, \$337,322,000.

NATIONAL CENTER FOR RESEARCH RESOURCES

For carrying out section 301 and title IV of the Public Health Service Act with respect to research resources and general research support grants, \$680,176,000: Provided, That none of these funds shall be used to pay recipients of the general research support grants program any amount for indirect expenses in connection with such grants: Provided further, That \$75,000,000 shall be for extramural facilities construction grants.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities at the John E. Fogarty International Center, \$43,723,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to health information communications, \$215,214,000, of which \$4,000,000 shall be available until expended for improvement of information systems: Provided, That in fiscal year 2000, the Library may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health.

NATIONAL CENTER FOR COMPLEMENTARY AND ALTERNATIVE MEDICINE

For carrying out section 301 and title IV of the Public Health Service Act with respect to complementary and alternative medicine, \$68,753,000.

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, National Institutes of Health, \$283,509,000, of which \$44,953,000 shall be for the Office of AIDS Research: Provided, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: Provided further, That the Director may direct up to 1 percent of the total amount made available in this or any other Act to all National Institutes of Health appropriations to activities the Director may so designate: Provided further, That no such appropriation shall be decreased by more than 1 percent by any such transfers and that the Congress is promptly notified of the transfer: Provided further, That the National Institutes of Health is authorized to collect third party payments for the cost of clinical services that are incurred in National Institutes of Health research facilities and that such payments shall be credited to the National Institutes of Health Management Fund: Provided further, That all funds credited to the National Institutes of Health Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: Provided further, That up to \$500,000 shall be available to carry out section 499 of the Public Health Service Act: Provided further, That, notwithstanding section 499(k)(10) of the Public Health Service Act, funds from the Foundation for the National Institutes of Health may be transferred to the National Institutes of Health.

BUILDINGS AND FACILITIES

For the study of, construction of, and acquisition of equipment for, facilities of or used by the National Institutes of Health, including the acquisition of real property, \$135,376,000, to remain available until expended.

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

For carrying out titles V and XIX of the Public Health Service Act with respect to substance abuse and mental health services, the Protection and Advocacy for Mentally Ill Individuals Act of 1986, and section 301 of the Public Health Service Act with respect to program management, \$2,654,953,000.

AGENCY FOR HEALTH CARE POLICY AND RESEARCH

HEALTH CARE POLICY AND RESEARCH

For carrying out titles III and IX of the Public Health Service Act, and part A of title XI of the Social Security Act, \$111,424,000; in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data tapes shall be credited to this appropriation and shall remain available until expended: Provided, That the amount made available pursuant to section 926(b) of the Public Health Service Act shall not exceed \$88,576,000.

HEALTH CARE FINANCING ADMINISTRATION

GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, \$86,087,393,000, to remain available until expended.

For making, after May 31, 2000, payments to States under title XIX of the Social Security Act for the last quarter of fiscal year 2000 for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2001, \$30,589,003,000, to remain available until expended.

Payment under title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as provided under sections 217(g) and 1844 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97-248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, \$69,289,100,000.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the Public Health Service Act, and the Clinical Laboratory Improvement Amendments of 1988, not to exceed \$1,994,548,000, to be transferred from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the Public Health Service Act and such sums as may be collected from authorized user fees and the sale of data, which shall remain available until expended, and together with administrative fees collected relative to Medicare overpayment recovery activities, which shall remain available until expended: Provided, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the Public Health Service Act shall be credited to and available for carrying out the purposes of this appropriation: Provided further, That \$18,000,000 appropriated under this heading for the managed care system redesign shall remain available until expended: Provided further, That \$2,000,000 of the amount available for research, demonstration, and evaluation activities shall be available to continue carrying out demonstration projects on Medicaid coverage of community-based attendant care services for people with disabilities which ensures maximum control by the consumer to select and manage their attendant care services: Provided further, That \$3,000,000 of the amount available for research, demonstration, and evaluation activities shall be awarded to an application from the University of Pennsylvania Medical Center, the University of Louisville Sciences Center, and St. Vincent's Hospital in Montana to conduct a demonstration to reduce hos-

pitalizations among high-risk patients with congestive heart failure: Provided further, That \$2,000,000 of the amount available for research, demonstration, and evaluation activities shall be awarded to the AIDS Healthcare Foundation in Los Angeles: Provided further, That \$100,000 of the amount available for research, demonstration, and evaluation activities shall be awarded to Littleton Regional Hospital in New Hampshire, to assist in the development of rural emergency medical services: Provided further, That \$250,000 of the amount available for research, demonstration, and evaluation activities shall be awarded to the University of Missouri-Kansas City to test behavioral interventions of nursing home residents with moderate to severe dementia: Provided further, That \$1,000,000 of the amount available for research, demonstration, and evaluation activities shall be awarded for a children's hospice care demonstration program in Virginia, Florida, Kentucky, New York, and Utah: Provided further, That \$150,000 of the amount available for research, demonstration, and evaluation activities shall be awarded to L.A. Care Health Plan in Los Angeles, California for a Medicaid outreach demonstration project to provide access to medical care for uninsured workers: Provided further, That \$500,000 of the amount available for research, demonstration, and evaluation activities shall be awarded to the Baystate Medical Center in Springfield, Massachusetts for the Partners for a Healthier Community childhood immunization demonstration project: Provided further, That \$250,000 shall be awarded to the Shelby County Regional Medical Center to establish a Master Patient Index to determine patient Medicaid/TennCare eligibility: Provided further, That the Secretary of Health and Human Services is directed to collect, in aggregate, \$95,000,000 in fees in fiscal year 2000 from Medicare+Choice organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act.

HEALTH MAINTENANCE ORGANIZATION LOAN AND LOAN GUARANTEE FUND

For carrying out subsections (d) and (e) of section 1308 of the Public Health Service Act, any amounts received by the Secretary in connection with loans and loan guarantees under title XIII of the Public Health Service Act, to be available without fiscal year limitation for the payment of outstanding obligations. During fiscal year 2000, no commitments for direct loans or loan guarantees shall be made.

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR CHILD SUPPORT ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For making payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the first quarter of fiscal year 2001, \$650,000,000.

For making payments to each State for carrying out the program of Aid to Families with Dependent Children under title IV-A of the Social Security Act before the effective date of the program of Temporary Assistance to Needy Families (TANF) with respect to such State, such sums as may be necessary: Provided, That the sum of the amounts available to a State with respect to expenditures under such title IV-A in fiscal year 1997 under this appropriation and under such title IV-A as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 shall not exceed the limitations under section 116(b) of such Act.

For making, after May 31 of the current fiscal year, payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), for the last 3 months of the current year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981, \$1,100,000,000, to be available for obligation in the period October 1, 2000 through September 30, 2001.

For making payments under title XXVI of such Act, \$300,000,000: Provided, That these funds 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: Provided further, That these funds shall be made available only after submission to Congress of a formal budget request by the President 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.

The \$1,100,000,000 provided in the first paragraph under this heading in the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1999 (as contained in section 101(f) of division A of Public Law 105-277) is hereby designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided, That such funds shall be available only if the President submits to the Congress one official budget request for \$1,100,000,000 that includes designation of the entire amount as an emergency requirement pursuant to such section: Provided further, That such funds shall be distributed in accordance with section 2604 of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8623), other than subsection (e) of such section.

REFUGEE AND ENTRANT ASSISTANCE

For making payments for refugee and entrant assistance activities authorized by title IV of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980 (Public Law 96-422), \$419,005,000: Provided, That funds appropriated pursuant to section 414(a) of the Immigration and Nationality Act under Public Law 105-78 for fiscal year 1998 and under Public Law 105-277 for fiscal year 1999 shall be available for the costs of assistance provided and other activities through September 30, 2001.

For carrying out section 5 of the Torture Victims Relief Act of 1998 (Public Law 105-320), \$7,500,000.

The \$426,505,000 provided under this heading is hereby designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided, That such funds shall be available only if the President submits to the Congress one official budget request for \$426,505,000 that includes designation of the entire amount as an emergency requirement pursuant to such section.

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For carrying out sections 658A through 658R of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), to become available on October 1, 2000 and remain available through September 30, 2001, \$1,182,672,000: Provided, That \$19,120,000 shall be available for child care resource and referral and school-aged child care activities: Provided further, That of the funds provided for fiscal year 2001, \$172,672,000 shall be reserved by the States for activities authorized under section 658G of the Omnibus Budget Reconciliation Act of 1981 (The Child Care and Development Block Grant Act of 1990), such funds to be in addition to the amounts required to be reserved by the States under section 658G: Provided further, That of the funds provided for fiscal year 2000 under Public Law 105-277, \$500,000 shall be for a toll-free child care services program hotline to be operated by Child Care Aware.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, \$1,775,000,000: Provided, That notwithstanding section 2003(c) of such Act, as amended, the amount specified for allocation under such section for fiscal year 2000 shall be \$1,775,000,000.

CHILDREN AND FAMILIES SERVICES PROGRAMS
(INCLUDING RESCISSIONS)

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Developmental Disabilities Assistance and Bill of Rights Act, the Head Start Act, the Child Abuse Prevention and Treatment Act, the Native American Programs Act of 1974, title II of Public Law 95-266 (adoption opportunities), the Adoption and Safe Families Act of 1997 (Public Law 105-89), the Abandoned Infants Assistance Act of 1988, part B(1) of title IV and sections 413, 429A, 1110, and 1115 of the Social Security Act; for making payments under the Community Services Block Grant Act, section 473A of the Social Security Act, and title IV of Public Law 105-285; and for necessary administrative expenses to carry out said Acts and titles I, IV, X, XI, XIV, XVI, and XX of the Social Security Act, the Act of July 5, 1960 (24 U.S.C. ch. 9), the Omnibus Budget Reconciliation Act of 1981, title IV of the Immigration and Nationality Act, section 501 of the Refugee Education Assistance Act of 1980, section 5 of the Torture Victims Relief Act of 1998 (Public Law 105-320), sections 40155, 40211, and 40241 of Public Law 103-322 and section 126 and titles IV and V of Public Law 100-485, \$6,734,133,000, of which \$43,000,000, to remain available until September 30, 2001, shall be for grants to States for adoption incentive payments, as authorized by section 473A of title IV of the Social Security Act (42 U.S.C. 670-679); of which \$587,065,000 shall be for making payments under the Community Services Block Grant Act; and of which \$5,267,000,000 shall be for making payments under the Head Start Act, of which \$1,400,000,000 shall become available October 1, 2000 and remain available through September 30, 2001: Provided, That to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under the Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: Provided further, That the Secretary shall establish procedures regarding the disposition of intangible property which permits grant funds, or intangible assets acquired with funds authorized under section 680 of the Community Services Block Grant Act, as amended, to become the sole property of such grantees after a period of not more than 12 years after the end of the grant for purposes and uses consistent with the original grant: Provided further, That \$1,700,000,000 of the amount provided for making payments under the Head Start Act is hereby 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: Provided further, That such funds shall be available only if the President submits to the Congress one official budget request for \$1,700,000,000 that includes designation of the entire amount as an emergency requirement pursuant to such section.

In addition, \$101,000,000, to be derived from the Violent Crime Reduction Trust Fund for carrying out sections 40155, 40211, and 40241 of Public Law 103-322.

Funds appropriated for fiscal year 2000 under section 429A(e), part B of title IV of the Social Security Act shall be reduced by \$6,000,000.

Funds appropriated for fiscal year 2000 under section 413(h)(1) of the Social Security Act shall be reduced by \$15,000,000.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out section 430 of the Social Security Act, \$295,000,000.

PAYMENTS TO STATES FOR FOSTER CARE AND
ADOPTION ASSISTANCE

For making payments to States or other non-Federal entities under title IV-E of the Social Security Act, \$4,307,300,000 of which \$105,000,000 shall be for making payments under sections 470 and 477 of title IV-E of the Social Security Act; For making payments to States or other non-Federal entities under title IV-E of the Social Security Act, for the first quarter of fiscal year 2001, \$1,538,000,000.

ADMINISTRATION ON AGING
AGING SERVICES PROGRAMS

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965, as amended, and section 398 of the Public Health Service Act, \$934,285,000: Provided, That notwithstanding section 308(b)(1) of the Older Americans Act of 1965, as amended, the amounts available to each State for administration of the State plan under title III of such Act shall be reduced not more than 5 percent below the amount that was available to such State for such purpose for fiscal year 1995: Provided further, That in considering grant applications for nutrition services for elder Indian recipients, the Assistant Secretary shall provide maximum flexibility to applicants who seek to take into account subsistence, local customs, and other characteristics that are appropriate to the unique cultural, regional, and geographic needs of the American Indian, Alaska and Hawaiian Native communities to be served.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six sedans, and for carrying out titles III, XVII, and XX of the Public Health Service Act, and the United States-Mexico Border Health Commission Act, \$227,051,000, of which \$20,000,000 shall become available on October 1, 2000, and shall remain available until September 30, 2001, together with \$5,851,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund: Provided, That \$450,000 shall be for a contract with the National Academy of Sciences to conduct a study of the proposed tuberculosis standard promulgated by the Occupational Safety and Health Administration: Provided further, That said contract shall be awarded not later than 60 days after the enactment of this Act: Provided further, That said study shall be submitted to the Congress not later than 12 months after award of the contract: Provided further, That of the funds made available under this heading for carrying out title XX of the Public Health Service Act, \$10,569,000 shall be for activities specified under section 2003(b)(2), of which \$9,131,000 shall be for prevention service demonstration grants under section 510(b)(2) of title V of the Social Security Act, as amended, without application of the limitation of section 2010(c) of said title XX: Provided further, That \$500,000 shall be available to the Office of the Surgeon General, within the Office of Public Health and Science, to prepare and disseminate the findings of the Surgeon General's report on youth violence, and to coordinate activities across the Department of Health and Human Services: Provided further, That the Secretary may transfer a portion of such funds to other Federal entities for youth violence prevention coordination activities: Provided further, That \$2,000,000 shall be available to the Lawton Chiles Foundation.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$31,500,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, \$18,838,000, together with not to exceed

\$3,314,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

POLICY RESEARCH

For carrying out, to the extent not otherwise provided, research studies under section 1110 of the Social Security Act, \$17,000,000.

RETIREMENT PAY AND MEDICAL BENEFITS FOR
COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, for medical care of dependents and retired personnel under the Dependents' Medical Care Act (10 U.S.C. ch. 55), and for payments pursuant to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY
FUND

For expenses necessary to support activities related to countering potential biological, disease and chemical threats to civilian populations, \$214,600,000: Provided, That this amount is distributed as follows: Centers for Disease Control and Prevention, \$155,000,000, of which \$30,000,000 shall be for the Health Alert Network, \$1,000,000 shall be for the Carnegie Mellon Research Institute, \$1,000,000 shall be for the St. Louis University School of Public Health, \$1,000,000 shall be for the University of Texas Medical Branch at Galveston, \$1,000,000 shall be for the Noble Army Hospital of Alabama bioterrorism program and \$1,000,000 shall be for the Johns Hopkins University Center for Civilian Biodefense; Office of the Secretary, \$30,000,000, Agency for Health Care Policy and Research, \$5,000,000, and Office of Emergency Preparedness, \$24,600,000. In addition, for expenses necessary for the portion of the Global Health Initiative conducted by the Centers for Disease Control and Prevention, \$69,000,000: Provided further, That this amount is distributed as follows: \$35,000,000 shall be for international HIV/AIDS programs, \$9,000,000 shall be for malaria programs, \$5,000,000 shall be for global micronutrient malnutrition programs and \$20,000,000 shall be for carrying out polio eradication activities. In addition, \$150,000,000 for carrying out the Department's Year 2000 computer conversion activities, \$5,000,000 for the environmental health laboratory at the Centers for Disease Control and Prevention, \$50,000,000 for minority AIDS prevention and treatment activities, \$20,000,000 for the National Institutes of Health challenge grant program, and \$75,000,000 to support the Ricky Ray Hemophilia Relief Fund Act of 1998: Provided further, That notwithstanding any other provision of law, up to \$10,000,000 of the amount provided for the Ricky Ray Hemophilia Relief Fund Act may be available for administrative expenses: Provided further, That the entire amount under this heading is hereby designated by the Congress to be emergency requirements pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That the entire amount under this heading shall be made available only after submission to the Congress of a formal budget request by the President 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: Provided further, That no funds shall be obligated until the Department of Health and Human Services submits an operating plan to the House and Senate Committees on Appropriations.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed \$37,000 for official

reception and representation expenses when specifically approved by the Secretary.

SEC. 202. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 203. None of the funds appropriated under this Act may be used to implement section 399L(b) of the Public Health Service Act or section 1503 of the National Institutes of Health Revitalization Act of 1993, Public Law 103-43.

SEC. 204. None of the funds appropriated in this Act for the National Institutes of Health and the Substance Abuse and Mental Health Services Administration shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II.

SEC. 205. None of the funds appropriated in this Act may be expended pursuant to section 241 of the Public Health Service Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in the Department of Health and Human Services, prior to the Secretary's preparation and submission of a report to the Committee on Appropriations of the Senate and of the House detailing the planned uses of such funds.

(TRANSFER OF FUNDS)

SEC. 206. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the current fiscal year for the Department of Health and Human Services in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 207. The Director of the National Institutes of Health, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes, centers, and divisions from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: Provided, That the Congress is promptly notified of the transfer.

SEC. 208. Of the amounts made available in this Act for the National Institutes of Health, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of the National Institutes of Health and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the Public Health Service Act.

SEC. 209. None of the funds appropriated in this Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 210. The final rule entitled "Organ Procurement and Transplantation Network", promulgated by the Secretary of Health and Human Services on April 2, 1998 (63 Fed. Reg. 16295 et seq.) (relating to part 121 of title 42, Code of Federal Regulations), together with the amendments to such rules promulgated on October 20, 1999 (64 Fed. Reg. 56649 et seq.) shall not become effective before the expiration of the 42 day period beginning on the date of the enactment of this Act.

SEC. 211. None of the funds appropriated by this Act (including funds appropriated to any

trust fund) may be used to carry out the Medicare+Choice program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: Provided, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): Provided further, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare+Choice organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 212. (a) MENTAL HEALTH.—Section 1918(b) of the Public Health Service Act (42 U.S.C. 300x-7(b)) is amended to read as follows:

"(b) MINIMUM ALLOTMENTS FOR STATES.—With respect to fiscal year 2000, the amount of the allotment of a State under section 1911 shall not be less than the amount the State received under section 1911 for fiscal year 1998."

(b) SUBSTANCE ABUSE.—Section 1933(b) of the Public Health Service Act (42 U.S.C. 300x-33(b)) is amended to read as follows:

"(b) MINIMUM ALLOTMENTS FOR STATES.—Each State's allotment for fiscal year 2000 for programs under this subpart shall be equal to such State's allotment for such programs for fiscal year 1999, except that, if the amount appropriated in fiscal year 2000 is less than the amount appropriated in fiscal year 1999, then the amount of a State's allotment under section 1921 shall be equal to the amount that the State received under section 1921 in fiscal year 1999 decreased by the percentage by which the amount appropriated for fiscal year 2000 is less than the amount appropriated for such section for fiscal year 1999."

SEC. 213. Notwithstanding any other provision of law, no provider of services under title X of the Public Health Service Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 214. EXTENSION OF CERTAIN ADJUDICATION PROVISIONS.—The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking "1997, 1998, and 1999" and inserting "1997, 1998, 1999, and 2000"; and

(B) in subsection (e), by striking "October 1, 1999" each place it appears and inserting "October 1, 2000"; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking "September 30, 1999" and inserting "September 30, 2000".

SEC. 215. None of the funds provided in this Act or in any other Act making appropriations for fiscal year 2000 may be used to administer or implement in Arizona or in the Kansas City, Missouri or in the Kansas City, Kansas area the Medicare Competitive Pricing Demonstration Project (operated by the Secretary of Health and Human Services under authority granted in section 4011 of the Balanced Budget Act of 1997 (Public Law 105-33)).

SEC. 216. Of the funds appropriated for the National Institutes of Health for fiscal year 2000, \$3,000,000,000 shall not be available for obligation until September 29, 2000. Of the funds appropriated for the Health Resources and Services Administration for fiscal year 2000, \$450,000,000 shall not be available for obligation until September 29, 2000. Of the funds appropriated for the Centers for Disease Control and Prevention for fiscal year 2000, \$500,000,000 shall not be available for obligation until September 29, 2000. Of the funds appropriated for the Children and Families Services Programs for fiscal

year 2000, \$400,000,000 shall not be available for obligation until September 29, 2000. Of the funds appropriated for the Social Services Block Grant for fiscal year 2000, \$425,000,000 shall not be available for obligation until September 29, 2000. Of the funds appropriated for the Substance Abuse and Mental Health Services Administration for fiscal year 2000, \$200,000,000 shall not be available for obligation until September 29, 2000. Such funds delayed by this section shall be available for obligation until October 15, 2000.

SEC. 217. STUDY AND REPORT ON THE GEOGRAPHIC ADJUSTMENT FACTORS UNDER THE MEDICARE PROGRAM. (a) STUDY.—The Secretary of Health and Human Services shall conduct a study on—

(1) the reasons why, and the appropriateness of the fact that, the geographic adjustment factor (determined under paragraph (2) of section 1848(e) (42 U.S.C. 1395w-4(e)) used in determining the amount of payment for physicians' services under the Medicare program is less for physicians' services provided in New Mexico than for physicians' services provided in Arizona, Colorado, and Texas; and

(2) the effect that the level of the geographic cost-of-practice adjustment factor (determined under paragraph (3) of such section) has on the recruitment and retention of physicians in small rural States, including New Mexico, Iowa, Louisiana, and Arkansas.

(b) REPORT.—Not later than 3 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit a report to Congress on the study conducted under subsection (a), together with any recommendations for legislation that the Secretary determines to be appropriate as a result of such study.

SEC. 218. WITHHOLDING OF SUBSTANCE ABUSE FUNDS. (a) IN GENERAL.—None of the funds appropriated by this Act may be used to withhold substance abuse funding from a State pursuant to section 1926 of the Public Health Service Act (42 U.S.C. 300x-26) if such State certifies to the Secretary of Health and Human Services that the State will commit additional State funds, in accordance with subsection (b), to ensure compliance with State laws prohibiting the sale of tobacco products to individuals under 18 years of age.

(b) AMOUNT OF STATE FUNDS.—The amount of funds to be committed by a State under subsection (a) shall be equal to 1 percent of such State's substance abuse block grant allocation for each percentage point by which the State misses the retailer compliance rate goal established by the Secretary of Health and Human Services under section 1926 of such Act, except that the Secretary may agree to a smaller commitment of additional funds by the State.

(c) SUPPLEMENT NOT SUPPLANT.—Amounts expended by a State pursuant to a certification under subsection (a) shall be used to supplement and not supplant State funds used for tobacco prevention programs and for compliance activities described in such subsection in the fiscal year preceding the fiscal year to which this section applies.

(d) ENFORCEMENT OF STATE EXPENDITURE.—The Secretary shall exercise discretion in enforcing the timing of the State expenditure required by the certification described in subsection (a) as late as July 31, 2000.

SEC. 219. None of the funds made available under this title may be used to carry out the transmittal of August 13, 1997 (relating to self-administered drugs) of the Deputy Director of the Division of Acute Care of the Health Care Financing Administration to regional offices of such Administration or to promulgate any regulation or other transmittal or policy directive that has the effect of imposing (or clarifying the imposition of) a restriction on the coverage of injectable drugs under section 1861(s)(2) of the Social Security Act beyond the restrictions applied before the date of such transmittal.

SEC. 220. In accordance with section 1557 of title 31, United States Code, funds obligated and

awarded in fiscal years 1994 and 1995 under the heading "National Cancer Institute" for the Cancer Therapy and Research Center in San Antonio, Texas, grant numbers 1 C06 CA58690-01 and 3 C06 CA58690-01S1, shall be exempt from subchapter IV of chapter 15 of such title and the obligated unexpended dollars shall remain available to the grantee for expenditure without fiscal year limitation to fulfill the purpose of the award.

SEC. 221. Not later than January 15, 2000, the Secretary of Health and Human Services shall transfer \$20,000,000 from the appropriation in this Act for "National Institutes of Health—National Institute of Allergy and Infectious Diseases" to the appropriation in this Act for "Centers for Disease Control and Prevention—Disease Control, Research, and Training".

This title may be cited as the "Department of Health and Human Services Appropriations Act, 2000".

TITLE III—DEPARTMENT OF EDUCATION EDUCATION REFORM

For carrying out activities authorized by titles III and IV of the Goals 2000: Educate America Act, the School-to-Work Opportunities Act, and sections 3122, 3132, 3136, and 3141, parts B, C, and D of title III, and part I of title X of the Elementary and Secondary Education Act of 1965, \$1,768,370,000, of which \$456,500,000 for the Goals 2000: Educate America Act and \$55,000,000 for the School-to-Work Opportunities Act shall become available on July 1, 2000 and remain available through September 30, 2001, and of which \$109,500,000 shall be for section 3122: Provided, That none of the funds appropriated under this heading shall be obligated or expended to carry out section 304(a)(2)(A) of the Goals 2000: Educate America Act, except that no more than \$1,500,000 may be used to carry out activities under section 314(a)(2) of that Act: Provided further, That section 315(a)(2) of the Goals 2000: Educate America Act shall not apply: Provided further, That up to one-half of 1 percent of the amount available under section 3132 shall be set aside for the outlying areas, to be distributed on the basis of their relative need as determined by the Secretary in accordance with the purposes of the program: Provided further, That if any State educational agency does not apply for a grant under section 3132, that State's allotment under section 3131 shall be reserved by the Secretary for grants to local educational agencies in that State that apply directly to the Secretary according to the terms and conditions published by the Secretary in the Federal Register: Provided further, That of the funds made available to carry out section 3136 and notwithstanding any other provision of law, \$500,000 shall be awarded to the Houston Independent School District for technology infrastructure, \$8,000,000 shall be awarded to the I CAN LEARN program, \$3,000,000 shall be awarded to the Linking Education Technology and Educational Reform (LINKS) project for educational technology, \$1,000,000 shall be awarded to the Center for Advanced Research and Technology (CART) for comprehensive secondary education reform, \$250,000 shall be awarded to the Vaughn Reno Starks Community Center in Elizabethtown, Kentucky for a technology program, \$125,000 shall be awarded to the Wyandanch Compel Youth Academy Educational Assistance Program in New York, \$3,000,000 shall be awarded to Hi-Technology High School in San Bernardino County, California for technology enhancement, \$300,000 shall be awarded to the Long Island 21st Century Technology and E-Commerce Alliance, \$800,000 shall be awarded to Montana State University-Billings for a distance learning initiative, \$2,000,000 for the Tupelo School District in Tupelo, Mississippi for technology innovation in education, \$900,000 for the University of Alaska at Anchorage for distance learning education, \$1,000,000 shall be awarded to the Seton Hill College in Greensburg, Pennsylvania for a

model education technology training program, \$500,000 shall be awarded to the University of Alaska-Fairbanks, in Fairbanks, Alaska for a teacher technology training program, \$200,000 shall be awarded to the Alaska Department of Education for the Alaska State Distance Education Technology Consortium, \$1,000,000 shall be awarded to the North East Vocational Area Cooperative in Washington State for a multi-district technology education center, \$400,000 shall be awarded to the University of Vermont for the Vermont Learning Gateway Program, \$2,500,000 shall be awarded to the State University of New Jersey for the RUNet 2000 project at Rutgers for an integrated voice-video-data network to link students, faculty and administration via a high-speed, broad band fiber optic network, \$500,000 shall be awarded to the Iowa Area Education Agency 13 for a public/private partnership to demonstrate the effective use of technology in grades 1-3, \$235,000 shall be for the Louisville Deaf Oral School for technology enhancements: Provided further, That in the State of Alabama \$50,000 shall be awarded to the Bibb County Board of Education for technology enhancements, \$50,000 shall be awarded to the Calhoun County Board of Education for technology enhancements, \$50,000 shall be awarded to the Chambers County Board of Education for technology enhancements, \$50,000 shall be awarded to the Chilton County Board of Education for technology enhancements, \$50,000 shall be awarded to the Clay County Board of Education for technology enhancements, \$50,000 shall be awarded to the Cleburne County Board of Education for technology enhancements, \$50,000 shall be awarded to the Coosa County Board of Education for technology enhancements, \$50,000 shall be awarded to the Lee County Board of Education for technology enhancements, \$50,000 shall be awarded to the Macon County Board of Education for technology enhancements, \$50,000 shall be awarded to the St. Clair County Board of Education for technology enhancements, \$50,000 shall be awarded to the Talladega County Board of Education for technology enhancements, \$50,000 shall be awarded to the Tallapoosa County Board of Education for technology enhancements, \$50,000 shall be awarded to the Randolph County Board of Education for technology enhancements, \$50,000 shall be awarded to the Russell County Board of Education for technology enhancements, \$50,000 shall be awarded to the Alexander City Board of Education for technology enhancements, \$50,000 shall be awarded to the Anniston City Board of Education for technology enhancements, \$50,000 shall be awarded to the Lanett City Board of Education for technology enhancements, \$50,000 shall be awarded to the Pell City Board of Education for technology enhancements, \$50,000 shall be awarded to the Roanoke City Board of Education for technology enhancements, \$50,000 shall be awarded to the Talledega City Board of Education for technology enhancements, \$500,000 shall be to continue a state-of-the-art information technology system at Mansfield University, Mansfield, Pennsylvania, \$250,000 shall be awarded to the Chicago Public School Science and Technology Academy to establish a curriculum of math, science and technology, \$500,000 shall be awarded to Prairie Hills, Illinois Elementary School District 144 for a public/private teacher technology training program, \$1,000,000 shall be awarded to Adelphi University in New York for the Information Commons project, \$250,000 shall be awarded to the Oakland School District in California to support a distance education initiative, \$800,000 shall be awarded to the Kennedy Krieger Career and Technology Center in Maryland for a distance learning project, \$1,000,000 shall be awarded to Augsburg College and Twin Cities Public Television to demonstrate interactive technology to assist teachers and parents in effectively using emerging innovations in education, \$100,000 shall be awarded to the Santa Barbara Industry

Education Council in California to provide technology education to area students and teachers, \$200,000 shall be awarded to the Nebraska Community College for technology training, and \$250,000 shall be awarded to the Providence Public School System, in partnership with the Metropolitan Regional Career and Technical Center, for Project Family Net to provide computer technology training to children and their parents: Provided further, That of the funds made available to carry out title III, part B of the Elementary and Secondary Education Act of 1965 and notwithstanding any other provision of law, \$750,000 shall be awarded to the Technology Literacy Center at the Museum of Science and Industry, Chicago, \$1,000,000 shall be awarded to an on-line math and science training program at Oklahoma State University, \$4,000,000 shall be awarded to continue and expand the Iowa Communications Network statewide fiber optic demonstration project, and \$250,000 shall be awarded to the WinstonNet distance learning project in Winston Salem, North Carolina: Provided further, That of the funds made available for title X, part I of the Elementary and Secondary Education Act of 1965 and notwithstanding any other provision of law, \$6,000 shall be awarded to the Study Partners Program, Inc., in Louisville, Kentucky, \$12,000 shall be awarded to the Shawnee Gardens Tenants Association Inc., in Louisville, Kentucky for a tutorial program, \$12,000 shall be awarded to the 100 Black Men of Louisville, Kentucky for a mentoring and leadership training program, \$500,000 shall be awarded to the Omaha, Nebraska Public Schools for the OPS 21st Century Learning Grant, \$25,000 shall be for the Plymouth Renewal Center in Kentucky for a tutoring program, \$25,000 shall be for the Canaan Community Development Corporation's Village Learning Center Program, \$25,000 shall be for the St. Stephen Life Center After School Program, \$25,000 shall be for the Louisville Central Community Centers Youth Education Program, \$15,000 shall be for the Trinity Family Life Center tutoring program, \$15,000 shall be for the New Zion Community Development Foundation, Inc., after school mentoring program, \$20,000 shall be for the St. Joseph Catholic Orphan Society program for abused and neglected children, \$25,000 shall be for the Portland Neighborhood House after school program, \$25,000 shall be for the St. Anthony Community Outreach Center, Inc., for the Education PAYs program, \$250,000 shall be awarded to the Harvey Public School District 152 in Chicago, Illinois for the "Project CAFE" after-school program, \$200,000 shall be awarded to the St. Clair County, Michigan Intermediate School District for after-school programs, \$400,000 shall be awarded to the Macomb County, Michigan Intermediate School District for after-school programs, \$200,000 shall be awarded to the Danbury Public School System in Connecticut for an ESCAPE Arts after-school program, \$50,000 shall be awarded to the Tuckahoe School District for an after-school program in Eastchester, New York, \$100,000 shall be awarded to Innovative Directions, an Educational Alliance (IDEA), based at the City Island School (P.S. 175) in the Bronx, New York City, New York, \$250,000 shall be awarded to the New York Hall of Science in Queens, New York for after-school education programs, \$60,000 shall be awarded to the Mamaroneck School District in Mamaroneck, New York for expansion of an after-school program, \$250,000 shall be awarded to the White Plains School District for an after-school program in White Plains, New York, \$200,000 shall be awarded to the New Rochelle School District for an after-school program in New Rochelle, New York, \$250,000 shall be awarded to the Community School District 30 in Queens, New York for the expansion of after-school activities, \$500,000 shall be awarded to the Jefferson Elementary School for a joint after-school program with the Madison Elementary School in Stevens Point, Wisconsin, \$400,000 shall be awarded to the School District

of Superior in Wisconsin for an after-school center, \$100,000 shall be awarded to the Independence School District in Kansas City, Missouri for an after-school program, and \$500,000 shall be awarded to the Clark County School District in Nevada for an after-school program.

EDUCATION FOR THE DISADVANTAGED

For carrying out title I of the Elementary and Secondary Education Act of 1965, and section 418A of the Higher Education Act of 1965, \$8,700,986,000, of which \$2,461,823,000 shall become available on July 1, 2000, and shall remain available through September 30, 2001, and of which \$6,204,763,000 shall become available on October 1, 2000 and shall remain available through September 30, 2001, for academic year 2000-2001: Provided, That \$6,783,000,000 shall be available for basic grants under section 1124: Provided further, That \$134,000,000 shall be allocated among the States in the same proportion as funds are allocated among the States under section 1122, to carry out section 1116(c): Provided further, That 100 percent of these funds shall be allocated by States to local educational agencies for the purposes of carrying out section 1116(c) and that local educational agencies shall provide all students enrolled in a school identified under section 1116(c) with the option to transfer to another public school within the local educational agency, including a public charter school, that has not been identified for school improvement under section 1116(c): Provided further, That if the local educational agency demonstrates to the satisfaction of the State educational agency that the local educational agency lacks the capacity to provide all students with the option to transfer to another public school, and after giving notice to the parents of children affected that it is not possible, consistent with state and local law, to accommodate the transfer request of every student, the local educational agency shall permit as many students as possible (who shall be selected by the local educational agency on an equitable basis) to transfer to a public school that has not been identified for school improvement under section 1116(c): Provided further, That up to \$3,500,000 of these funds shall be available to the Secretary on October 1, 1999, to obtain updated local-educational-agency-level census poverty data from the Bureau of the Census: Provided further, That \$1,158,397,000 shall be available for concentration grants under section 1124A: Provided further, That \$8,900,000 shall be available for evaluations under section 1501 and not more than \$8,500,000 shall be reserved for section 1308, of which not more than \$3,000,000 shall be reserved for section 1308(d): Provided further, That grant awards under sections 1124 and 1124A of title I of the Elementary and Secondary Education Act of 1965 shall be made to each State and local educational agency at no less than 100 percent of the amount such State or local educational agency received under this authority for fiscal year 1999: Provided further, That notwithstanding any other provision of law, grant awards under section 1124A of title I of the Elementary and Secondary Education Act of 1965 shall be made to those local educational agencies that received a Concentration Grant under the Department of Education Appropriations Act, 1998, but are not eligible to receive such a grant for fiscal year 2000: Provided further, That each such local educational agency shall receive an amount equal to the Concentration Grant the agency received in fiscal year 1998, ratably reduced, if necessary, to ensure that these local educational agencies receive no greater share of their hold-harmless amounts than other local educational agencies: Provided further, That the Secretary shall not take into account the hold harmless provisions in this section in determining State allocations under any other program administered by the Secretary in any fiscal year: Provided further, That \$170,000,000 shall be available under section 1002(g)(2) to demonstrate effective approaches to

comprehensive school reform to be allocated and expended in accordance with the instructions relating to this activity in the statement of the managers on the conference report accompanying Public Law 105-78 and in the statement of the managers on the conference report accompanying Public Law 105-277: Provided further, That in carrying out this initiative, the Secretary and the States shall support only approaches that show the most promise of enabling children served by title I to meet challenging State content standards and challenging State student performance standards based on reliable research and effective practices, and include an emphasis on basic academics and parental involvement.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VIII of the Elementary and Secondary Education Act of 1965, \$910,500,000, of which \$737,200,000 shall be for basic support payments under section 8003(b), \$50,000,000 shall be for payments for children with disabilities under section 8003(d), \$76,000,000, to remain available until expended, shall be for payments under section 8003(f), \$10,300,000 shall be for construction under section 8007, \$32,000,000 shall be for Federal property payments under section 8002 and \$5,000,000 to remain available until expended shall be for facilities maintenance under section 8008: Provided, That of the funds available for section 8007 and notwithstanding any other provision of law, \$500,000 shall be awarded to the Fort Sam Houston Independent School District, Texas, \$800,000 shall be awarded to the Hays Lodgepole School District, Montana, and \$2,000,000 shall be awarded to the North Chicago Community Unit SD 187: Provided further, That these funds shall remain available until expended: Provided further, That the Secretary of Education shall treat as timely filed, and shall process for payment, an application for a fiscal year 1999 payment from the local educational agency for Brookeland, Texas under section 8002 of the Elementary and Secondary Education Act of 1965 if the Secretary has received that application not later than 30 days after the enactment of this Act: Provided further, That section 8002(f) of the Elementary and Secondary Education Act of 1965 is amended by adding a new paragraph "(3)" at the end to read as follows:

"(3) For each fiscal year beginning with fiscal year 2000, the Secretary shall treat the Central Union, California; Island, California; Hill City, South Dakota; and Wall, South Dakota local educational agencies as meeting the eligibility requirements of subsection (a)(1)(C) of this section."

Provided further, That the Secretary of Education shall consider all payments received by the educational agency for Hatboro-Horsham and Delaware Valley, Pennsylvania for fiscal year 1995 under section 8002(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(a)), and all payments under section 8002(h)(2)(A) for subsequent years through fiscal year 1999, to be correct: Provided further, That section 8002(f) of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof a new paragraph (4) to read as follows:

"(4) For the purposes of payments under this section for each fiscal year beginning with fiscal year 2000, the Secretary shall treat the Hot Springs, South Dakota local educational agency as if it had filed a timely application under section 8002 of the Elementary and Secondary Education Act of 1965 for fiscal year 1994 if the Secretary has received the fiscal year 1994 application, as well as Exhibits A and B not later than December 1, 1999."

Provided further, That section 8002(f) of the Elementary and Secondary Education Act of 1965 is amended by adding at the end thereof a new paragraph (5) to read as follows:

"(5) For purposes of payments under this section for each fiscal year beginning with fiscal year 2000, the Secretary shall treat the Hue-neme, California local educational agency as if it had filed a timely application under section 8002 of the Elementary and Secondary Education Act of 1965 if the Secretary has received the fiscal year 1995 application not later than December 1, 1999."

Provided further, That the Secretary of Education shall treat as timely filed, and shall process for payment, an application for a fiscal year 1998 payment from the local educational agency for Hydaburg, Alaska, under section 8003 of the Elementary and Secondary Education Act of 1965 if the Secretary has received that application not later than 30 days after the enactment of this Act: Provided further, That the Secretary of Education shall treat as timely, and process for payment, an application for fiscal years 1996 and 1997 payment from the local education agency for Fallbrook Unified High School District, California, under section 8002 of the Elementary and Secondary Education Act of 1965, if the Secretary has received that application not later than 30 days after the enactment of this Act: Provided further, That for the purpose of computing the amount of a payment for a local educational agency for children identified under section 8003 of the Elementary and Secondary Education Act of 1965, children residing in housing initially acquired or constructed under section 801 of the Military Construction Authorization Act of 1984 (Public Law 98-115) ("Build to Lease" program) shall be considered as children described under section 8003(a)(1)(B) if the property described is within the fenced security perimeter of the military facility upon which such housing is situated: Provided further, That if such property is not owned by the Federal Government, is subject to taxation by a State or political subdivision of a State, and thereby generates revenues for a local educational agency which received a payment from the Secretary under section 8003, the Secretary shall: (1) require such local educational agency to provide certification from an appropriate official of the Department of Defense that such property is being used to provide military housing; and (2) reduce the amount of such payment by an amount equal to the amount of revenue from such taxation received in the second preceding fiscal year by such local educational agency, unless the amount of such revenue was taken into account by the State for such second preceding fiscal year and already resulted in a reduction in the amount of State aid paid to such local educational agency.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by titles II, IV, V-A and B, VI, IX, X, and XIII of the Elementary and Secondary Education Act of 1965 ("ESEA"); the Stewart B. McKinney Homeless Assistance Act; and the Civil Rights Act of 1964 and part B of title VIII of the Higher Education Act of 1965; \$3,026,884,000, of which \$975,300,000 shall become available on July 1, 2000, and remain available through September 30, 2001, and of which \$1,515,000,000 shall become available on October 1, 2000 and shall remain available through September 30, 2001 for academic year 2000-2001: Provided, That of the amount appropriated, \$335,000,000 shall be for Eisenhower professional development State grants under title II-B and \$1,680,000,000 shall be for title VI and up to \$750,000 shall be for an evaluation of comprehensive regional assistance centers under title XIII of ESEA: Provided further, That of the amount made available for title VI \$1,300,000,000 shall be available, notwithstanding any other provision of law, to carry out title VI of the Elementary and Secondary Education Act of 1965 in accordance with section 310 of this Act, in order to reduce class size, particularly in the early grades, using highly qualified teachers to improve educational

achievement for regular and special needs children.

READING EXCELLENCE

For necessary expenses to carry out the Reading Excellence Act, \$65,000,000, which shall become available on July 1, 2000 and shall remain available through September 30, 2001 and \$195,000,000 which shall become available on October 1, 2000 and remain available through September 30, 2001.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title IX, part A of the Elementary and Secondary Education Act of 1965, as amended, \$77,000,000.

BILINGUAL AND IMMIGRANT EDUCATION

For carrying out, to the extent not otherwise provided, bilingual, foreign language and immigrant education activities authorized by parts A and C and section 7203 of title VII of the Elementary and Secondary Education Act of 1965, without regard to section 7103(b), \$406,000,000: Provided, That State educational agencies may use all, or any part of, their part C allocation for competitive grants to local educational agencies.

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act, \$6,036,646,000, of which \$2,047,885,000 shall become available for obligation on July 1, 2000, and shall remain available through September 30, 2001, and of which \$3,742,000,000 shall become available on October 1, 2000 and shall remain available through September 30, 2001, for academic year 2000-2001: Provided, That \$1,500,000 shall be for the recipient of funds provided by Public Law 105-78 under section 687(b)(2)(G) of the Act to provide information on diagnosis, intervention, and teaching strategies for children with disabilities: Provided further, That \$1,500,000 shall be awarded to the Organizing Committee for the 2001 Special Olympics World Winter Games in Alaska and \$1,000,000 shall be awarded to the Salt Lake City Organizing Committee for the VIII Paralympic Winter Games: Provided further, That \$1,000,000 shall be for the Early Childhood Development Project of the National Easter Seal Society for the Mississippi Delta Region, which funds shall be used to provide training, technical support, services and equipment to address personnel and other needs: Provided further, That \$1,000,000 shall be awarded to the Center for Literacy and Assessment at the University of Southern Mississippi for research dissemination and teacher and parent training.

REHABILITATION SERVICES AND DISABILITY RESEARCH

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973, the Assistive Technology Act of 1998, and the Helen Keller National Center Act, \$2,707,522,000: Provided, That notwithstanding section 105(b)(1) of the Assistive Technology Act of 1998 ("the AT Act"), each State shall be provided \$50,000 for activities under section 102 of the AT Act: Provided further, That of the funds available for section 303 of the Rehabilitation Act of 1973 and notwithstanding any other provision of law, \$750,000 shall be awarded to the Krasnow Institute at George Mason University for a Receptive Language Disorders research center, \$1,000,000 shall be awarded to the University of Central Florida for a virtual reality-based education and training program for the deaf, \$2,000,000 shall be awarded to the Seattle Lighthouse for the Blind for interpreter, orientation, mobility, and education services for deaf, blind and other visually impaired adults, \$1,000,000 shall be awarded to the Professional Development and Research Institute on Blindness in Louisiana for the training of professionals in the field of education and rehabilitation of blind adults and children, \$600,000 shall be awarded to the Alaska Center for Independent Living in Anchorage, Alaska to develop capacity to implement a self-

directed model for personal assistance services, including training of self-employed personal assistants and their clients, and \$250,000 shall be awarded to the Center for Discovery International Family Institute in Sullivan County, New York to provide educational opportunities and support to individuals with severe mental and physical disabilities: Provided further, That of the funds available for section 305 of the Rehabilitation Act of 1973 and notwithstanding any other provision of law, \$1,000,000 shall be awarded to the California State University at Northridge for a Western Center for Adaptive Therapy: Provided further, That of the funds available for title II of the Rehabilitation Act of 1973 and notwithstanding any other provision of law, \$500,000 shall be awarded to the Albert Einstein Medical Center healthcare network in Philadelphia for research on post polio syndrome.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act of March 3, 1879, as amended (20 U.S.C. 101 et seq.), \$10,100,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$48,151,000, of which \$2,651,000 shall be for construction and shall remain available until expended: Provided, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.), \$85,980,000, of which \$2,500,000 shall be for construction and shall remain available until expended: Provided, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207.

VOCATIONAL AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Vocational and Technical Education Act, the Adult Education and Family Literacy Act, and title VIII-D of the Higher Education Act of 1965, as amended, and Public Law 102-73, \$1,681,750,000, of which \$3,500,000 shall remain available until expended, and of which \$858,150,000 shall become available on July 1, 2000 and shall remain available through September 30, 2001 and of which \$791,000,000 shall become available on October 1, 2000 and shall remain available through September 30, 2001: Provided, That of the amounts made available for the Carl D. Perkins Vocational and Technical Education Act, \$4,600,000 shall be for tribally controlled vocational institutions under section 117: Provided further, That of the \$450,000,000 for Adult Education State Grants, 30 percent of the amount exceeding the amount appropriated in fiscal year 1999 shall be made available for integrated English literacy and civics education services to immigrants and other limited English proficient populations: Provided further, That of the amount reserved for integrated English literacy and civics education, half shall be allocated to the States with the largest absolute need for such services and half shall be allocated to the States with the largest recent growth in need for such services, based on the best available data, notwithstanding section 211 of the Adult Education and Family Literacy Act: Provided further, That \$9,000,000 shall be for carrying out section 118 of such Act for all activities conducted by and through the National Occupational Information Coordinating Committee: Provided further, That of the amounts made available for the Adult Education and Family Literacy Act,

\$14,000,000 shall be for national leadership activities under section 243 and \$6,000,000 shall be for the National Institute for Literacy under section 242: Provided further, That \$19,000,000 shall be for Youth Offender Grants, of which \$5,000,000, which shall become available on July 1, 2000, and remain available through September 30, 2001, shall be used in accordance with section 601 of Public Law 102-73 as that section was in effect prior to the enactment of Public Law 105-220.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3 and 4 of part A, part C and part E of title IV of the Higher Education Act of 1965, as amended, \$9,435,000,000, which shall remain available through September 30, 2001.

The maximum Pell Grant for which a student shall be eligible during award year 2000-2001 shall be \$3,300: Provided, That notwithstanding section 401(g) of the Act, if the Secretary determines, prior to publication of the payment schedule for such award year, that the amount included within this appropriation for Pell Grant awards in such award year, and any funds available from the fiscal year 1999 appropriation for Pell Grant awards, are insufficient to satisfy fully all such awards for which students are eligible, as calculated under section 401(b) of the Act, the amount paid for each such award shall be reduced by either a fixed or variable percentage, or by a fixed dollar amount, as determined in accordance with a schedule of reductions established by the Secretary for this purpose.

For an additional amount for "STUDENT FINANCIAL ASSISTANCE" for payment of allocations to institutions of higher education for Federal Supplemental Educational Opportunity Grants for award years 1999-2000 and 2000-2001, made under title IV, part A, subpart 3, of the Higher Education Act of 1965, as amended, \$10,000,000: Provided, That notwithstanding any other provision of law, the Secretary of Education may waive or modify any statutory or regulatory provision applicable to the Federal Supplemental Educational Opportunity Grant program and the determination of need for such grants, that the Secretary deems necessary to assist individuals who suffered financial harm resulting from the hurricanes, and the flooding associated with the hurricanes, that struck the eastern United States in August and September 1999, and who, at the time of the disaster were residing, attending an institution of higher education, or employed within an area affected by such a disaster on the date which the President declared the existence of a major disaster (or, in the case of an individual who is a dependent student, whose parent or stepparent suffered financial harm from such disaster, and who resided, or was employed in such an area at that time): Provided further, That notwithstanding section 437 of the General Education Provisions Act (20 U.S.C. 1232) and section 553 of title 5, United States Code, the Secretary shall, by notice in the Federal Register, exercise this authority, through publication of waivers or modifications of statutory and regulatory provisions, as the Secretary deems necessary to assist such individuals: Provided further, That notwithstanding section 413D of the Higher Education Act of 1965, allocations from such additional amount shall not be taken into account in determining institutional allocations under such section in future years: Provided further, That the entire amount made available under this paragraph is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and that the entire amount shall be available only to the extent an official budget request for the entire amount, that includes designation of the entire amount as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress.

FEDERAL FAMILY EDUCATION LOAN PROGRAM COLLEGE HOUSING AND ACADEMIC FACILITIES
ACCOUNT LOANS PROGRAM

For Federal administrative expenses to carry out guaranteed student loans authorized by title IV, part B, of the Higher Education Act of 1965, as amended, \$48,000,000.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, section 121 and titles II, III, IV, V, VI, VII, and VIII of the Higher Education Act of 1965, as amended, and the Mutual Educational and Cultural Exchange Act of 1961; \$1,533,659,000, of which \$12,000,000 for interest subsidies authorized by section 121 of the Higher Education Act of 1965, shall remain available until expended: Provided, That of the funds available for part A, subpart 2 of title VII of the Higher Education Act of 1965, \$10,000,000 shall be available to fund awards for academic year 2000-2001, and \$10,000,000 to remain available through September 30, 2001, shall be available to fund awards for academic year 2001-2002, for fellowships under part A, subpart 1 of title VII of said Act, under the terms and conditions of part A, subpart 1: Provided further, That section 852(b)(1) of the Higher Education Amendments of 1998 is amended—

(1) in the matter preceding subparagraph (A), by striking "14" and inserting "16";

(2) in subparagraph (E), by striking "and" after the semicolon;

(3) in subparagraph (F), by striking the period and inserting a semicolon; and

(4) by adding at the end the following:

"(G) one member shall be appointed by the Chairperson of the Committee on Health, Education, Labor, and Pensions of the Senate from among members of the Senate; and

"(H) one member shall be appointed by the Chairperson of the Committee on Education and the Workforce of the House of Representatives from among members of the House of Representatives."

Provided further, That the matter preceding paragraph (1) of section 853(b) of the Higher Education Amendments of 1998 is amended by striking "6 months" and inserting "12 months": Provided further, That the amounts provided under this heading in division A, section 101(f) of Public Law 105-277 for the Web-Based Education Commission, authorized by part J of title VIII of the Higher Education Amendments of 1998, shall remain available through September 30, 2000: Provided further, That \$3,000,000 is for data collection and evaluation activities for programs under the Higher Education Act of 1965, including such activities needed to comply with the Government Performance and Results Act of 1993: Provided further, That of the funds available for title IV, part A, subpart 8 of the Higher Education Act of 1965 and notwithstanding any other provision of law, \$3,000,000 shall be awarded to the University of South Florida for a distance learning program, \$190,000 shall be awarded to the New York Global Communication Center in West Islip, New York for a distance learning program, \$2,000,000 shall be awarded to the Alliance for Technology, Learning and Society (ATLAS) at the University of Colorado for technology-enhanced learning, \$2,500,000 shall be awarded to the Illinois Community College Board to develop a systemwide, on-line virtual degree program for the community college system in Illinois, and \$1,250,000 shall be made available to the University of Idaho Interactive Learning Environments to develop and improve Internet-based delivery of education programs.

HOWARD UNIVERSITY

For partial support of Howard University (20 U.S.C. 121 et seq.), \$219,444,000, of which not less than \$3,530,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act (Public Law 98-480) and shall remain available until expended.

For Federal administrative expenses authorized under section 121 of the Higher Education Act of 1965, \$737,000 to carry out activities related to existing facility loans entered into under the Higher Education Act of 1965.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY
CAPITAL FINANCING PROGRAM ACCOUNT

The total amount of bonds insured pursuant to section 344 of title III, part D of the Higher Education Act of 1965 shall not exceed \$357,000,000, and the cost, as defined in section 502 of the Congressional Budget Act of 1974, of such bonds shall not exceed zero.

For administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to title III, part D of the Higher Education Act of 1965, as amended, \$207,000.

EDUCATION RESEARCH, STATISTICS, AND
IMPROVEMENT

For carrying out activities authorized by the Educational Research, Development, Dissemination, and Improvement Act of 1994, including part E; the National Education Statistics Act of 1994, including sections 411 and 412; section 2102 of title II, and parts A, B, and K and section 10102, section 10105, and 10601 of title X, and part C of title XIII of the Elementary and Secondary Education Act of 1965, as amended, and title VI of Public Law 103-227, \$596,892,000: Provided, That \$50,000,000 shall be available to demonstrate effective approaches to comprehensive school reform, to be allocated and expended in accordance with the instructions relating to this activity in the statement of managers on the conference report accompanying Public Law 105-78 and in the statement of the managers on the conference report accompanying Public Law 105-277: Provided further, That the funds made available for comprehensive school reform shall become available on July 1, 2000, and remain available through September 30, 2001, and in carrying out this initiative, the Secretary and the States shall support only approaches that show the most promise of enabling children to meet challenging State content standards and challenging State student performance standards based on reliable research and effective practices, and include an emphasis on basic academics and parental involvement: Provided further, That \$30,000,000 of the funds provided for the national education research institutes shall be allocated notwithstanding section 912(m)(1)(B-F) and subparagraphs (B) and (C) of section 931(c)(2) of Public Law 103-227: Provided further, That of the funds appropriated under section 10601 of title X of the Elementary and Secondary Education Act of 1965, as amended, \$1,500,000 shall be used to conduct a violence prevention demonstration program: Provided further, That \$45,000,000 shall be available to support activities under section 10105 of Part A of Title X of the Elementary and Secondary Education Act of 1965, of which up to \$2,250,000 may be available for evaluation, technical assistance, and school networking activities: Provided further, That funds made available to local educational agencies under this section shall be used only for activities related to establishing smaller learning communities in high schools: Provided further, That funds made available for section 10105 of Part A of Title X of the Elementary and Secondary Education Act of 1965 shall become available on July 1, 2000 and remain available through September 30, 2001: Provided further, That of the funds available for part A of title X of the Elementary and Secondary Education Act of 1965, \$10,000,000 shall be awarded to the National Constitution Center, established by Public Law 100-433, for exhibition design, program planning and operation of the center, \$10,000,000 shall be provided to continue a demonstration of public school facilities to the Iowa Department of Education, \$1,000,000 shall be made available to the

New Mexico Department of Education for school performance improvement and drop-out prevention, \$300,000 shall be made available to Semos Unlimited, Inc., in New Mexico to support bilingual education and literacy programs, \$700,000 shall be awarded to Loyola University Chicago for recruitment and preparation of new teacher candidates for employment in rural and inner-city schools, \$500,000 shall be awarded to Shedd Aquarium/Brookfield Zoo for science education/exposure programs for local elementary school students, \$3,000,000 shall be awarded to Big Brothers/Big Sisters of America to expand school-based mentoring, \$2,500,000 shall be awarded to the Chicago Public School System to support a substance abuse pilot program in conjunction with Elgin and East Aurora School Systems, \$1,000,000 shall be awarded to the University of Virginia Center for Governmental Studies for the Youth Leadership Initiative, \$800,000 shall be awarded to the Institute for Student Achievement at Holmes Middle School and Annandale High School in Virginia for academic enrichment programs, \$100,000 shall be awarded to the Mountain Arts Center for educational programming, \$1,500,000 shall be awarded to the University of Louisville for research in the area of academic readiness, \$500,000 shall be awarded to the West Ed Regional Educational Laboratory for the 24 Challenge and Jumping Levels Math Demonstration Project, \$1,000,000 shall be awarded to Central Michigan University for a charter schools development and performance institute, \$950,000 shall be awarded to the Living Science Interactive Learning Model partnership in Indian River, Florida for a science education program, \$825,000 shall be awarded to the North Babylon Community Youth Services for an educational program, \$1,000,000 shall be awarded to the Los Angeles County Office of Education/Educational Telecommunications and Technology for a pilot program for teachers, \$650,000 shall be awarded to the University of Northern Iowa for an institute of technology for inclusive education, \$500,000 shall be awarded to Youth Crime Watch of America to expand a program to prevent crime, drugs and violence in schools, \$892,000 shall be awarded to Muhlenberg College in Pennsylvania for an environmental science program, \$560,000 shall be awarded to the Western Suffolk St. Johns-LaSalle Academy Science and Technology Mentoring Program, \$4,000,000 shall be awarded to the National Teaching Academy of Chicago for a model teacher recruitment, preparation and professional development program, \$2,000,000 shall be awarded to the University of West Florida for a teacher enhancement program, \$1,000,000 shall be awarded to Delta State University in Mississippi for innovative teacher training, \$1,000,000 shall be awarded to the Alaska Humanities Forum, Inc., in Anchorage, Alaska, \$250,000 shall be awarded to An Achievable Dream in Newport News, Virginia to improve academic performance of at-risk youths, \$250,000 shall be awarded to the Rock School of Ballet in Philadelphia, Pennsylvania, to expand its community-outreach programs for inner-city children and underprivileged youth in Camden, New Jersey and southern New Jersey, \$1,000,000 shall be awarded to the University of Maryland Center for Quality and Productivity to provide a link for the Blue Ribbon Schools, \$1,000,000 shall be awarded to the Continuing Education Center and Teachers' Institute in South Boston, Virginia to promote participation among youth in the United States democratic process, \$1,000,000 shall be for the National Museum of Women in the Arts to expand its "Discovering Art" program to elementary and secondary schools and other educational organizations, \$400,000 shall be awarded to the Alaska Department of Education's summer reading program, \$400,000 shall be awarded to the Partners in Education, Inc., to foster successful business-school partnerships, \$250,000 shall be for the Kodiak Island Borough

School District for development of an environmental education program, \$2,000,000 shall be for the Reach Out and Read Program to expand literacy and health awareness for at-risk families, \$1,000,000 shall be for the Virginia Living Museum in Newport News, Virginia for an educational program, \$450,000 shall be for the Challenger Learning Center in Hardin County, Kentucky for technology assistance and teacher training, \$250,000 shall be for the Crawford County School System in Georgia for technology and curriculum support, \$500,000 shall be for the Berrien County School System in Georgia for technology development, \$35,000 shall be for the Louisville Salvation Army Boys and Girls Club Diversion Enhancement Program, \$100,000 shall be awarded to the Philadelphia Orchestra's Philly Pops to operate the Jazz in the Schools program in the Philadelphia school district, \$500,000 for the Mississippi Delta Education for a teacher incentive program initiative, \$500,000 shall be for A Community of Agile Partners in Education and the Pennsylvania Telecommunications Exchange Network for a technology resource sharing initiative, \$500,000 shall be for enhanced teacher training in reading in the District of Columbia, \$100,000 shall be awarded to the Project 2000 D.C. mentoring project, and \$1,250,000 shall be awarded to Helen Keller World Wide to expand the ChildSight vision screening program and provide eyeglasses to additional children whose educational performance may be hindered by poor vision, \$750,000 shall be awarded to the Explornet Technology Learning Project in North Carolina, \$1,750,000 shall be awarded to the Connecticut Early Reading Success Institute to broaden the training of professionals in best practices in reading instruction, \$400,000 shall be awarded to the National Academy of Recording Artists and Sciences Foundation for the GRAMMY in the Schools program to provide music education to high school students, \$1,000,000 shall be awarded to the Rosa and Raymond Parks Institute for Self-Development for the Pathways to Freedom program for civil rights education for young people and for community learning centers, \$500,000 shall be awarded to the Milton S. Eisenhower Foundation to replicate and scientifically evaluate full-service community schools, \$500,000 shall be awarded to the Henry Abbott Technical High School in Danbury, Connecticut for workforce education and training activities, \$1,000,000 shall be awarded to the Educational Performance Foundation, CPI music education program called "From the Top", \$250,000 shall be awarded to the Mount Vernon School District in Mount Vernon, New York for the Institute of Student Achievement program, \$2,000,000 shall be awarded to the National Council of La Raza for a project to improve educational outcomes and opportunities for Hispanic children, \$250,000 shall be awarded to the Oakland Unified School District in California for an African American Literacy and Culture Project, \$300,000 shall be awarded to the Vasona Center Youth Science Institute, \$750,000 shall be awarded to the Life Learning Academy Charter School in San Francisco, California, \$250,000 shall be awarded to the National Urban Coalition Say YES To A Youngster's Future Program to provide math and science education, \$750,000 shall be awarded to the Wisconsin Academy Staff Development Initiative in Chippewa Falls, Wisconsin to provide math, science, and technology teacher training, \$500,000 shall be awarded to the University of Missouri-St. Louis to develop a plan to improve the education system in the City of St. Louis, Missouri, \$313,000 shall be awarded to the City of Houston for the ASPIRE after-school program, \$900,000 shall be awarded to Boston Music Education Collaborative comprehensive interdisciplinary music program and teacher resource center in Boston, Massachusetts, \$250,000 shall be awarded to the Baltimore Reads after-school tutoring program in Baltimore, Maryland, \$300,000 shall be awarded to the School of International Training in

Brattleboro, Vermont to develop an education curriculum addressing child labor issues in collaboration with the Brattleboro Union High School, \$750,000 shall be awarded to the University of Puerto Rico for the continuation and expansion of the Hispanic Educational Linkages Program in New York City, including the South Bronx, New York, \$250,000 shall be awarded to the Community Service Society of New York for mentoring, tutoring and technology activities in New York City public schools, including schools in the South Bronx, \$250,000 shall be awarded to the Smithsonian Institution for a jazz music education program in Washington, D.C., \$500,000 shall be awarded to Johnson Elementary School in Cedar Rapids, Iowa to develop an innovative arts education model which could be replicated in other schools, \$2,000,000 shall be awarded to the Boys and Girls Clubs of America for after-school programs, \$500,000 shall be for the University of New Orleans for a teacher preparation and educational technology initiative, and \$250,000 shall be for the Florida Department of Education for an Internet-based teacher recruitment model, \$250,000 shall be awarded to the Kennedy Center for the Performing Arts for the "Make a Ballet" arts education program in the New York City area: Provided further, That of the funds available for section 10601 of title X of such Act, \$2,000,000 shall be awarded to the Center for Educational Technologies for production and distribution of an effective CD-ROM product that would complement the "We the People: The Citizen and the Constitution" curriculum: Provided further, That, in addition to the funds for title VI of Public Law 103-227 and notwithstanding the provisions of section 601(c)(1)(C) of that Act, \$1,000,000 shall be available to the Center for Civic Education to conduct a civic education program with Northern Ireland and the Republic of Ireland and, consistent with the civics and Government activities authorized in section 601(c)(3) of Public Law 103-227, to provide civic education assistance to democracies in developing countries. The term "developing countries" shall have the same meaning as the term "developing country" in the Education for the Deaf Act.

DEPARTMENTAL MANAGEMENT PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of two passenger motor vehicles, \$383,184,000.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, \$71,200,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, as authorized by section 212 of the Department of Education Organization Act, \$34,000,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to overcome racial imbalance in any school or school system, or for the transportation of students or teachers (or for the purchase of equipment for such transportation) in order to carry out a plan of racial desegregation of any school or school system.

SEC. 302. None of the funds contained in this Act shall be used to require, directly or indirectly, the transportation of any student to a school other than the school which is nearest the student's home, except for a student requiring special education, to the school offering such special education, in order to comply with title VI of the Civil Rights Act of 1964. For the purpose of this section an indirect requirement of transportation of students includes the trans-

portation of students to carry out a plan involving the reorganization of the grade structure of schools, the pairing of schools, or the clustering of schools, or any combination of grade restructuring, pairing or clustering. The prohibition described in this section does not include the establishment of magnet schools.

SEC. 303. No funds appropriated under this Act may be used to prevent the implementation of programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 304. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985, as amended) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of any transfer.

SEC. 305. (a) From the funds appropriated for payments to local educational agencies under section 8003(f) of the Elementary and Secondary Education Act of 1965 ("ESEA") for fiscal year 2000, the Secretary of Education shall distribute supplemental payments for certain local educational agencies, as follows:

(1) First, from the amount of \$74,000,000, the Secretary shall make supplemental payments to the following agencies under section 8003(f) of ESEA:

(A) Local educational agencies that received assistance under section 8003(f) for fiscal year 1999—

(i) in fiscal year 1997 had at least 40 percent federally connected children described in section 8003(a)(1) in average daily attendance; and in fiscal year 1997 had a tax rate for general fund purposes which was at least 95 percent of the State average tax rate for general fund purposes; or

(ii) whose boundary is coterminous with the boundary of a Federal military installation.

(B) Local educational agencies that received assistance under section 8003(f) for fiscal year 1999; and in fiscal year 1997 had at least 30 percent federally connected children described in section 8003(a)(1) in average daily attendance; and in fiscal year 1997 had a tax rate for general fund purposes which was at least 125 percent of the State average tax rate for general fund purposes.

(C) Any eligible local educational agency that in fiscal year 1997, which had at least 25,000 children in average daily attendance, at least 50 percent federally connected children described in section 8003(a)(1) in average daily attendance, and at least 6,000 children described in subparagraphs (A) and (B) of section 8003(a)(1) in average daily attendance.

(2) From the remaining \$2,000,000 and any amounts available after making payments under paragraph (1), the Secretary shall then make supplemental payments to local educational agencies that are not described in paragraph (1) of this subsection, but that meet the requirements of paragraphs (2) and (4) of section 8003(f) of ESEA for fiscal year 2000.

(3) After making payments to all eligible local educational agencies described in paragraph (2) of subsection (a), the Secretary shall use any remaining funds from paragraph (2) for making payments to the eligible local educational agencies described in paragraph (1) of subsection (a) if the amount available under paragraph (1) is insufficient to fully fund all eligible local educational agencies.

(4) After making payments to all eligible local educational agencies as described in paragraphs 1 through 3, the Secretary shall use any remaining funds to increase basic support payments under section 8003(b) for fiscal year 2000 for all eligible applicants.

(b) In calculating the amounts of supplemental payments for agencies described in subparagraphs (1)(A) and (B) and paragraph (2) of

subsection (a), the Secretary shall use the formula contained in section 8003(b)(1)(C) of ESEA, except that—

(1) eligible local educational agencies may count all children described in section 8003(a)(1) in computing the amount of those payments;

(2) maximum payments for any of those agencies that use local contribution rates identified in section 8003(b)(1)(C) (i) or (ii) shall be computed by using four-fifths instead of one-half of those rates;

(3) the learning opportunity threshold percentage of all such agencies under section 8003(b)(2)(B) shall be deemed to be 100;

(4) for an eligible local educational agency with 35 percent or more of its children in average daily attendance described in either subparagraph (D) or (E) of section 8003(a)(1) in fiscal year 1997, the weighted student unit figure from its regular basic support payment shall be recomputed by using a factor of 0.55 for such children;

(5) for an eligible local educational agency with fewer than 100 children in average daily attendance in fiscal year 1997, the weighted student unit figure from its regular basic support payment shall be recomputed by multiplying the total number of children described in section 8003(a)(1) by a factor of 1.75; and

(6) for an eligible local educational agency whose total number of children in average daily attendance in fiscal year 1997 was at least 100, but fewer than 750, the weighted student unit figure from its regular basic support payment shall be recomputed by multiplying the total number of children described in section 8003(a)(1) by a factor of 1.25.

(c) For a local educational agency described in subsection (a)(1)(C) above, the Secretary shall use the formula contained in section 8003(b)(1)(C) of ESEA, except that the weighted student unit total from its regular basic support payment shall be recomputed by using a factor of 1.35 for children described in subparagraphs (A) and (B) of section 8003(a)(1) and its learning opportunity threshold percentage shall be deemed to be 100.

(d) For each eligible local educational agency, the calculated supplemental section 8003(f) payment shall be reduced by subtracting the agency's fiscal year 2000 section 8003(b) basic support payment.

(e) If the sums described in subsections (a)(1) and (2) above are insufficient to pay in full the calculated supplemental payments for the local educational agencies identified in those subsections, the Secretary shall ratably reduce the supplemental section 8003(f) payment to each local educational agency.

SEC. 306. (a) Section 1204(b)(1)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6364(b)(1)(a)) is amended—

(1) in clause (iv), by striking "and" after the semicolon;

(2) by striking clause (v) and adding the following:

"(v) 50 percent in the fifth, sixth, seventh, and eighth such years; and

"(vi) 35 percent in any subsequent such year."

(b) Section 1208(b) of the Elementary and Secondary Education Act of 1965 is amended—

(1) by striking paragraph (3) and inserting the following:

"(3) CONTINUING ELIGIBILITY.—In awarding subgrant funds to continue a program under this part after the first year, the State educational agency shall review the progress of each eligible entity in meeting the goals of the program referred to in section 1207(c)(1)(A) and shall evaluate the program based on the indicators of program quality developed by the State under section 1210."; and

(2) in paragraph (5)(A), by striking the last sentence.

SEC. 307. (a) Notwithstanding sections 401(j) and 435(a)(2) of the Higher Education Act of

1965 (20 U.S.C. 1070a(j) and 1085(a)(2)) and subject to the requirements of subsection (b), the Secretary of Education shall—

(1) recalculate the official fiscal year 1996 cohort default rate for Jacksonville College of Jacksonville, Texas, on the basis of data corrections confirmed by the Texas Guaranteed Student Loan Corporation; and

(2) restore the eligibility of Jacksonville College to participate in the Federal Pell Grant Program for the 1999-2000 award year and succeeding award years.

(b) Jacksonville College shall implement a default management plan that is satisfactory to the Secretary of Education.

(c) For purposes of determining its Federal Pell Grant Program eligibility, Jacksonville College shall be deemed to have withdrawn from the Federal Family Education Loan program as of October 6, 1998.

SEC. 308. An amount of \$14,500,000 from the balances of returned reserve funds, formerly held by the Higher Education Assistance Foundation, that are currently held in Higher Education Assistance Foundation Claims Reserves, Treasury account number 91X6192, and \$12,000,000 from funds formerly held by the Higher Education Assistance Foundation, that are currently held in trust, shall be deposited in the general fund of the Treasury.

SEC. 309. Of the funds provided in title III of this Act, under the heading "Higher Education", for title VII, part B of the Higher Education Act of 1965, \$250,000 shall be awarded to the Snelling Center for Government at the University of Vermont for a model school program, \$750,000 shall be awarded to Texas A&M University, Corpus Christi, for operation of the Early Childhood Development Center, \$1,000,000 shall be awarded to Southeast Missouri State University for equipment and curriculum development associated with the University's Polytechnic Institute, \$800,000 shall be awarded to the Washington Virtual Classroom Consortium to develop, equip and implement an ecosystem curriculum, \$500,000 shall be provided to the Puget Sound Center for Technology for faculty development activities for the use of technology in the classroom, \$500,000 shall be awarded to the Center for the Advancement of Distance Education in Rural America, \$3,000,000, to be available until expended, shall be awarded to the University Center of Lake County, Illinois and \$1,000,000, to be available until expended, shall be awarded to the Oregon University System for activities authorized under title III, part A, section 311(c)(2), of the Higher Education Act of 1965, as amended, \$500,000 shall be awarded to Columbia College Illinois for a freshman retention program, \$1,500,000 shall be awarded to the University of Hawaii at Manoa for a Globalization Research Center, \$2,000,000 shall be awarded to the University of Arkansas at Pine Bluff for technology infrastructure, \$1,000,000 shall be awarded to the I Have a Dream Foundation, \$1,000,000 shall be awarded to a demonstration program for activities authorized under part G of title VIII of the Higher Education Act of 1965, as amended, \$3,000,000 shall be awarded to the Daniel J. Evans School of Public Policy at the University of Washington, \$200,000 shall be awarded to North Dakota State University for the Career Program for Dislocated Farmers and Ranchers, \$350,000 shall be awarded to North Dakota State University for the Tech-based Industry Traineeship Program, \$3,000,000 shall be awarded to Washington State University for the Thomas S. Foley Institute to support programs in congressional studies, public policy, voter education, and to ensure community access and outreach, \$200,000 shall be awarded to Minot State University for the Rural Communications Disabilities Program, \$300,000 shall be awarded to Bryant College for the Linking International Trade Education Program (LITE), \$1,000,000 shall be awarded to Concord College, West Virginia for a technology center to further enhance the technical skills of

West Virginia teachers and students, \$200,000 shall be awarded to Peirce College in Philadelphia, Pennsylvania for education and training programs, \$250,000 shall be awarded to the Philadelphia Zoo for educational programs, \$800,000 shall be awarded to Spelman College in Georgia for educational operations, \$1,000,000 shall be awarded to the Philadelphia University Education Center for technology education, \$725,000 shall be awarded to Lock Haven University for technology innovations, \$250,000 for Middle Georgia College for an advanced distributed learning center demonstration program, \$1,000,000 for the University of the Incarnate Word in San Antonio, Texas, to improve teacher capabilities in technology, \$1,000,000 for Elmira College in New York for a technology enhancement initiative, \$1,000,000 shall be awarded to the Southeastern Pennsylvania Consortium on Higher Education for education programs, \$400,000 shall be awarded to Lehigh University Iacocca Institute for educational training, \$250,000 shall be awarded to Lafayette College for arts education, \$1,000,000 shall be awarded to Lewis and Clark College for the Crime Victims Law Institute, \$1,650,000 for Rust College in Mississippi for technology infrastructure, \$500,000 for the University of Notre Dame for a teacher quality initiative, \$2,400,000 shall be awarded to the Western Governors University for a distance learning initiative, \$1,000,000 shall be awarded to the Alabama A&M University for the development of a research institute, \$1,000,000 shall be awarded to Tarleton State University in Stephenville, Texas for the Center for Astronomy Education and Research summer science programs for students and teachers, \$1,500,000 shall be awarded to the Great Plains Network at Kansas University, \$350,000 shall be awarded to the Science Education and Literacy Center at Rider University in New Jersey, \$1,500,000 shall be awarded to the Indiana State University DegreeLink Partnership for a distance learning program, \$1,000,000 shall be awarded to the Ivy Technical State College in Indiana for a machine tool training program, \$1,250,000 shall be awarded to the Connecticut State University System Center for Education Technology Assessment, \$400,000 shall be awarded to Monmouth University in New Jersey for the 21st Century Science Teachers Skills Project, \$58,000 shall be awarded to the Black Hawk College International Business Education Center in Moline, Illinois for training in international economics, \$325,000 shall be awarded to the World Learning School of International Training in Brattleboro, Vermont for the expansion of a language study program, \$500,000 shall be awarded to the Diablo Valley Community College at Contra-Costa Community College District for a model teacher program to foster interest in teaching careers among high school and community college students, \$1,000,000 shall be awarded to the Urban College of Boston, Massachusetts, for tutoring and mentoring services for educationally disadvantaged students, \$1,000,000 shall be awarded to the University of Rhode Island Center for Environmental Design, Planning, and Policy in Kingston, Rhode Island to foster environmental education, \$800,000 shall be awarded to the Wisconsin Indianhead Technical College at Ashland and Superior to provide high technology education and training, \$400,000 shall be for an award to the University of Wisconsin at Superior for Project SPARKS to link faculty with schools in the Superior School District in Wisconsin, and \$100,000 shall be awarded to the University of Nevada at Las Vegas for the Nevada Institute for Children Children's literacy program.

SEC. 310. (a) From the amount appropriated for title VI of the Elementary and Secondary Education Act of 1965 in accordance with this section, the Secretary of Education—(1) shall make available a total of \$6,000,000 to the Secretary of the Interior (on behalf of the Bureau of Indian Affairs) and the outlying areas for activities under this section; and (2) shall allocate

the remainder by providing each State the same percentage of that remainder as it received of the funds allocated to States under section 307(a)(2) of the Department of Education Appropriations Act, 1999.

(b)(1) Each State that receives funds under this section shall distribute 100 percent of such funds to local educational agencies, of which—

(A) 80 percent of such amount shall be allocated to such local educational agencies in proportion to the number of children, aged 5 to 17, who reside in the school district served by such local educational agency from families with incomes below 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 for the most recent fiscal year for which satisfactory data are available compared to the number of such individuals who reside in the school districts served by all the local educational agencies in the State for that fiscal year; and (B) 20 percent of such amount shall be allocated to such local educational agencies in accordance with the relative enrollments of children, aged 5 to 17, in public and private nonprofit elementary and secondary schools within the boundaries of such agencies.

(2) Notwithstanding paragraph (1), if the award to a local educational agency under this section is less than the starting salary for a new fully qualified teacher in that agency who is certified within the State (which may include certification through State or local alternative routes), has a baccalaureate degree, and demonstrates the general knowledge, teaching skills, and subject matter knowledge required to teach in his or her content areas, that agency may use funds under this section to (A) help pay the salary of a full- or part-time teacher hired to reduce class size, which may be in combination with other Federal, State, or local funds; or (B) pay for activities described in subsection (c)(2)(A)(iii) which may be related to teaching in smaller classes.

(c)(1) The basic purpose and intent of this section is to reduce class size with fully qualified teachers. Each local educational agency that receives funds under this section shall use such funds to carry out effective approaches to reducing class size with fully qualified teachers who are certified within the State, including teachers certified through State or local alternative routes, and who demonstrate competency in the areas in which they teach, to improve educational achievement for both regular and special needs children, with particular consideration given to reducing class size in the early elementary grades for which some research has shown class size reduction is most effective.

(2)(A) Each such local educational agency may use funds under this section for

(i) recruiting (including through the use of signing bonuses, and other financial incentives), hiring, and training fully qualified regular and special education teachers (which may include hiring special education teachers to team-teach with regular teachers in classrooms that contain both children with disabilities and non-disabled children) and teachers of special-needs children, who are certified within the State, including teachers certified through State or local alternative routes, have a baccalaureate degree and demonstrate the general knowledge, teaching skills, and subject matter knowledge required to teach in their content areas;

(ii) testing new teachers for academic content knowledge, and to meet State certification requirements that are consistent with title II of the Higher Education Act of 1965; and

(iii) providing professional development (which may include such activities as promoting retention and mentoring) to teachers, including special education teachers and teachers of special-needs children, in order to meet the goal of ensuring that all instructional staff have the subject matter knowledge, teaching knowledge,

and teaching skills necessary to teach effectively in the content area or areas in which they provide instruction, consistent with title II of the Higher Education Act of 1965.

(B)(i) Except as provided under clause (ii) a local educational agency may use not more than a total of 25 percent of the award received under this section for activities described in clauses (ii) and (iii) of subparagraph (A).

(ii) A local educational agency in an Ed-Flex Partnership State under Public Law 106-25, the Education Flexibility Partnership Act, and in which 10 percent or more of teachers in elementary schools as defined by section 14101(14) of the Elementary and Secondary Education Act of 1965 have not met applicable State and local certification requirements (including certification through State or local alternative routes), or if such requirements have been waived, may apply to the State educational agency for a waiver that would permit it to use more than 25 percent of the funds it receives under this section for activities described in subparagraph (A)(iii) for the purpose of helping teachers who have not met the certification requirements become certified.

(iii) If the State educational agency approves the local educational agency's application for a waiver under clause (ii), the local educational agency may use the funds subject to the waiver for activities described in subparagraph (A)(iii) that are needed to ensure that at least 90 percent of the teachers in elementary schools are certified within the State.

(C) A local educational agency that has already reduced class size in the early grades to 18 or less children (or has already reduced class size to a State or local class size reduction goal that was in effect on the day before the enactment of the Department of Education Appropriations Act, 2000, if that State or local educational agency goal is 20 or fewer children) may use funds received under this section—

(i) to make further class size reductions in grades kindergarten through 3;

(ii) to reduce class size in other grades; or

(iii) to carry out activities to improve teacher quality, including professional development.

(D) If a local educational agency has already reduced class size in the early grades to 18 or fewer children and intends to use funds provided under this section to carry out professional development activities, including activities to improve teacher quality, then the State shall make the award under subsection (b) to the local educational agency.

(3) Each such agency shall use funds under this section only to supplement, and not to supplant, State and local funds that, in the absence of such funds, would otherwise be spent for activities under this section.

(4) No funds made available under this section may be used to increase the salaries or provide benefits, other than participation in professional development and enrichment programs, to teachers who are not hired under this section. Funds under this section may be used to pay the salary of teachers hired under section 307 of the Department of Education Appropriations Act, 1999.

(d)(1) Each State receiving funds under this section shall report on activities in the State under this section, consistent with section 6202(a)(2) of the Elementary and Secondary Education Act of 1965.

(2) Each State and local educational agency receiving funds under this section shall publicly report to parents on its progress in reducing class size, increasing the percentage of classes in core academic areas taught by fully qualified teachers who are certified within the State and demonstrate competency in the content areas in which they teach, and on the impact that hiring additional highly qualified teachers and reducing class size, has had, if any, on increasing student academic achievement.

(3) Each school receiving funds under this section shall provide to parents upon request, the professional qualifications of their child's teacher.

(e) If a local educational agency uses funds made available under this section for professional development activities, the agency shall ensure for the equitable participation of private nonprofit elementary and secondary schools in such activities. Section 6402 of the Elementary and Secondary Education Act of 1965 shall not apply to other activities under this section.

(f) ADMINISTRATIVE EXPENSES.—A local educational agency that receives funds under this section may use not more than 3 percent of such funds for local administrative costs.

(g) REQUEST FOR FUNDS.—Each local educational agency that desires to receive funds under this section shall include in the application required under section 6303 of the Elementary and Secondary Education Act of 1965 a description of the agency's program to reduce class size by hiring additional highly qualified teachers.

(h) No funds under this section may be used to pay the salary of any teacher hired with funds under section 307 of the Department of Education Appropriations Act, 1999, unless, by the start of the 2000-2001 school year, the teacher is certified within the State (which may include certification through State or local alternative routes) and demonstrates competency in the subject areas in which he or she teaches.

(i) Titles III and IV of the Goals 2000: Educate America Act are repealed on September 30, 2000.

LIMITATION ON PUNITIVE DAMAGES AWARDED AGAINST INSTITUTIONS OF HIGHER EDUCATION

SEC. 311. Section 5 of the Y2K Act (15 U.S.C. 6604) is amended by adding at the end the following:

“(d) INSTITUTIONS OF HIGHER EDUCATION.—

“(1) IN GENERAL.—Subject to paragraph (2), punitive damages in a Y2K action may not be awarded against an institution of higher education as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

“(2) EXCEPTION.—Paragraph (1) shall not apply to an institution of higher education if the Y2K failure in the Y2K action occurred in a computer-based student financial aid system of that institution of higher education, and the institution—

“(A) has passed Y2K data exchange testing with the Department of Education; or

“(B) is not or was not in the process of performing data exchange testing with the Department of Education at the time the Department terminates such testing.”.

SEC. 312. Section 4 of P.L. 106-71 is amended by striking subsection (c).

SEC. 313. HOLD HARMLESS.

(a) LOCAL CONTRIBUTION RATE.—For purposes of calculating a payment under section 8003(b) of the Elementary and Secondary Education Act of 1965 for fiscal year 1999 or 2000 with respect to any local educational agency described in subsection (b), the Secretary of Education shall not use a local contribution rate for the fiscal year that is less than the local contribution rate used for the local educational agency for fiscal year 1998.

(b) LOCAL EDUCATIONAL AGENCIES.—A local educational agency referred to in subsection (a) is any local educational agency that—

(1) is eligible to receive a payment under section 8003(b) of the Elementary and Secondary Education Act of 1965 for fiscal year 1999 or 2000, as the case may be; and

(2) received a payment under such section for fiscal year 1998 that was calculated on the basis of a local contribution rate based on generally comparable school districts using the special additional factors method.

(c) EFFECTIVE DATE.—This section shall be effective for fiscal years 1999 and 2000.

SEC. 314. VOTER REGISTRATION OF COLLEGE STUDENTS.

Subparagraph (C) of section 487(a)(23) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)(23)) is amended to read as follows:

“(C) This paragraph shall apply to general and special elections for Federal office, as defined in section 301(3) of the Federal Election

Campaign Act of 1971 (2 U.S.C. 431(3)), and to the elections for Governor or other chief executive within such State).

This title may be cited as the "Department of Education Appropriations Act, 2000".

TITLE IV—RELATED AGENCIES

ARMED FORCES RETIREMENT HOME

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the United States Soldiers' and Airmen's Home and the United States Naval Home, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$68,295,000, of which \$12,696,000 shall remain available until expended for construction and renovation of the physical plants at the United States Soldiers' and Airmen's Home and the United States Naval Home: Provided, That, notwithstanding any other provision of law, a single contract or related contracts for development and construction, to include construction of a long-term care facility at the United States Naval Home, may be employed which collectively include the full scope of the project: Provided further, That the solicitation and contract shall contain the clause "availability of funds" found at 48 CFR 52.232-18 and 252.232-7007, Limitation of Government Obligations.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

DOMESTIC VOLUNTEER SERVICE PROGRAMS, OPERATING EXPENSES

For expenses necessary for the Corporation for National and Community Service to carry out the provisions of the Domestic Volunteer Service Act of 1973, as amended, \$295,645,000: Provided, That none of the funds made available to the Corporation for National and Community Service in this Act for activities authorized by part E of title II of the Domestic Volunteer Service Act of 1973 shall be used to provide stipends to volunteers or volunteer leaders whose incomes exceed the income guidelines established for payment of stipends under the Foster Grandparent and Senior Companion programs: Provided further, That the foregoing proviso shall not apply to the Seniors for Schools program.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting, as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2002, \$350,000,000: Provided, That no funds made available to the Corporation for Public Broadcasting by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds contained in this paragraph shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: Provided further, That in addition to the amounts provided above, \$10,000,000 shall be for digitalization, only if specifically authorized by subsequent legislation enacted by September 30, 2000.

FEDERAL MEDIATION AND CONCILIATION SERVICE SALARIES AND EXPENSES

For expenses necessary for the Federal Mediation and Conciliation Service to carry out the functions vested in it by the Labor Management Relations Act, 1947 (29 U.S.C. 171-180, 182-183), including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a); and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, Public Law 95-454 (5 U.S.C. ch. 71), \$36,834,000, including \$1,500,000, to remain available through September 30, 2001, for activities authorized by the Labor-Management Cooperation Act of 1978 (29 U.S.C. 175a): Provided,

That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: Provided further, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: Provided further, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission (30 U.S.C. 801 et seq.), \$6,159,000.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF LIBRARY SERVICES: GRANTS AND ADMINISTRATION

For carrying out subtitle B of the Museum and Library Services Act, \$166,885,000, of which \$22,991,000 shall be awarded to national leadership projects, notwithstanding any other provision of law: Provided, That of the amount provided, \$700,000 shall be awarded to the Library and Archives of New Hampshire's Political Tradition at the New Hampshire State Library, \$1,000,000 shall be awarded to the Vermont Department of Libraries in Montpelier, Vermont, \$750,000 shall be awarded to consolidation and preservation of archives and special collections at the University of Miami Library in Coral Gables, Florida, \$1,900,000 shall be awarded to exhibits and library improvements for the Mississippi River Museum and Discovery Center in Dubuque, Iowa, \$750,000 shall be awarded to the Alaska Native Heritage Center in Anchorage, Alaska, \$750,000 shall be awarded to the Peabody-Essex Museum in Salem, Massachusetts, \$750,000 shall be awarded to the Bishop Museum in Hawaii, \$200,000 shall be awarded to Ocean-side Public Library in California for a local cultural heritage project, \$1,000,000 shall be awarded to the Urban Children's Museum Collaborative to develop and implement pilot programs dedicated to serving at-risk children and their families, \$150,000 shall be awarded to the Troy State University Dothan in Alabama for archival of a special collection, \$450,000 shall be awarded to Chadron State College in Nebraska for the Mari Sandoz Center, \$350,000 shall be awarded to the Alabama A&M University Alabama State Black Archives Research Center and Museum, \$350,000 shall be awarded to Mystic Seaport, the Museum of America and the Sea, in Connecticut to develop an educational outreach and informal learning laboratory, \$100,000 shall be awarded to the Museum for African Art in New York City, New York, for community programming, \$35,000 shall be awarded to the Children's Museum of Manhattan in New York City, New York for family programming, \$400,000 shall be awarded to the Full Service Library in Molalla, Oregon for technology training and community education programs, \$250,000 shall be awarded to Temple University Libraries African American library digitization initiative, and \$1,000,000 shall be awarded to the Natural History Museum of Los Angeles County, for a science education program that targets a Spanish speaking audience, \$1,000,000 for Dakota Wesleyan University to support enhanced use of technology in the delivery of library services and \$500,000 shall be for the Portland State Millar Library for technology based information and research networks.

MEDICARE PAYMENT ADVISORY COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out section 1805 of the Social Security Act, \$7,015,000, to be

transferred to this appropriation from the Federal Hospital Insurance and the Federal Supplementary Medical Insurance Trust Funds.

NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE

SALARIES AND EXPENSES

For necessary expenses for the National Commission on Libraries and Information Science, established by the Act of July 20, 1970 (Public Law 91-345, as amended), \$1,300,000.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, as amended, \$2,400,000.

NATIONAL EDUCATION GOALS PANEL

For expenses necessary for the National Education Goals Panel, as authorized by title II, part A of the Goals 2000: Educate America Act, \$2,250,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, as amended (29 U.S.C. 141-167), and other laws, \$206,500,000: Provided, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935 (29 U.S.C. 152), and as amended by the Labor-Management Relations Act, 1947, as amended, and as defined in section 3(f) of the Act of June 25, 1938 (29 U.S.C. 203), and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, as amended (45 U.S.C. 151-188), including emergency boards appointed by the President, \$9,600,000: Provided, That unobligated balances at the end of fiscal year 2000 not needed for emergency boards shall remain available for other statutory purposes through September 30, 2001.

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission (29 U.S.C. 661), \$8,500,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, \$174,000,000, which shall include amounts becoming available in fiscal year 2000 pursuant to section 224(c)(1)(B) of Public Law 98-76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds \$174,000,000: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT ACCOUNTS

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned on unnegotiated checks, \$150,000, to remain available through September 30, 2001, which

shall be the maximum amount available for payment pursuant to section 417 of Public Law 98-76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, \$91,000,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, as amended, not more than \$5,400,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account: Provided, That none of the funds made available in any other paragraph of this Act may be transferred to the Office; used to carry out any such transfer; used to provide any office space, equipment, office supplies, communications facilities or services, maintenance services, or administrative services for the Office; used to pay any salary, benefit, or award for any personnel of the Office; used to pay any other operating expense of the Office; or used to reimburse the Office for any service provided, or expense incurred, by the Office.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance trust funds, as provided under sections 201(m), 228(g), and 1131(b)(2) of the Social Security Act, \$20,764,000.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, \$383,638,000, to remain available until expended.

For making, after July 31 of the current fiscal year, benefit payments to individuals under title IV of the Federal Mine Safety and Health Act of 1977, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV of the Federal Mine Safety and Health Act of 1977 for the first quarter of fiscal year 2001, \$124,000,000, to remain available until expended.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as amended, and section 405 of Public Law 95-216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, \$21,503,085,000, to remain available until expended: Provided, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury.

From funds provided under the previous paragraph, not less than \$100,000,000 shall be available for payment to the Social Security trust funds for administrative expenses for conducting continuing disability reviews.

In addition, \$200,000,000, to remain available until September 30, 2001, for payment to the Social Security trust funds for administrative expenses for continuing disability reviews as authorized by section 103 of Public Law 104-121 and section 10203 of Public Law 105-33. The term "continuing disability reviews" means reviews and redeterminations as defined under section 201(g)(1)(A) of the Social Security Act, as amended.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of

fiscal year 2001, \$9,890,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed \$10,000 for official reception and representation expenses, not more than \$6,111,871,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to therein: Provided, That not less than \$1,800,000 shall be for the Social Security Advisory Board: Provided further, That unobligated balances at the end of fiscal year 2000 not needed for fiscal year 2000 shall remain available until expended to invest in the Social Security Administration computing network, including related equipment and non-payroll administrative expenses associated solely with this network: Provided further, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to section 7131 of title 5, United States Code, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

From funds provided under the previous paragraph, notwithstanding the provision under this heading in Public Law 105-277 regarding unobligated balances at the end of fiscal year 1999 not needed for such fiscal year, an amount not to exceed \$100,000,000 from such unobligated balances shall, in addition to funding already available under this heading for fiscal year 2000, be available for necessary expenses.

From funds provided under the first paragraph, not less than \$200,000,000 shall be available for conducting continuing disability reviews.

In addition to funding already available under this heading, and subject to the same terms and conditions, \$405,000,000, to remain available until September 30, 2001, for continuing disability reviews as authorized by section 103 of Public Law 104-121 and section 10203 of Public Law 105-33. The term "continuing disability reviews" means reviews and redeterminations as defined under section 201(g)(1)(A) of the Social Security Act, as amended.

In addition, \$80,000,000 to be derived from administration fees in excess of \$5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93-66, which shall remain available until expended. To the extent that the amounts collected pursuant to such section 1616(d) or 212(b)(3) in fiscal year 2000 exceed \$80,000,000, the amounts shall be available in fiscal year 2001 only to the extent provided in advance in appropriations Acts.

From amounts previously made available under this heading for a state-of-the-art computing network, not to exceed \$100,000,000 shall be available for necessary expenses under this heading, subject to the same terms and conditions.

From funds provided under the first paragraph, the Commissioner of Social Security may direct up to \$3,000,000, in addition to funds previously appropriated for this purpose, to continue Federal-State partnerships which will evaluate means to promote Medicare buy-in programs targeted to elderly and disabled individuals under titles XVIII and XIX of the Social Security Act.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$15,000,000, together with not to exceed \$51,000,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Se-

curity Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the "Limitation on Administrative Expenses", Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: Provided, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House and Senate.

UNITED STATES INSTITUTE OF PEACE OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, \$13,000,000.

TITLE V—GENERAL PROVISIONS

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act: Provided, That such transferred balances are used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. 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. 503. (a) No part of any appropriation contained in this Act shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the Congress or any State legislature, except in presentation to the Congress or any State legislature itself.

(b) No part of any appropriation contained in this Act shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence legislation or appropriations pending before the Congress or any State legislature.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed \$20,000 and \$15,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$2,500 from the funds available for "Salaries and expenses, Federal Mediation and Conciliation Service"; and the Chairman of the National Mediation Board is authorized to make available for official reception and representation expenses not to exceed \$2,500 from funds available for "Salaries and expenses, National Mediation Board".

SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 506. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) 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. 507. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state: (1) the percentage of the total costs of the program or project which will be financed with Federal money; (2) the dollar amount of Federal funds for the project or program; and (3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 508. (a) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for any abortion.

(b) None of the funds appropriated under this Act, and none of the funds in any trust fund to which funds are appropriated under this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 509. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

SEC. 510. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.208(a)(2) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term "human embryo or embryos" includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 511. (a) LIMITATION ON USE OF FUNDS FOR PROMOTION OF LEGALIZATION OF CONTROLLED SUBSTANCES.—None of the funds made

available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established by section 202 of the Controlled Substances Act (21 U.S.C. 812).

(b) EXCEPTIONS.—The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 512. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in section 4212(d) of title 38, United States Code, regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 513. Except as otherwise specifically provided by law, unobligated balances remaining available at the end of fiscal year 2000 from appropriations made available for salaries and expenses for fiscal year 2000 in this Act, shall remain available through December 31, 2000, for each such account for the purposes authorized: Provided, That the House and Senate Committees on Appropriations shall be notified at least 15 days prior to the obligation of such funds.

SEC. 514. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act (42 U.S.C. 1320d-2(b)) providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

SEC. 515. Section 520(c)(2)(D) of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1997, as amended, is further amended by striking "December 31, 1997" and inserting "March 31, 2000".

SEC. 516. The United States-Mexico Border Health Commission Act (22 U.S.C. 290n et seq.) is amended—

(1) by striking section 2 and inserting the following:

"SEC. 2. APPOINTMENT OF MEMBERS OF BORDER HEALTH COMMISSION.

"Not later than 30 days after the date of the enactment of this section, the President shall appoint the United States members of the United States-Mexico Border Health Commission, and shall attempt to conclude an agreement with Mexico providing for the establishment of such Commission."; and

(2) in section 3—

(A) in paragraph (1), by striking the semicolon and inserting "; and";

(B) in paragraph (2)(B), by striking "; and" and inserting a period; and

(C) by striking paragraph (3).

SEC. 517. The applicable time limitations with respect to the giving of notice of injury and the filing of a claim for compensation for disability or death by an individual under the Federal Employees' Compensation Act, as amended, for injuries sustained as a result of the person's exposure to a nitrogen or sulfur mustard agent in the performance of official duties as an employee at the Department of the Army's Edgewood Arsenal before March 20, 1944, shall not begin to run until the date of the enactment of this Act.

SEC. 518. Section 169(d)(2)(B) of Public Law 105-220, the Workforce Investment Act of 1998, is amended by striking "or Alaska Native villages or Native groups (as such terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))." and inserting "or Alaska Natives.".

TITLE VI—EARLY DETECTION, DIAGNOSIS, AND INTERVENTIONS FOR NEWBORNS AND INFANTS WITH HEARING LOSS

SEC. 601. (a) DEFINITIONS.—For the purposes of this section only, the following terms in this section are defined as follows:

(1) HEARING SCREENING.—Newborn and infant hearing screening consists of objective physiologic procedures to detect possible hearing loss and to identify newborns and infants who, after rescreening, require further audiologic and medical evaluations.

(2) AUDIOLOGIC EVALUATION.—Audiologic evaluation consists of procedures to assess the status of the auditory system; to establish the site of the auditory disorder; the type and degree of hearing loss, and the potential effects of hearing loss on communication; and to identify appropriate treatment and referral options. Referral options should include linkage to State IDEA part C coordinating agencies or other appropriate agencies, medical evaluation, hearing aid/sensory aid assessment, audiologic rehabilitation treatment, national and local consumer, self-help, parent, and education organizations, and other family-centered services.

(3) MEDICAL EVALUATION.—Medical evaluation by a physician consists of key components including history, examination, and medical decision making focused on symptomatic and related body systems for the purpose of diagnosing the etiology of hearing loss and related physical conditions, and for identifying appropriate treatment and referral options.

(4) MEDICAL INTERVENTION.—Medical intervention is the process by which a physician provides medical diagnosis and direction for medical and/or surgical treatment options of hearing loss and/or related medical disorder associated with hearing loss.

(5) AUDIOLOGIC REHABILITATION.—Audiologic rehabilitation (intervention) consists of procedures, techniques, and technologies to facilitate the receptive and expressive communication abilities of a child with hearing loss.

(6) EARLY INTERVENTION.—Early intervention (e.g., nonmedical) means providing appropriate services for the child with hearing loss and ensuring that families of the child are provided comprehensive, consumer-oriented information about the full range of family support, training, information services, communication options and are given the opportunity to consider the full range of educational and program placements and options for their child.

(b) PURPOSES.—The purposes of this section are to clarify the authority within the Public Health Service Act to authorize statewide newborn and infant hearing screening, evaluation and intervention programs and systems, technical assistance, a national applied research program, and interagency and private sector collaboration for policy development, in order to assist the States in making progress toward the following goals:

(1) All babies born in hospitals in the United States and its territories should have a hearing screening before leaving the birthing facility. Babies born in other countries and residing in the United States via immigration or adoption should have a hearing screening as early as possible.

(2) All babies who are not born in hospitals in the United States and its territories should have a hearing screening within the first 3 months of life.

(3) Appropriate audiologic and medical evaluations should be conducted by 3 months for all newborns and infants suspected of having hearing loss to allow appropriate referral and provisions for audiologic rehabilitation, medical and early intervention before the age of 6 months.

(4) All newborn and infant hearing screening programs and systems should include a component for audiologic rehabilitation, medical and early intervention options that ensures linkage to any new and existing statewide systems of

intervention and rehabilitative services for newborns and infants with hearing loss.

(5) Public policy in regard to newborn and infant hearing screening and intervention should be based on applied research and the recognition that newborns, infants, toddlers, and children who are deaf or hard-of-hearing have unique language, learning, and communication needs, and should be the result of consultation with pertinent public and private sectors.

(c) STATEWIDE NEWBORN AND INFANT HEARING SCREENING, EVALUATION AND INTERVENTION PROGRAMS AND SYSTEMS.—Under the existing authority of the Public Health Service Act, the Secretary of Health and Human Services (in this section referred to as the "Secretary"), acting through the Administrator of the Health Resources and Services Administration, shall make awards of grants or cooperative agreements to develop statewide newborn and infant hearing screening, evaluation and intervention programs and systems for the following purposes:

(1) To develop and monitor the efficacy of statewide newborn and infant hearing screening, evaluation and intervention programs and systems. Early intervention includes referral to schools and agencies, including community, consumer, and parent-based agencies and organizations and other programs mandated by part C of the Individuals with Disabilities Education Act, which offer programs specifically designed to meet the unique language and communication needs of deaf and hard-of-hearing newborns, infants, toddlers, and children.

(2) To collect data on statewide newborn and infant hearing screening, evaluation and intervention programs and systems that can be used for applied research, program evaluation and policy development.

(d) TECHNICAL ASSISTANCE, DATA MANAGEMENT, AND APPLIED RESEARCH.—

(1) CENTERS FOR DISEASE CONTROL AND PREVENTION.—Under the existing authority of the Public Health Service Act, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall make awards of grants or cooperative agreements to provide technical assistance to State agencies to complement an intramural program and to conduct applied research related to newborn and infant hearing screening, evaluation and intervention programs and systems. The program shall develop standardized procedures for data management and program effectiveness and costs, such as—

(A) to ensure quality monitoring of newborn and infant hearing loss screening, evaluation, and intervention programs and systems;

(B) to provide technical assistance on data collection and management;

(C) to study the costs and effectiveness of newborn and infant hearing screening, evaluation and intervention programs and systems conducted by State-based programs in order to answer issues of importance to State and national policymakers;

(D) to identify the causes and risk factors for congenital hearing loss;

(E) to study the effectiveness of newborn and infant hearing screening, audiologic and medical evaluations and intervention programs and systems by assessing the health, intellectual and social developmental, cognitive, and language status of these children at school age; and

(F) to promote the sharing of data regarding early hearing loss with State-based birth defects and developmental disabilities monitoring programs for the purpose of identifying previously unknown causes of hearing loss.

(2) NATIONAL INSTITUTES OF HEALTH.—Under the existing authority of the Public Health Service Act, the Director of the National Institutes of Health, acting through the Director of the National Institute on Deafness and Other Communication Disorders, shall for purposes of this section, continue a program of research and development on the efficacy of new screening techniques and technology, including clinical stud-

ies of screening methods, studies on efficacy of intervention, and related research.

(e) COORDINATION AND COLLABORATION.—

(1) IN GENERAL.—Under the existing authority of the Public Health Service Act, in carrying out programs under this section, the Administrator of the Health Resources and Services Administration, the Director of the Centers for Disease Control and Prevention, and the Director of the National Institutes of Health shall collaborate and consult with other Federal agencies; State and local agencies, including those responsible for early intervention services pursuant to title XIX of the Social Security Act (Medicaid Early and Periodic Screening, Diagnosis and Treatment Program); title XXI of the Social Security Act (State Children's Health Insurance Program); title V of the Social Security Act (Maternal and Child Health Block Grant Program); and part C of the Individuals with Disabilities Education Act; consumer groups of and that serve individuals who are deaf and hard-of-hearing and their families; appropriate national medical and other health and education specialty organizations; persons who are deaf and hard-of-hearing and their families; other qualified professional personnel who are proficient in deaf or hard-of-hearing children's language and who possess the specialized knowledge, skills, and attributes needed to serve deaf and hard-of-hearing newborns, infants, toddlers, children, and their families; third-party payers and managed care organizations; and related commercial industries.

(2) POLICY DEVELOPMENT.—Under the existing authority of the Public Health Service Act, the Administrator of the Health Resources and Services Administration, the Director of the Centers for Disease Control and Prevention, and the Director of the National Institutes of Health shall coordinate and collaborate on recommendations for policy development at the Federal and State levels and with the private sector, including consumer, medical and other health and education professional-based organizations, with respect to newborn and infant hearing screening, evaluation and intervention programs and systems.

(3) STATE EARLY DETECTION, DIAGNOSIS, AND INTERVENTION PROGRAMS AND SYSTEMS; DATA COLLECTION.—Under the existing authority of the Public Health Service Act, the Administrator of the Health Resources and Services Administration and the Director of the Centers for Disease Control and Prevention shall coordinate and collaborate in assisting States to establish newborn and infant hearing screening, evaluation and intervention programs and systems under subsection (c) and to develop a data collection system under subsection (d).

(f) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preempt any State law.

(g) AUTHORIZATION OF APPROPRIATIONS.—

(1) STATEWIDE NEWBORN AND INFANT HEARING SCREENING, EVALUATION AND INTERVENTION PROGRAMS AND SYSTEMS.—For the purpose of carrying out subsection (c) under the existing authority of the Public Health Service Act, there are authorized to the Health Resources and Services Administration appropriations in the amount of \$5,000,000 for fiscal year 2000, \$8,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal year 2002.

(2) TECHNICAL ASSISTANCE, DATA MANAGEMENT, AND APPLIED RESEARCH; CENTERS FOR DISEASE CONTROL AND PREVENTION.—For the purpose of carrying out subsection (d)(1) under the existing authority of the Public Health Service Act, there are authorized to the Centers for Disease Control and Prevention, appropriations in the amount of \$5,000,000 for fiscal year 2000, \$7,000,000 for fiscal year 2001, and such sums as may be necessary for fiscal year 2002.

(3) TECHNICAL ASSISTANCE, DATA MANAGEMENT, AND APPLIED RESEARCH; NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS.—For the purpose of carrying out

subsection (d)(2) under the existing authority of the Public Health Service Act, there are authorized to the National Institute on Deafness and Other Communication Disorders appropriations for such sums as may be necessary for each of the fiscal years 2000 through 2002.

TITLE VII—DENALI COMMISSION

SEC. 701. DENALI COMMISSION.—Section 307 of Title III—Denali Commission of Division C—Other Matters of Public Law 105-277 is amended by adding a new subsection at the end thereof as follows:

(c) DEMONSTRATION HEALTH PROJECTS.—In order to demonstrate the value of adequate health facilities and services to the economic development of the region, the Secretary of Health and Human Services is authorized to make grants to the Denali Commission to plan, construct, and equip demonstration health, nutrition, and child care projects, including hospitals, health care clinics, and mental health facilities (including drug and alcohol treatment centers) in accordance with the Work Plan referred to under section 304 of Title III—Denali Commission of Division C—Other Matters of Public Law 105-277. No grant for construction or equipment of a demonstration project shall exceed 50 percentum of such costs, unless the project is located in a severely economically distressed community, as identified in the Work Plan referred to under section 304 of Title III—Denali Commission of Division C—Other Matters of Public Law 105-277, in which case no grant shall exceed 80 percentum of such costs. To carry out this section, there is authorized to be appropriated such sums as may be necessary.

TITLE VIII—WELFARE-TO-WORK AND CHILD SUPPORT AMENDMENTS OF 1999

SEC. 801. FLEXIBILITY IN ELIGIBILITY FOR PARTICIPATION IN WELFARE-TO-WORK PROGRAM.

(a) IN GENERAL.—Section 403(a)(5)(C)(ii) of the Social Security Act (42 U.S.C. 603(a)(5)(C)(ii)) is amended to read as follows:

"(ii) GENERAL ELIGIBILITY.—An entity that operates a project with funds provided under this paragraph may expend funds provided to the project for the benefit of recipients of assistance under the program funded under this part of the State in which the entity is located who—

"(I) has received assistance under the State program funded under this part (whether in effect before or after the amendments made by section 103 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 first apply to the State) for at least 30 months (whether or not consecutive); or

"(II) within 12 months, will become ineligible for assistance under the State program funded under this part by reason of a durational limit on such assistance, without regard to any exemption provided pursuant to section 408(a)(7)(C) that may apply to the individual."

(b) NONCUSTODIAL PARENTS.—

(1) IN GENERAL.—Section 403(a)(5)(C) of such Act (42 U.S.C. 603(a)(5)(C)) is amended—

(A) by redesignating clauses (iii) through (viii) as clauses (iv) through (ix), respectively; and

(B) by inserting after clause (ii) the following:

"(iii) NONCUSTODIAL PARENTS.—An entity that operates a project with funds provided under this paragraph may use the funds to provide services in a form described in clause (i) to noncustodial parents with respect to whom the requirements of the following subclauses are met:

"(I) The noncustodial parent is unemployed, underemployed, or having difficulty in paying child support obligations.

"(II) At least 1 of the following applies to a minor child of the noncustodial parent (with preference in the determination of the noncustodial parents to be provided services under this paragraph to be provided by the entity to those noncustodial parents with minor children who meet, or who have custodial parents who meet, the requirements of item (aa)):

"(aa) The minor child or the custodial parent of the minor child meets the requirements of subclause (I) or (II) of clause (ii).

"(bb) The minor child is eligible for, or is receiving, benefits under the program funded under this part.

"(cc) The minor child received benefits under the program funded under this part in the 12-month period preceding the date of the determination but no longer receives such benefits.

"(dd) The minor child is eligible for, or is receiving, assistance under the Food Stamp Act of 1977, benefits under the supplemental security income program under title XVI of this Act, medical assistance under title XIX of this Act, or child health assistance under title XXI of this Act.

"(III) In the case of a noncustodial parent who becomes enrolled in the project on or after the date of the enactment of this clause, the noncustodial parent is in compliance with the terms of an oral or written personal responsibility contract entered into among the noncustodial parent, the entity, and (unless the entity demonstrates to the Secretary that the entity is not capable of coordinating with such agency) the agency responsible for administering the State plan under part D, which was developed taking into account the employment and child support status of the noncustodial parent, which was entered into not later than 30 (or, at the option of the entity, not later than 90) days after the noncustodial parent was enrolled in the project, and which, at a minimum, includes the following:

"(aa) A commitment by the noncustodial parent to cooperate, at the earliest opportunity, in the establishment of the paternity of the minor child, through voluntary acknowledgement or other procedures, and in the establishment of a child support order.

"(bb) A commitment by the noncustodial parent to cooperate in the payment of child support for the minor child, which may include a modification of an existing support order to take into account the ability of the noncustodial parent to pay such support and the participation of such parent in the project.

"(cc) A commitment by the noncustodial parent to participate in employment or related activities that will enable the noncustodial parent to make regular child support payments, and if the noncustodial parent has not attained 20 years of age, such related activities may include completion of high school, a general equivalency degree, or other education directly related to employment.

"(dd) A description of the services to be provided under this paragraph, and a commitment by the noncustodial parent to participate in such services, that are designed to assist the noncustodial parent obtain and retain employment, increase earnings, and enhance the financial and emotional contributions to the well-being of the minor child.

In order to protect custodial parents and children who may be at risk of domestic violence, the preceding provisions of this subclause shall not be construed to affect any other provision of law requiring a custodial parent to cooperate in establishing the paternity of a child or establishing or enforcing a support order with respect to a child, or entitling a custodial parent to refuse, for good cause, to provide such cooperation as a condition of assistance or benefit under any program, shall not be construed to require such cooperation by the custodial parent as a condition of participation of either parent in the program authorized under this paragraph, and shall not be construed to require a custodial parent to cooperate with or participate in any activity under this clause. The entity operating a project under this clause with funds provided under this paragraph shall consult with domestic violence prevention and intervention organizations in the development of the project."

(2) CONFORMING AMENDMENT.—Section 412(a)(3)(C)(ii) of such Act (42 U.S.C. 612(a)(3)(C)(ii)) is amended by striking "(vii)" and inserting "(viii)".

(c) RECIPIENTS WITH CHARACTERISTICS OF LONG-TERM DEPENDENCY; CHILDREN AGING OUT OF FOSTER CARE.—

(1) IN GENERAL.—Section 403(a)(5)(C)(iv) of such Act (42 U.S.C. 603(a)(5)(C)(iv)), as so redesignated by subsection (b)(1)(A) of this section, is amended—

(A) by striking "or" at the end of subclause (I); and

(B) by striking subclause (II) and inserting the following:

"(II) to children—

"(aa) who have attained 18 years of age but not 25 years of age; and

"(bb) who, before attaining 18 years of age, were recipients of foster care maintenance payments (as defined in section 475(4)) under part E or were in foster care under the responsibility of a State;

"(III) to recipients of assistance under the State program funded under this part, determined to have significant barriers to self-sufficiency, pursuant to criteria established by the local private industry council; or

"(IV) to custodial parents with incomes below 100 percent of the poverty line (as defined in section 673(2) of the Omnibus Budget Reconciliation Act of 1981, including any revision required by such section, applicable to a family of the size involved)."

(2) CONFORMING AMENDMENTS.—Section 403(a)(5)(C)(iv) of such Act (42 U.S.C. 603(a)(5)(C)(iv)), as so redesignated by subsection (b)(1)(A) of this section, is amended—

(A) in the heading by inserting "HARD TO EMPLOY" before "INDIVIDUALS"; and

(B) in the last sentence by striking "clause (ii)" and inserting "clauses (ii) and (iii) and, as appropriate, clause (v)".

(d) CONFORMING AMENDMENT.—Section 404(k)(1)(C)(iii) of such Act (42 U.S.C. 604(k)(1)(C)(iii)) is amended by striking "item (aa) or (bb) of section 403(a)(5)(C)(ii)(II)" and inserting "section 403(a)(5)(C)(iii)".

(e) EFFECTIVE DATE.—The amendments made by this section—

(1) shall be effective January 1, 2000, with respect to the determination of eligible individuals for purposes of section 403(a)(5)(B) of the Social Security Act (relating to competitive grants);

(2) shall be effective July 1, 2000, except that expenditures from allotments to the States shall not be made before October 1, 2000—

(A) with respect to the determination of eligible individuals for purposes of section 403(a)(5)(A) of the Social Security Act (relating to formula grants) in the case of those individuals who may be determined to be so eligible, but would not have been eligible before July 1, 2000; or

(B) for allowable activities described in section 403(a)(5)(C)(i)(VII) of the Social Security Act (as added by section 802 of this title) provided to any individuals determined to be eligible for purposes of section 403(a)(5)(A) of the Social Security Act (relating to formula grants).

(f) REGULATIONS.—Interim final regulations shall be prescribed to implement the amendments made by this section not later than January 1, 2000. Final regulations shall be prescribed within 90 days after the date of the enactment of this Act to implement the amendments made by this Act to section 403(a)(5) of the Social Security Act, in the same manner as described in section 403(a)(5)(C)(ix) of the Social Security Act (as so redesignated by subsection (b)(1)(A) of this section).

SEC. 802. LIMITED VOCATIONAL EDUCATIONAL AND JOB TRAINING INCLUDED AS ALLOWABLE ACTIVITIES UNDER THE TANF PROGRAM.

Section 403(a)(5)(C)(i) of the Social Security Act (42 U.S.C. 603(a)(5)(C)(i)) is amended by inserting after subclause (VI) the following:

"(VII) Not more than 6 months of vocational educational or job training."

SEC. 803. CERTAIN GRANTEEES AUTHORIZED TO PROVIDE EMPLOYMENT SERVICES DIRECTLY.

Section 403(a)(5)(C)(i)(IV) of the Social Security Act (42 U.S.C. 603(a)(5)(C)(i)(IV)) is amended by inserting ", or if the entity is not a private industry council or workforce investment board, the direct provision of such services" before the period.

SEC. 804. SIMPLIFICATION AND COORDINATION OF REPORTING REQUIREMENTS.

(a) ELIMINATION OF CURRENT REQUIREMENTS.—Section 411(a)(1)(A) of the Social Security Act (42 U.S.C. 611(a)(1)(A)) is amended—

(1) in the matter preceding clause (i), by inserting "(except for information relating to activities carried out under section 403(a)(5))" after "part"; and

(2) by striking clause (xviii).

(b) ESTABLISHMENT OF REPORTING REQUIREMENT.—Section 403(a)(5)(C) of the Social Security Act (42 U.S.C. 603(a)(5)(C)), as amended by section 801(b)(1) of this title, is amended by adding at the end the following:

"(x) REPORTING REQUIREMENTS.—The Secretary of Labor, in consultation with the Secretary of Health and Human Services, States, and organizations that represent State or local governments, shall establish requirements for the collection and maintenance of financial and participant information and the reporting of such information by entities carrying out activities under this paragraph."

SEC. 805. USE OF STATE INFORMATION TO AID ADMINISTRATION OF WELFARE-TO-WORK GRANT FUNDS.

(a) AUTHORITY OF STATE AGENCIES TO DISCLOSE TO PRIVATE INDUSTRY COUNCILS THE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF POTENTIAL WELFARE-TO-WORK PROGRAM PARTICIPANTS.—

(1) STATE IV-D AGENCIES.—Section 454A(f) of the Social Security Act (42 U.S.C. 654a(f)) is amended by adding at the end the following:

"(5) PRIVATE INDUSTRY COUNCILS RECEIVING WELFARE-TO-WORK GRANTS.—Disclosing to a private industry council (as defined in section 403(a)(5)(D)(ii)) to which funds are provided under section 403(a)(5) the names, addresses, telephone numbers, and identifying case number information in the State program funded under part A, of noncustodial parents residing in the service delivery area of the private industry council, for the purpose of identifying and contacting noncustodial parents regarding participation in the program under section 403(a)(5)."

(2) STATE TANF AGENCIES.—Section 403(a)(5) of such Act (42 U.S.C. 603(a)(5)) is amended by adding at the end the following:

"(K) INFORMATION DISCLOSURE.—If a State to which a grant is made under section 403 establishes safeguards against the use or disclosure of information about applicants or recipients of assistance under the State program funded under this part, the safeguards shall not prevent the State agency administering the program from furnishing to a private industry council the names, addresses, telephone numbers, and identifying case number information in the State program funded under this part, of noncustodial parents residing in the service delivery area of the private industry council, for the purpose of identifying and contacting noncustodial parents regarding participation in the program under this paragraph."

(b) SAFEGUARDING OF INFORMATION DISCLOSED TO PRIVATE INDUSTRY COUNCILS.—Section 403(a)(5)(A)(ii)(I) of such Act (42 U.S.C. 603(a)(5)(A)(ii)(I)) is amended—

(1) by striking "and" at the end of item (dd);

(2) by striking the period at the end of item (ee) and inserting "; and"; and

(3) by adding at the end the following:

"(ff) describes how the State will ensure that a private industry council to which information is disclosed pursuant to section 403(a)(5)(K) or

454A(f)(5) has procedures for safeguarding the information and for ensuring that the information is used solely for the purpose described in that section."

SEC. 806. REDUCTION OF SET-ASIDE OF PORTION OF WELFARE-TO-WORK FUNDS FOR SUCCESSFUL PERFORMANCE BONUS.

(a) **IN GENERAL.**—Section 403(a)(5)(E) of the Social Security Act (42 U.S.C. 603(a)(5)(E)) is amended in each of clauses (iv) and (vi) by striking "\$100,000,000" and inserting "\$50,000,000".

(b) **CONFORMING AMENDMENTS.**—

(1) Section 403(a)(5)(F) of such Act (42 U.S.C. 603(a)(5)(F)) is amended by inserting "\$1,500,000" before "of the amount so specified".

(2) Section 403(a)(5)(G) of such Act (42 U.S.C. 603(a)(5)(G)) is amended by inserting "\$900,000" before "of the amount so specified".

(3) Section 403(a)(5)(H) of such Act (42 U.S.C. 603(a)(5)(H)) is amended by inserting "\$300,000" before "of the amount so specified".

(4) Section 403(a)(5)(I)(i) of such Act (42 U.S.C. 603(a)(5)(I)(i)) is amended by striking "\$1,500,000,000" and all that follows and inserting "for grants under this paragraph—

"(I) \$1,500,000,000 for fiscal year 1998; and

"(II) \$1,450,000,000 for fiscal year 1999."

(c) **NO OUTLAY UNTIL FY2001.**—Section 403(a)(5)(E)(i) of such Act (42 U.S.C. 603(a)(5)(E)(i)) is amended—

(1) by striking "make" and insert "award"; and

(2) by inserting ", but shall not make any outlay to pay any such grant before October 1, 2000" before the period.

SEC. 807. ALTERNATIVE PENALTY PROCEDURE RELATING TO STATE DISBURSEMENT UNITS.

(a) **IN GENERAL.**—Section 455(a) of the Social Security Act (42 U.S.C. 655(a)) is amended by adding at the end the following:

"(5)(A)(i) If—

"(I) the Secretary determines that a State plan under section 454 would (in the absence of this paragraph) be disapproved for the failure of the State to comply with subparagraphs (A) and (B)(i) of section 454(27), and that the State has made and is continuing to make a good faith effort to so comply; and

"(II) the State has submitted to the Secretary, not later than April 1, 2000, a corrective compliance plan that describes how, by when, and at what cost the State will achieve such compliance, which has been approved by the Secretary,

then the Secretary shall not disapprove the State plan under section 454, and the Secretary shall reduce the amount otherwise payable to the State under paragraph (1)(A) of this subsection for the fiscal year by the penalty amount.

"(ii) All failures of a State during a fiscal year to comply with any of the requirements of section 454B shall be considered a single failure of the State to comply with subparagraphs (A) and (B)(i) of section 454(27) during the fiscal year for purposes of this paragraph.

"(B) In this paragraph:

"(i) The term 'penalty amount' means, with respect to a failure of a State to comply with subparagraphs (A) and (B)(i) of section 454(27)—

"(I) 4 percent of the penalty base, in the case of the 1st fiscal year in which such a failure by the State occurs (regardless of whether a penalty is imposed in that fiscal year under this paragraph with respect to the failure), except as provided in subparagraph (C)(ii) of this paragraph;

"(II) 8 percent of the penalty base, in the case of the 2nd such fiscal year;

"(III) 16 percent of the penalty base, in the case of the 3rd such fiscal year;

"(IV) 25 percent of the penalty base, in the case of the 4th such fiscal year; or

"(V) 30 percent of the penalty base, in the case of the 5th or any subsequent such fiscal year.

"(ii) The term 'penalty base' means, with respect to a failure of a State to comply with subparagraphs (A) and (B)(i) of section 454(27) during a fiscal year, the amount otherwise payable to the State under paragraph (1)(A) of this subsection for the preceding fiscal year.

"(C)(i) The Secretary shall waive all penalties imposed against a State under this paragraph for any failure of the State to comply with subparagraphs (A) and (B)(i) of section 454(27) if the Secretary determines that, before April 1, 2000, the State has achieved such compliance.

"(ii) If a State with respect to which a reduction is required to be made under this paragraph with respect to a failure to comply with subparagraphs (A) and (B)(i) of section 454(27) achieves such compliance on or after April 1, 2000, and on or before September 30, 2000, then the penalty amount applicable to the State shall be 1 percent of the penalty base with respect to the failure involved.

"(D) The Secretary may not impose a penalty under this paragraph against a State for a fiscal year for which the amount otherwise payable to the State under paragraph (1)(A) of this subsection is reduced under paragraph (4) of this subsection for failure to comply with section 454(24)(A)."

(b) **INAPPLICABILITY OF PENALTY UNDER TANF PROGRAM.**—Section 409(a)(8)(A)(i)(III) of such Act (42 U.S.C. 609(a)(8)(A)(i)(III)) is amended by striking "section 454(24)" and inserting "paragraph (24), or subparagraph (A) or (B)(i) of paragraph (27), of section 454".

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on October 1, 1999.

This Act may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000".

Following is explanatory language on H.R. 3424, as introduced on November 17, 1999.

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

The conferees on H.R. 3194 agree with the matter inserted in this division of this conference agreement and the following description of this matter. This matter was developed through negotiations on the differences in the House reported version of H.R. 3037 and the Senate version of S. 1650, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2000, by members of the subcommittee of both the House and Senate with jurisdiction over H.R. 3037 and S. 1650.

In implementing this agreement, the Departments and agencies should comply with the language and instructions set forth in House Report 106-370 and Senate Report 106-166.

In the case where the language and instructions specifically address the allocation of funds, the Departments and agencies are to follow the funding levels specified in the Congressional budget justifications accompanying the fiscal year 2000 budget or the underlying authorizing statute and should give full consideration to all items, including items allocating specific funding included in the House and Senate reports. With respect to the provisions in the House and Senate reports that specifically allocate funds, each has been reviewed and those which are jointly concurred in have been included in this joint statement.

The provisions of the House Report (105-205) are endorsed that direct "... the Departments of Labor, Health and Human Services, and Education and the Social Security Administration and the Railroad Retirement Board to submit operating plans with respect

to discretionary appropriations to the House and Senate Committees on Appropriations. These plans, which are to be submitted within 30 days of the final passage of the bill, must be signed by the respective Departmental Secretaries, the Social Security Commissioner and the Chairman of the Railroad Retirement Board."

The Departments and agencies covered by this directive are expected to meet with the House and Senate Committees as soon as possible after enactment of the bill to develop a methodology to assure adequate and timely information on the allocation of funds within accounts within this conference report while minimizing the need for unnecessary and duplicative submissions.

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, FY 2000, put in place by this bill, incorporates the following agreements of the managers:

TITLE I—DEPARTMENT OF LABOR

**EMPLOYMENT AND TRAINING ADMINISTRATION
TRAINING AND EMPLOYMENT SERVICES**

The conference agreement appropriates \$5,465,618,000, instead of \$4,572,058,000 as proposed by the House and \$5,472,560,000 as proposed by the Senate. Of the amount appropriated, \$2,463,000,000 becomes available on October 1, 2000, instead of \$2,607,300,000 as proposed by the House and \$2,720,315,000 as proposed by the Senate.

The agreement includes language authorizing the use of funds under the dislocated workers program for projects that provide assistance to new entrants in the workforce and incumbent workers as proposed by the Senate. It also includes language proposed by the Senate modified to waive a 10 percent limitation in the Workforce Investment Act with respect to the use of discretionary funds to carry out demonstration and pilot projects, multiservice projects and multistate projects with regard to dislocated workers and to waive certain other provisions in that Act. The House bill had no similar provisions.

The Department is expected to make every effort to be flexible in the use of worker training funds for reactivated shipyards, such as those referenced in the Senate Report. The conference agreement encourages the Department to use national emergency grants under the dislocated workers program to supplement available resources for (1) worker training needs at reactivated shipyards that have experienced large-scale worker dislocation, (2) continuing training to utilize the workplace as site for learning, (3) supporting training for American workers at state-of-the-art foreign shipyards, and (4) continuing upgrading of workers skills to increase employability and job retention.

The agreement includes a citation to the Women in Apprenticeship and Nontraditional Occupations Act as proposed by the House. The Senate bill did not cite this Act.

The conference agreement includes \$5,000,000 under Job Corps for the purpose of constructing or rehabilitating facilities on some Job Corps campuses to co-locate Head Start programs to serve Job Corps students and their children as proposed in the House Report.

The Labor Department is encouraged to continue and provide technical assistance to the Role Models America Academy Demonstration Program.

The Ways to Work family loan program is an innovative micro-loan program which provides small loans to low-income families who are attempting to make the transition from public assistance to the workforce or retain employment. This program allows families who often lack access to loans from mainstream sources because of their weak

credit histories to receive the necessary financial resources to meet emergency expenses. The Department is urged to consider making available up to \$1 million for this program to demonstrate its effectiveness in assisting low-income parents in obtaining and retaining jobs.

The conference agreement includes the following amounts for the following projects and activities:

Dislocated workers

- \$1,000,000 for the York Skill Center, York, PA
 - \$2,000,000 for development of a new model for high-tech workforce development at San Diego State University
 - \$1,000,000 for the Central Indiana Technology Training Center at Ball State University
 - \$1,000,000 for Clayton College and State University in Georgia for a virtual education and training project to improve military-to-civilian employment transition
 - \$1,500,000 for a dislocated farmer retraining project at the University of Idaho
 - \$1,000,000 for the Chipola Junior College in Florida to retrain dislocated workers.
 - \$500,000 for the State of New Mexico for rural employment in telecommunications
 - \$1,000,000 for the Puget Sound Center for Technology to help alleviate the shortage of information technology workers in the Puget Sound Region
 - \$400,000 for the Philadelphia Area Accelerated Manufacturing Education, Inc.
 - \$1,500,000 for the Pennsylvania training consortium
 - \$600,000 for the Lehigh University integrated product development
 - \$2,500,000 to train foreign workers, including Russians in oil field management in Alaska
 - \$100,000 for community development, job growth and economic development program focused on effective re-use of the Badger Army Ammunition Plant in Sauk County, Wisconsin.
 - \$250,000 for the Ohio Employee Ownership Center's job retention initiative.
- #### *Pilots and demonstrations*
- \$800,000 for the Center for Workforce Preparation at the U.S. Chamber of Commerce
 - \$1,000,000 for Green Thumb for replication in rural areas of a project to train disadvantaged individuals for jobs in the information technology industry
 - \$1,000,000 for Focus:HOPE in Detroit for information technology training
 - \$300,000 for the Bowling Green, KY Housing Authority for workforce preparation and training for low-income youth and adults
 - \$400,000 for the Collegiate Consortium for Workforce and Economic Development
 - \$2,000,000 for the Springfield Workforce Development Center in Springfield, Vermont for a model regional workforce development
 - \$200,000 to Northlands Job Corps Center in Vergennes, Vermont for a center child care project
 - \$170,000 for the Greater Burlington Industrial Corporation in Burlington, Vermont for a model pre-employment counseling program
 - \$100,000 for the Commonwealth of Pennsylvania, Department of Labor and Industry, to study the financial impact of professional employer arrangements on the Unemployment Compensation Fund
 - \$1,000,000 for the Lorain County Community College for a workforce development project
 - \$800,000 for Jobs for America's Graduates
 - \$2,500,000 for Alaska Works in Fairbanks, Alaska for construction job training
 - \$2,500,000 for Hutchinson Career Center in Fairbanks, Alaska to upgrade equipment to provide vocational training

—\$1,500,000 to train Alaska Native and local low income youth as cultural tour guides and in museum operations for the Alaska Native Heritage Center, Bishop Museum in Hawaii, and Peabody-Essex Museum in Massachusetts

—\$1,500,000 for the University of Missouri-St. Louis for the design and implementation of the Regional Center for Education and Work

—\$400,000 for the Vermont Technical College for a Technology Training Initiative

—\$150,000 to the Nebraska Urban League for a welfare-to-work pilot project

—\$1,000,000 to the Des Moines Community College for SMART Partners, a public-private partnership which guarantees full-time employment to students who meet the competencies and skill standards required in modern advanced high performance manufacturing

—\$500,000 to the American Indian Science and Engineering Society for the Native American Rural Computer Utilization Training Program

—\$500,000 to the Maui Economic Development Board for the Rural Computer Utilization Training Program

—\$250,000 to the Job Corps of North Dakota for the Fellowship Executive Training Program

—\$250,000 for the University of Colorado Health Sciences Center to provide training and assistance through the University's telehealth/telemedicine distance learning

—\$30,000 to expand training programs for women moving from welfare to work at the Westchester Jewish Community Services' Women's Center in Purchase, NY

—\$750,000 for the Kingston-Newburgh Enterprise Community to provide technical and training assistance to small businesses and community projects

—\$250,000 for the Virginia Modeling, Analysis and Simulation Center's technology-based training program

—\$1,000,000 for the Massachusetts Corporation for Business, Work and Learning for the International Shipbuilding Training Demonstration project

—\$40,000 for the Full Employment Council for Pre-Apprenticeship Training in Missouri

—\$150,000 for a proposed workforce development proposal in Blair County, Pennsylvania, aimed at alleviating the shortage of skilled trade workers

—\$500,000 for a job training and placement proposal for Green Door in Washington, DC, to expand employment services for people with a mental illness

—\$1,000,000 for aircraft maintenance training at an Aviation/Aerospace Center of Excellence project in northeast Florida operated by the Florida Community College at Jacksonville utilizing resources at the Cecil Field Naval Air Base

—\$250,000 for the Mellwood Job Training Program in Maryland to provide employment training services to developmentally disabled citizens

—\$500,000 for Enterprise Development Incorporated in South Carolina to identify essential job skill requirements for workers in critical industries

—\$500,000 for the Vietnam Veterans Leadership Program (VVLP), a non-profit organization providing job assistance and supportive services to the veteran community of Southwestern Pennsylvania

—\$500,000 for the South Dakota Intertribal Bison Cooperative, for a vocational training program to provide employment-related skills for native tribes

The conference agreement also provides funds to continue in FY 2000 those projects and activities which were awarded under the dislocated workers program and under pilots and demonstrations in FY 1999 as described

in the Senate Report, subject to project performance, demand for activities and services, and utilization of prior year funding.

The conference agreement includes \$15,000,000 to continue and expand the Youth Offender grant program serving youth who are or have been under criminal justice system supervision.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

The conference agreement appropriates \$415,150,000 as proposed by the Senate instead of \$314,400,000 as proposed by the House.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

The conference agreement appropriates \$3,253,740,000, instead of \$3,141,740,000 as proposed by the House and \$3,358,073,000 as proposed by the Senate.

The agreement includes \$41,300,000 for the alien labor certification program as proposed by the Senate instead of \$36,300,000 as proposed by the House. For administration of the work opportunity tax credit and the welfare-to-work tax credit, the agreement includes \$22,000,000 as proposed by the Senate instead of \$20,000,000 as proposed by the House. Funds are included for a "talking" America's Job Bank for the blind.

The agreement does not include a citation to section 461 of the Job Training Partnership Act proposed by the Senate. The House bill did not include this citation.

PROGRAM ADMINISTRATION

The conference agreement appropriates \$146,000,000, instead of \$138,126,000 as proposed by the House and \$149,340,000 as proposed by the Senate. The agreement also includes language proposed by the House requiring that the majority of the welfare-to-work program staff shall be term appointments lasting no more than one year. The Senate bill contained no such language.

The Department is expected to conduct an analysis of the case backlog in the alien labor certification program and report its findings to the Appropriations Committees by February 1, 2000. Further, it is expected that the Department will submit at the same time its proposed schedule for eliminating this backlog.

PENSION AND WELFARE BENEFITS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement appropriates \$99,000,000, instead of \$90,000,000 as proposed by the House and \$99,831,000 as proposed by the Senate.

PENSION BENEFIT GUARANTY CORPORATION

The conference agreement provides \$11,155,000 for the administrative expense limitation, instead of \$10,958,000 as proposed by the House and \$11,352,000 as proposed by the Senate.

EMPLOYMENT STANDARDS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement appropriates \$339,000,000, instead of \$314,000,000 as proposed by the House and \$342,787,000 as proposed by the Senate.

There is concern about the December 3, 1997 Opinion Letter issued by the Employment Standards Administration regarding section 3(o) of the Fair Labor Standards Act. Within the constraints of not preempting the Department's discussions with industry or the courts' impartial consideration of the merits of this issue, the Department is urged to clarify this letter with regard to retroactivity and to existing collective bargaining agreements or private litigation.

BLACK LUNG DISABILITY TRUST FUND

The conference agreement appropriates \$49,771,000 for salaries and expenses from the

Trust Fund, instead of \$49,404,000 as proposed by the House and \$50,138,000 as proposed by the Senate. The agreement includes a definite annual appropriation for black lung benefit payments and interest payments on advances made to the Trust Fund as proposed by the House instead of an indefinite permanent appropriation as proposed by the Senate.

There is concern about the structural deficit in the Black Lung Disability Trust Fund. The Administration is directed to provide its recommended solution for the problem of the increasing indebtedness of the Trust Fund to the Congress as part of its fiscal year 2001 budget request.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement appropriates \$382,000,000, instead of \$337,408,000 as proposed by the House and \$388,142,000 as proposed by the Senate. The agreement does not include language proposed by the Senate that would have earmarked one-half of the increase over the FY 1999 appropriation for State consultation grants and one-half for enforcement and all other purposes. The House bill had no similar provision. The detailed table at the end of this joint statement reflects the activity distribution agreed upon.

The Department is urged to consider allowing the use of all FDA-approved devices which reduce the risk of needlestick injury, whether or not such safety feature is integrated into the needle or other sharp medical object, if the non-integrated device is at least as safe and effective as other FDA-approved devices.

Without any intent to delay pending regulations, the conference agreement includes \$450,000 elsewhere in this bill for a National Academy of Sciences study of the proposed standard on tuberculosis.

Concerns have been expressed about recommendations of the Metalworking Fluids Standards Advisory Committee, established by the Department, with respect to metalworking fluids exposure levels. The Department is expected to carefully consider peer-reviewed scientific research and examine the technical feasibility and economic consequences of its recommendations. An economic analysis to the three-digit SIC code and a risk assessment should be completed on the impact of reduced exposure levels.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement appropriates \$228,373,000, instead of \$211,165,000 as proposed by the House and \$230,873,000 as proposed by the Senate. The agreement includes \$2,500,000 over the budget request for physical improvements at the National Mine Safety and Health Academy.

The agreement does not include language proposed by the House that would have prohibited the use of funds to carry out the miner training provisions of the Mine Safety and Health Act with respect to certain industries, including sand and gravel and surface stone, until June 1, 2000. The Senate bill did not include a similar provision.

The agreement also does not include language proposed by the Senate that would have allowed MSHA to retain and spend up to \$1,000,000 in fees collected for the approval and certification of mine equipment and materials. The House bill did not include a similar provision.

Concerns have been expressed about the possible ramifications of a rulemaking on the use of conveyor belts in underground coal mines, including concerns about the validity of the testing on which the rule is based. MSHA is urged to carefully examine

the record and to conduct additional research that may be required to address any significant concerns that have been raised.

MSHA is urged to examine the ongoing NCI/NIOSH study of Lung Cancer and Diesel Exhaust among Non-Metal Miners in connection with the promulgation of a proposed rule on diesel exhaust.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

The conference agreement appropriates \$413,444,000, instead of \$409,444,000 as proposed by the Senate and \$394,697,000 as proposed by the House.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement appropriates \$241,788,000, instead of \$191,131,000 as proposed by the House and \$247,311,000 as proposed by the Senate. The agreement includes language proposed by the Senate that authorizes the expenditure of funds for the management or operation of Departmental bilateral and multilateral foreign technical assistance. The House bill included no such language. The agreement does not include language proposed by the Senate that would have authorized the use of up to \$10,000 of DOL salaries and expenses funds in this Act for receiving and hosting officials of foreign states and official foreign delegations. The House bill included no such language. Instead, the agreement authorizes the Secretary to use up to \$20,000 from funds available for salaries and expenses for official reception and representation expenses in a general provision in title V of the bill (§504), instead of \$15,000 as proposed in both the House and Senate bills.

International child labor activities are funded at the level requested in the President's budget.

The agreement does not include statutory language proposed by the Senate requiring a report to Congress containing options to promote a legal domestic workforce in the agricultural sector, provide for improved compensation and benefits, improved living conditions and better transportation between jobs and address other issues related to agricultural labor that the Secretary determines to be necessary. However, the Department is instructed to prepare such a report and submit it to Congress as soon as possible.

The conference agreement includes \$500,000 in the Executive Direction activity for activities of the Twenty-First Century Workforce Commission, as authorized by the Workforce Investment Act of 1998.

ASSISTANT SECRETARY FOR VETERANS EMPLOYMENT AND TRAINING

The conference agreement appropriates \$184,341,000, instead of \$182,719,000 as proposed by the House and \$185,613,000 as proposed by the Senate.

OFFICE OF INSPECTOR GENERAL

The conference agreement appropriates \$51,925,000 as proposed by the Senate instead of \$47,500,000 as proposed by the House.

GENERAL PROVISIONS

JOB CORPS PAY CAP

The conference agreement includes language proposed by the House adjusting the salary cap for employees of Job Corps contractors from Federal Executive Level III to Executive Level II. The Senate bill left the cap at the current level of Executive Level III.

DAVIS-BACON HELPER REGULATIONS

The conference agreement does not include language proposed by the House that would have prohibited the use of funds in the bill to implement the proposed Davis-Bacon helper regulations issued by the Wage and Hour Di-

vision on April 9, 1999. The Senate bill contained no such provision.

HEALTH CLAIMS REGULATIONS

The conference agreement does not include language proposed by the House that would have prohibited the use of funds in the bill to implement the proposed regulations issued by the Labor Department on September 9, 1998 concerning changes in ERISA health claims processing requirements. The Senate bill contained no such provision.

PROPERTY TRANSFER

The conference agreement includes language that was not contained in either the House or Senate bill that requires the Secretary of Labor to transfer a building to the city of Salinas, CA.

TITLE II—DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

The conference agreement includes \$4,584,721,000 for Health Resources and Services instead of \$4,204,395,000 as proposed by the House and \$4,365,498,000 as proposed by the Senate.

The conference agreement includes bill language identifying \$122,182,000 for the construction and renovation of health care and other facilities instead of \$10,000,000 as proposed by the Senate. The House bill contained no similar provision. These funds are to be used for the following projects: Northwestern University/Evanston Hospital Center for Genomics and Molecular Medicine; Sinai Family Health Centers of Chicago; Condell Medical Center Regional Center for Cardiac Health Services; Northwestern Memorial Hospital; Hackensack University Medical Center; Brookfield Zoo/Loyola University School of Medicine; Westcare Fresno Community Healthcare Campus, Fresno, California; Northern Illinois University Center for the Study of Family Violence and Sexual Assault; Memorial Hermann Healthcare System, Houston, Texas; George Mason University Center for Services to Families and Schools; Dominican College Center for Health Sciences; Marklund Children's Home, Bloomingdale, Illinois; Lawton and Rhea Chiles Center for Healthy Mothers and Babies Perinatal Data Center; Aging Health Services Center, Somerset, Kentucky; St. Joseph's Hospital Health Center, Syracuse, New York; Northeastern Ohio Universities College of Medicine; Gateway Community Health Center, Laredo, Texas; Uvalde County Clinic, Uvalde, Texas; Vida y Salud Community Health Center, Crystal City, Texas; Sul Ross State University, Alpine, Texas; University of Mississippi Medical Center, Guyton Building; Children's Hospital of Alabama, Birmingham, Alabama; Edward Health Services, Naperville, Illinois; Marquette University School of Dentistry; St. Christopher-Ottolie Residential Treatment Center, Sea Cliff, Long Island; Louisiana State University Feist-Weiller Cancer Center, Shreveport, Louisiana; Columbus Community Healthcare Center, Buffalo, New York; Children's Hospital Los Angeles Research Institute; Englewood Hospital and Medical Center, Englewood, New Jersey; Marywood University Northeast Pennsylvania Healthy Families Center, Scranton, Pennsylvania; Temple University Outpatient Facility; Temple University Children's Medical Center; Pittsburgh Magee-Women's Hospital Women's Center; College of Physicians, Philadelphia, Pennsylvania; Drexel University National Chemical and Biological Research Center; University of Pittsburgh Cancer Center; Philadelphia College of Osteopathic Medicine; Fairbanks Memorial Hospital, Fairbanks, Alaska; Yukon-Kuskokwim

