

103^D CONGRESS
1ST SESSION

H. R. 2520

AMENDMENTS

In the Senate of the United States,

September 15 (legislative day, September 7), 1993.

Resolved, That the bill from the House of Representatives (H.R. 2520) entitled “An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes”, do pass with the following

AMENDMENTS:

1 **(1)**Page 2, after line 2, insert:

2 *MANAGEMENT OF LANDS AND RESOURCES*

3 *For expenses necessary for protection, use, improve-*
4 *ment, development, disposal, cadastral surveying, classifica-*
5 *tion, and performance of other functions, including mainte-*
6 *nance of facilities, as authorized by law, in the management*
7 *of lands and their resources under the jurisdiction of the*
8 *Bureau of Land Management, including the general admin-*
9 *istration of the Bureau of Land Management, \$604,415,000,*
10 *of which the following amounts shall remain available until*
11 *expended: not to exceed \$1,462,000 to be derived from the*
12 *special receipt account established by section 4 of the Land*
13 *and Water Conservation Fund Act of 1965, as amended (16*
14 *U.S.C. 460l-6a(i)), and \$69,418,000 for the Automated*
15 *Land and Mineral Record System Project: Provided, That*

1 *appropriations herein made shall not be available for the*
2 *destruction of healthy, unadopted, wild horses and burros*
3 *in the care of the Bureau of Land Management or its con-*
4 *tractors; and in addition, \$15,300,000 for Mining Law Ad-*
5 *ministration program operations to remain available*
6 *through September 30, 1994, to be reduced by amounts col-*
7 *lected by the Bureau of Land Management and credited to*
8 *this appropriation from annual mining claim fees so as*
9 *to result in a final fiscal year 1994 appropriation estimated*
10 *at not more than \$604,415,000: Provided further, That in*
11 *addition to funds otherwise available, not to exceed*
12 *\$5,000,000 from annual mining claim fees shall be credited*
13 *to this account for the costs of administering the mining*
14 *claim fee program, and shall remain available until ex-*
15 *pended.*

16 **(2)**Page 2, after line 26, insert:

17 *CONSTRUCTION AND ACCESS*

18 *For acquisition of lands and interests therein, and*
19 *construction of buildings, recreation facilities, roads, trails,*
20 *and appurtenant facilities, \$10,817,000, to remain avail-*
21 *able until expended.*

22 **(3)**Page 3, line 10, strike out **[\$14,877,000]** and insert:

23 *\$8,177,000*

24 **(4)**Page 4, after line 4, insert:

RANGE IMPROVEMENTS

1
2 *For rehabilitation, protection, and acquisition of lands*
3 *and interests therein, and improvement of Federal range-*
4 *lands pursuant to section 401 of the Federal Land Policy*
5 *and Management Act of 1976 (43 U.S.C. 1701), notwith-*
6 *standing any other Act, sums equal to 50 per centum of*
7 *all moneys received during the prior fiscal year under sec-*
8 *tions 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315*
9 *et seq.) and the amount designated for range improvements*
10 *from grazing fees and mineral leasing receipts from*
11 *Bankhead-Jones lands transferred to the Department of the*
12 *Interior pursuant to law, but not less than \$10,025,000, to*
13 *remain available until expended: Provided, That not to ex-*
14 *ceed \$600,000 shall be available for administrative ex-*
15 *penses.*

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

16
17 *For administrative expenses and other costs related to*
18 *processing application documents and other authorizations*
19 *for use and disposal of public lands and resources, for costs*
20 *of providing copies of official public land documents, for*
21 *monitoring construction, operation, and termination of fa-*
22 *cilities in conjunction with use authorizations, and for re-*
23 *habilitation of damaged property, such amounts as may be*
24 *collected under sections 209(b), 304(a), 304(b), 305(a), and*
25 *504(g) of the Act approved October 21, 1976 (43 U.S.C.*
26 *1701), and sections 101 and 203 of Public Law 93-153,*

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

20 *MISCELLANEOUS TRUST FUNDS*

21 *In addition to amounts authorized to be expended*
22 *under existing law, there is hereby appropriated such*
23 *amounts as may be contributed under section 307 of the*
24 *Act of October 21, 1976 (43 U.S.C. 1701), and such*
25 *amounts as may be advanced for administrative costs, sur-*
26 *veys, appraisals, and costs of making conveyances of omit-*

1 *ted lands under section 211(b) of that Act, to remain avail-*
2 *able until expended.*

3 *ADMINISTRATIVE PROVISIONS*

4 *Appropriations for the Bureau of Land Management*
5 *shall be available for purchase, erection, and dismantlement*
6 *of temporary structures, and alteration and maintenance*
7 *of necessary buildings and appurtenant facilities to which*
8 *the United States has title; up to \$100,000 for payments,*
9 *at the discretion of the Secretary, for information or evi-*
10 *dence concerning violations of laws administered by the Bu-*
11 *reau of Land Management; miscellaneous and emergency*
12 *expenses of enforcement activities authorized or approved*
13 *by the Secretary and to be accounted for solely on his cer-*
14 *tificate, not to exceed \$10,000: Provided, That appropria-*
15 *tions herein made for Bureau of Land Management expend-*
16 *itures in connection with the revested Oregon and Califor-*
17 *nia Railroad and reconveyed Coos Bay Wagon Road grant*
18 *lands (other than expenditures made under the appropria-*
19 *tion "Oregon and California grant lands") shall be reim-*
20 *bursed to the General Fund of the Treasury from the 25*
21 *per centum referred to in subsection (c), title II, of the Act*
22 *approved August 28, 1937 (50 Stat. 876), of the special*
23 *fund designated the "Oregon and California land grant*
24 *fund" and section 4 of the Act approved May 24, 1939 (53*
25 *Stat. 754), of the special fund designated the "Coos Bay*
26 *Wagon Road grant fund": Provided further, That notwith-*

1 *standing 44 U.S.C. 501, the Bureau may, under cooperative*
2 *cost-sharing and partnership arrangements authorized by*
3 *law, procure printing services from cooperators in connec-*
4 *tion with jointly-produced publications for which the co-*
5 *operators share the cost of printing either in cash or in serv-*
6 *ices, and the Bureau determines the cooperator is capable*
7 *of meeting accepted quality standards.*

8 **(5)**Page 4, line 19, strike out **【\$492,229,000】** and in-
9 sert: *\$476,831,000*

10 **(6)**Page 5, line 2, strike out **【\$2,500,000】** and insert:
11 *\$1,500,000*

12 **(7)**Page 5, line 6, after “Foundation” insert: *: Provided*
13 *further, That within funds provided \$100,000 shall be made*
14 *available to the United States Fish and Wildlife Service for*
15 *the purpose of compiling and maintaining a database con-*
16 *sisting of big game and small game population levels and*
17 *hunter harvests in, and adjacent to, areas under consider-*
18 *ation for wolf reintroduction: Provided further, That such*
19 *study shall consist of data obtained from State game and*
20 *fish agencies and Federal agencies with jurisdiction for*
21 *wildlife management in these areas: Provided further, That*
22 *such database shall include measured and estimated popu-*
23 *lation levels of game species covering a period ten years*
24 *prior to the date of enactment: Provided further, That such*

1 *database shall be updated on a yearly basis after the date*
2 *of enactment*

3 **(8)**Page 5, line 6, after “Foundation” insert: *: Provided*
4 *further, That \$40,000 of the funds provided herein shall be*
5 *made available for the research program relating to habitat*
6 *and repopulation studies and possible interactions between*
7 *wolves and mountain lions in and around Yellowstone Na-*
8 *tional Park*

9 **(9)**Page 5, line 12, strike out **【\$53,209,000】** and insert:
10 *\$75,388,000*

11 **(10)**Page 5, line 13, strike out all after “expended”
12 down to and including “Marsh” in line 16

13 **(11)**Page 6, line 1, strike out **【\$7,260,000】** and insert:
14 *\$6,260,000*

15 **(12)**Page 7, line 3, strike out **【\$61,610,000】** and insert:
16 *\$76,204,000*

17 **(13)**Page 7, line 9, strike out **【\$9,571,000】** and insert:
18 *\$8,571,000*

19 **(14)**Page 7, line 15, strike out **【\$11,748,000】** and in-
20 sert: *\$13,748,000*

21 **(15)**Page 7, line 24, strike out **【\$11,257,000】** and in-
22 sert: *\$13,257,000*

1 **(16)**Page 9, line 16, strike out **【\$163,604,000】** and in-
2 sert: *\$156,837,000*

3 **(17)**Page 9, line 16, strike out **【\$162,177,000】** and in-
4 sert: *\$155,410,000*

5 **(18)**Page 9, line 19, after “construction” insert: : *Pro-*
6 *vided, That the National Biological Survey is authorized*
7 *to accept lands, buildings, equipment, and other contribu-*
8 *tions, either cash or in-kind, from public and private*
9 *sources, and to prosecute projects in cooperation with other*
10 *agencies, Federal, State, or private: Provided further, That*
11 *the National Biological Survey is authorized to accept the*
12 *services of outside individuals or entities without compensa-*
13 *tion*

14 **(19)**Page 10, line 12, strike out **【\$1,059,033,000】** and
15 insert: *\$1,063,335,000*

16 **(20)**Page 10, line 17, after “100–203” insert: : *Pro-*
17 *vided, That the National Park Service shall not enter into*
18 *future concessionaire contracts, including renewals, that do*
19 *not include a termination for cause clause that provides for*
20 *possible extinguishment of possessory interests excluding de-*
21 *preciated book value of concessionaire investments without*
22 *compensation*

1 **(21)**Page 10, line 17, after “100–203” insert: : *Provided*
2 *further, That funds included in the section entitled as Spe-*
3 *cial Park Increases of the National Park Service budget,*
4 *for two natural resource management FTEs dealing with*
5 *the reintroduction of the wolf, shall be instead used for the*
6 *improvement of the physical infrastructure of Yellowstone*
7 *National Park: Provided further, That the resources reallo-*
8 *cated shall be consistent with accounts remaining for the*
9 *stated purpose based on the committee’s recommended fund-*
10 *ing level*

11 **(22)**Page 10, line 23, strike out **【\$35,606,000】** and in-
12 sert: *\$43,844,000, of which not to exceed \$610,000 shall be*
13 *for the Roosevelt Campobello International Park Commis-*
14 *sion*

15 **(23)**Page 11, line 7, strike out **【\$183,949,000】** and in-
16 sert: *\$191,136,000*

17 **(24)**Page 11, line 8, strike out all after “expended”
18 down to and including “470a” in line 10 and insert: : *Pro-*
19 *vided, That of the funds provided under this heading, not*
20 *to exceed \$450,000 shall be made available to the City of*
21 *Hot Springs, Arkansas, to be used as part of the non-Fed-*
22 *eral share of a cost-shared feasibility study of flood protec-*
23 *tion for the downtown area which contains a significant*
24 *amount of National Park Service property and improve-*

1 *ments: Provided further, That notwithstanding any other*
2 *provision of law a single procurement for the construction*
3 *of the Franklin Delano Roosevelt Memorial may be issued*
4 *which includes the full scope of the project: Provided further,*
5 *That the solicitation and the contract shall contain the*
6 *clause “availability of funds” found at 48 CFR 52.323.18*

7 **(25)**Page 11, strike out lines 11 to 15

8 **(26)**Page 11, line 26, strike out **【\$89,460,000】** and in-
9 sert: *\$95,587,000*

10 **(27)**Page 13, line 3, after “1913” insert: *: Provided fur-*
11 *ther, That notwithstanding any other provision of law, the*
12 *National Park Service may hereafter recover all costs of*
13 *providing necessary services associated with special use per-*
14 *mits, such reimbursements to be credited to the appropria-*
15 *tion current at that time*

16 **(28)**Page 13, line 3, strike out all after “1913” down
17 to and including “year” in line 6

18 **(29)**Page 15, line 24, strike out **【\$193,197,000】** and
19 insert: *\$192,897,000*

20 **(30)**Page 15, line 25, strike out **【\$65,896,000】** and in-
21 sert: *\$64,896,000*

1 **(31)**Page 17, line 7, strike out **【\$5,681,000】** and insert:

2 *\$5,331,000*

3 **(32)**Page 17, line 23, strike out **【\$169,336,000】** and

4 insert: *\$171,584,000*

5 **(33)**Page 17, line 23, strike out **【\$105,063,000】** and

6 insert: *\$107,311,000*

7 **(34)**Page 20, line 1, strike out all after “\$12,000,000”

8 down to and including “Office” in line 4

9 **(35)**Page 21, line 6, strike out **【\$1,492,650,000】** and

10 insert: *\$1,489,885,000*

11 **(36)**Page 21, line 10, strike out **【\$52,582,000】** and in-

12 sert: *\$49,226,000*

13 **(37)**Page 22, line 3, strike out **【\$1,983,000】** and insert:

14 *\$2,483,000*

15 **(38)**Page 22, line 15, after “Act” insert: *: Provided fur-*

16 *ther, That of the amount appropriated under this head in*

17 *Public Law 102–381, \$250,000 for activities related to the*

18 *Alaska Native Claims Settlement Act shall remain available*

19 *until expended*

20 **(39)**Page 22, line 18, after “ties” insert: *: Provided fur-*

21 *ther, That not to exceed \$84,808,000 of the funds in this*

22 *Act shall be available for payments to tribes and tribal or-*

1 *ganizations for indirect costs associated with contracts or*
2 *grants or compacts authorized by the Indian Self-Deter-*
3 *mination Act of 1975, as amended*

4 **(40)**Page 22, line 18, after “ties” insert: : *Provided fur-*
5 *ther, That notwithstanding any other provision of law, any*
6 *locality qualified to select land as a native village under*
7 *the Alaska Native Claims Settlement Act (Public Law 92–*
8 *203 as amended) shall be eligible to participate in funding*
9 *for the Indian roads program*

10 **(41)**Page 22, line 18, after “ties” insert: : *Provided fur-*
11 *ther, That for the purpose of Indian Reservation road con-*
12 *struction, all public Indian reservation roads (as defined*
13 *in 23 U.S.C. 101), identified in the 1990 Bureau of Indian*
14 *Affairs Juneau Area Transportation Study (and in any*
15 *subsequent update of such Transportation Study) shall be*
16 *included as BIA system adjusted miles in the Bureau of*
17 *Indian Affairs highway trust fund formula for distribution*
18 *for fiscal year 1994: Provided further, That this provision*
19 *shall expire upon implementation by the Secretary of the*
20 *Interior of a relative needs based highway trust fund alloca-*
21 *tion formula pursuant to 23 U.S.C. 202(d)*

22 **(42)**Page 23, line 16, after “1991” insert: : *Provided*
23 *further, That any reorganization proposal shall not be im-*
24 *plemented until the Task Force has reviewed it and rec-*

1 *ommended its implementation to the Secretary and such*
2 *proposal has been submitted to and approved by the Com-*
3 *mittees on Appropriations, except that the Bureau may sub-*
4 *mit a reorganization proposal related only to management*
5 *improvements, along with Task Force comments or rec-*
6 *ommendations to the Committees on Appropriations for re-*
7 *view and disposition by the Committees*

8 **(43)**Page 25, line 13, after “1994” insert: *: Provided*
9 *further, That any funds provided under this head or pre-*
10 *viously provided for tribally-controlled community colleges*
11 *which are distributed prior to September 30, 1994 which*
12 *have been or are being invested or administered in compli-*
13 *ance with section 331 of the Higher Education Act shall*
14 *be deemed to be in compliance for current and future pur-*
15 *poses with Title III of the Tribally Controlled Community*
16 *Colleges Assistance Act*

17 **(44)**Page 25, line 20, strike out **[\$172,799,000]** and
18 insert: *\$150,429,000*

19 **(45)**Page 26, line 9, after “Affairs” insert: *: Provided*
20 *further, That funds appropriated for construction of the*
21 *Wind River Indian Irrigation Project in fiscal year 1990*
22 *(Public Law 101–121), fiscal year 1991 (Public Law 101–*
23 *512), fiscal year 1992 (Public Law 102–154), and hereafter*
24 *shall be made available on a non-reimbursable basis*

1 (46)Page 29, line 5, strike out **【\$82,107,000】** and in-
2 sert: *\$81,457,000*

3 (47)Page 29, line 5, strike out **【\$77,569,000】** and in-
4 sert: *\$76,869,000*

5 (48)Page 29, line 19, strike out **【\$4,538,000】** and in-
6 sert: *\$4,588,000*

7 (49)Page 30, line 6, after “99–396,” insert: *or any sub-*
8 *sequent legislation related to Commonwealth of the North-*
9 *ern Mariana Islands covenant grant funding.*

10 (50)Page 30, line 13, after “Foundation” insert: *: Pro-*
11 *vided further, That the funds for the program of operations*
12 *and maintenance improvement are appropriated to institu-*
13 *tionalize routine operations and maintenance of capital in-*
14 *frastructure in American Samoa, Guam, the Virgin Is-*
15 *lands, the Commonwealth of the Northern Mariana Islands,*
16 *the Republic of Palau, the Republic of the Marshall Islands,*
17 *and the Federated States of Micronesia through assessments*
18 *of long-range operations and maintenance needs, improved*
19 *capability of local operations and maintenance institutions*
20 *and agencies (including management and vocational edu-*
21 *cation training), and project-specific maintenance (with*
22 *territorial participation and cost sharing to be determined*
23 *by the Secretary based on the individual territory’s commit-*
24 *ment to timely maintenance of its capital assets)*

1 **(51)**Page 30, line 13, after “Foundation” insert: : *Pro-*
2 *vided further, That any appropriation for disaster assist-*
3 *ance under this head in this act or previous appropriations*
4 *acts may be used as non-Federal matching funds for the*
5 *purpose of hazard mitigation grants provided pursuant to*
6 *section 404 of the Robert T. Stafford Disaster Relief and*
7 *Emergency Assistance Act (42 U.S.C. 5170c)*

8 **(52)**Page 30, line 23, strike out **【\$24,038,000】** and in-
9 sert: *\$23,338,000*

10 **(53)**Page 30, line 24, strike out **【\$18,605,000】** and in-
11 sert: *\$17,964,000*

12 **(54)**Page 32, after line 6, insert:

13 *ECOSYSTEM RESTORATION FUND*

14 *For expenses necessary to implement the President’s*
15 *Forest Plan for “Jobs in the Woods” ecosystem restoration*
16 *in Northern California, Washington, and Oregon,*
17 *\$7,000,000, to remain available until September 30, 1995:*
18 *Provided, That with the approval of the Secretary, such*
19 *amounts as may be identified in implementation plans*
20 *may be transferred to the Bureau of Land Management,*
21 *the Fish and Wildlife Service, and the Bureau of Indian*
22 *Affairs.*

1 (55)Page 32, line 18, strike out **[\$2,494,000]** and in-
2 sert: *\$2,194,000*

3 (56)Page 32, line 23, strike out **[\$1,000,000]** and in-
4 sert: *\$1,500,000*

5 (57)Page 38, strike out lines 10 to 15

6 (58)Page 38, strike out all after line 15 over to and
7 including line 2 on page 39

8 (59)Page 39, strike out lines 9 to 12

9 (60)Page 39, after line 12, insert:

10 *SEC. 115. None of the funds appropriated under this*
11 *Act shall be available for the planning or implementation*
12 *of an increase in entrance fees above the levels in effect on*
13 *January 1, 1993, charged at the Blackwater National Wild-*
14 *life Refuge, Maryland.*

15 (61)Page 39, after line 12, insert:

16 *SEC. 116. None of the funds in this Act may be used*
17 *to implement an agreement between the Secretary of the In-*
18 *terior and Save Our Cumberland Mountains, Inc. regard-*
19 *ing the operation and maintenance of the Applicant/Viola-*
20 *tor System.*

21 (62)Page 39, after line 12, insert:

1 (70)Page 42, strike out lines 3 to 7

2 (71)Page 43, line 5, strike out **【\$237,423,000】** and in-
3 sert: *\$264,795,000*

4 (72)Page 43, line 6, strike out **【\$96,495,000】** and in-
5 sert: *\$97,867,000*

6 (73)Page 43, line 8, strike out **【\$140,228,000】** and in-
7 sert: *\$166,928,000*

8 (74)Page 43, line 24, strike out **【\$56,700,000】** and in-
9 sert: *\$51,050,000*

10 (75)Page 47, line 18, after “forest” insert: *, and for*
11 *timber sales preparation to replace sales lost to fire or other*
12 *causes, and sales preparation to replace sales inventory on*
13 *the shelf for any national forest to a level sufficient to main-*
14 *tain new sales availability equal to a rolling five-year aver-*
15 *age of the total sales offerings, and for design, engineering,*
16 *and supervision of construction of roads lost to fire or other*
17 *causes associated with the timber sales programs described*
18 *above: Provided, That notwithstanding any other provision*
19 *of law, moneys received from the timber salvage sales pro-*
20 *gram shall be considered as money received for purposes*
21 *of computing and distributing 25 per centum payments to*
22 *local governments under 16 U.S.C. 500, as amended*

1 **(76)**Page 50, strike out all after line 22 over to and
2 including line 2 on page 51, and insert:

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

9 **(77)**Page 51, strike out lines 3 to 6 and insert:

10 *None of the funds made available in this Act shall be*
11 *used for timber sale planning or scoping using clearcutting*
12 *on the Ozark-St. Francis National Forest in Arkansas, ex-*
13 *cept for sales that, in the discretion of the forest supervisor,*
14 *are necessary as a result of natural disaster or a threat*
15 *to forest health, or for maintaining or enhancing wildlife*
16 *habitat, or habitat for endangered and threatened species,*
17 *or for research purposes.*

18 **(78)**Page 51, strike out lines 7 to 11 and insert:

19 *None of the funds in this Act shall be used in the*
20 *Ozark-St. Francis or Ouachita National Forest in Arkansas*
21 *for timber sales that both permanently and substantially*
22 *alter the current understory, midstory, or overstory com-*
23 *position of a forest stand. The current proportion of pines*
24 *and hardwoods is to be generally maintained through the*
25 *life of such forest stand except as necessary for threatened*

1 *or endangered species, wildlife habitat improvement, eco-*
2 *system restoration, to improve visual quality, to comply*
3 *with forest plan goals to increase the proportion of hard-*
4 *woods in the forest, fire protection, or for research purposes.*

5 **(79)**Page 51, strike out lines 12 to 16

6 **(80)**Page 51, strike out lines 17 to 25

7 **(81)**Page 52, strike out lines 5 to 7

8 **(82)**Page 52, after line 10 insert:

9 *The Secretary of Agriculture, acting through the Forest*
10 *Service, shall reimburse the Agricultural Stabilization and*
11 *Conservation Service for administrative costs incurred*
12 *under the Stewardship Incentive Program for the actual*
13 *cost of services provided by the Agricultural Stabilization*
14 *and Conservation Service, except that the actual costs shall*
15 *not exceed 10 percent of the total annual appropriation for*
16 *the program.*

17 **(83)**Page 52, after line 10 insert:

18 *As a pilot effort, for the purpose of achieving eco-*
19 *logically defensible management practices, the Kaibab,*
20 *Dixie, Idaho Panhandle, Stanislaus and Coconino National*
21 *Forests and the Lake Tahoe Basin Management Unit are*
22 *authorized to apply the value or a reasonable portion of*
23 *the value of timber removed under a stewardship end result*

1 *contract as an offset against the cost of stewardship services*
2 *received including, but not limited to, site preparation, re-*
3 *planting silviculture programs, recreation, wildlife habitat*
4 *enhancement, and other multiple-use enhancements on se-*
5 *lected projects: Provided, That timber removed shall count*
6 *toward meeting the Congressional expectations for the an-*
7 *nual timber harvest.*

8 **(84)**Page 52, after line 10, insert:

9 *Funds appropriated to the Forest Service shall be*
10 *available for interactions with and providing technical as-*
11 *sistance to rural communities for sustainable rural develop-*
12 *ment purposes outside the boundaries of National Forest*
13 *System lands.*

14 **(85)**Page 53, line 5, strike out **【\$433,163,000】** and in-
15 sert: *\$429,070,000*

16 **(86)**Page 53, line 8, after “gas” insert: *: Provided fur-*
17 *ther, That notwithstanding any other provision of law a*
18 *single procurement for health and safety renovations at the*
19 *Morgantown Energy Technology Center’s Building 4 may*
20 *be issued which includes the full scope of the required ren-*
21 *ovation: Provided further, That the solicitation and con-*
22 *tract shall contain the clause “availability of funds” found*
23 *at 48 CFR 52.323.18*

1 (87)Page 54, line 3, strike out **【\$702,825,000】** and in-
2 sert: *\$677,013,000*

3 (88)Page 54, line 8, strike out **【\$261,325,000】** and in-
4 sert: *\$248,225,000*

5 (89)Page 54, line 15, strike out **【\$213,600,000】** and
6 insert: *\$200,000,000*

7 (90)Page 54, line 16, strike out **【\$18,810,000】** and in-
8 sert: *\$19,310,000*

9 (91)Page 54, line 23, strike out **【\$18,091,000】** and in-
10 sert: *\$19,366,000*

11 (92)Page 55, line 6, after “100–680” insert: *: Provided*
12 *further, That existing facilities, equipment, and supplies,*
13 *or previously expended research or development funds are*
14 *not accepted as contributions for the purposes of this appro-*
15 *priation, except as amortized, depreciated, or expensed in*
16 *normal business practice: Provided further, That the total*
17 *Federal expenditure under this proviso shall be repaid up*
18 *to one and one-half times from the proceeds of the commer-*
19 *cial sale, lease, manufacture, or use of technologies devel-*
20 *oped under this proviso, at a rate of one-fourth of all net*
21 *proceeds: Provided further, That funding provided under*
22 *this head for electric and hybrid vehicle battery research*
23 *and development conducted on a cooperative basis with*

1 *non-Federal entities shall be available only as matched on*
2 *an equal basis by such entities: Provided further, That here-*
3 *after the Department of Energy, for a period of up to five*
4 *years after the completion of individual projects may pro-*
5 *vide appropriate protections, including exemptions from*
6 *subchapter II of chapter 5 of title 5, United States Code,*
7 *against the dissemination of information that results from*
8 *activities conducted by the United States Advanced Battery*
9 *Consortium or its contractors, or participants in the hybrid*
10 *vehicle propulsion development program and their contrac-*
11 *tors and that would be a trade secret or commercial or fi-*
12 *nancial information that is privileged or confidential if the*
13 *information had been obtained from and first produced by*
14 *a non-Federal party participating in the United States Ad-*
15 *vanced Battery Consortium or in the hybrid vehicle propul-*
16 *sion development program*

17 **(93)**Page 56, line 10, strike out **【\$79,580,000】** and in-
18 sert: *\$75,580,000*

19 **(94)**Page 56, line 19, strike out **【\$86,053,000】** and in-
20 sert: *\$86,953,000*

21 **(95)**Page 58, after line 20 insert:

22 *The thirty-day waiting period required under this*
23 *head in Public Law 101-512, Department of Energy Ad-*
24 *ministrative Provisions, relating to a contract, agreement,*

1 *or arrangement with a profit-making or non-profit entity*
2 *to conduct activities at the Department of Energy's research*
3 *facilities at Bartlesville, Oklahoma, is hereby waived.*

4 **(96)**Page 58, strike out all after line 20 over to and
5 including line 2 on page 59

6 **(97)**Page 59, line 12, strike out **【\$1,652,394,000】** and
7 insert: *\$1,641,592,000*

8 **(98)**Page 60, line 18, strike out **【\$8,000,000】** and in-
9 sert: *\$7,000,000*

10 **(99)**Page 61, line 24, strike out **【\$296,997,000】** and
11 insert: *\$293,682,000*

12 **(100)**Page 62, line 4, after “facilities” insert: *: Provided*
13 *further, That of the funds provided herein, \$500,000 is*
14 *available to initiate planning and design for the replace-*
15 *ment facility at Winnebago, Nebraska upon approval of a*
16 *program justification document by the Assistant Secretary*
17 *for Health*

18 **(101)**Page 62, line 13, after “buildings” insert: *and ren-*
19 *ovation of existing facilities*

20 **(102)**Page 63, line 18, strike out all after “policy” down
21 to and including “Appropriations” in line 24

1 **(103)**Page 64, line 21, strike out **【\$83,500,000】** and
2 insert: *\$83,405,000*

3 **(104)**Page 65, line 8, strike out **【\$26,936,000】** and in-
4 sert: *\$34,436,000*

5 **(105)**Page 67, line 8, strike out **【\$302,083,000】** and
6 insert: *\$302,349,000*

7 **(106)**Page 67, line 8, strike out **【\$27,579,000】** and in-
8 sert: *\$24,552,000*

9 **(107)**Page 70, line 14, strike out **【\$137,228,450】** and
10 insert: *\$140,836,000*

11 **(108)**Page 70, line 22, strike out **【\$28,634,900】** and
12 insert: *\$29,392,000*

13 **(109)**Page 70, line 24, strike out **【\$13,187,000】** and
14 insert: *\$12,858,000*

15 **(110)**Page 72, line 18, strike out all after “expenses”
16 down to and including “Humanities” in line 20

17 **(111)**Page 74, line 2, after “1995” insert: *: Provided,*
18 *That funds provided under this head in Public Law 102-*
19 *381 shall remain available until expended*

20 **(112)**Page 74, line 12, strike out **【\$4,289,000】** and in-
21 sert: *\$4,389,000*

1 **(113)**Page 76, strike out all after line 18 over to and
2 including line 2 on page 77

3 **(114)**Page 77, strike out lines 3 to 13

4 **(115)**Page 77, strike out all after line 13 over to and
5 including line 3 on page 78

6 **(116)**Page 78, strike out lines 17 to 20

7 **(117)**Page 78, strike out all after line 20 over to and
8 including line 5 on page 80

9 **(118)**Page 80, after line 5 insert:

10 *SEC. 315. The Forest Service and Bureau of Land*
11 *Management may offer for sale salvageable timber in the*
12 *Pacific Northwest in fiscal year 1994: Provided, That for*
13 *public lands known to contain the Northern spotted owl,*
14 *such salvage sales may be offered as long as the offering*
15 *of such sale will not render the area unsuitable as habitat*
16 *for the Northern spotted owl: Provided further, That timber*
17 *salvage activity in spotted owl habitat is to be done in full*
18 *compliance with all existing environmental and forest man-*
19 *agement laws.*

20 **(119)**Page 80, after line 5 insert:

21 *SEC. 316. None of the funds provided in this Act may*
22 *be used to initiate any new construction or land acquisition*
23 *project, or any new operating program which is estimated*

1 *to have a total cost in excess of \$500,000, unless such project*
2 *or program is described in the budget justification material*
3 *submitted to the Congress or is expressly provided for in*
4 *this Act or its accompanying reports or is requested through*
5 *established reprogramming procedures: Provided further,*
6 *That this provision shall not apply to emergency acquisi-*
7 *tions or transfers made pursuant to emergency transfer au-*
8 *thority.*

9 **(120)**Page 80, after line 5 insert:

10 *SEC. 317. None of the funds in this Act may be used*
11 *to plan, prepare, or offer for sale timber from trees classified*
12 *as giant sequoia (*sequoiadendron giganteum*) which are lo-*
13 *cated on National Forest System or Bureau of Land Man-*
14 *agement lands until an environmental assessment has been*
15 *completed and the giant sequoia management implementa-*
16 *tion plan is approved. In any event, timber harvest within*
17 *the identified groves will be done only to enhance and per-*
18 *petuate giant sequoia. There will be no harvesting of giant*
19 *sequoia specimen trees. Removal of hazard, insect, disease*
20 *and fire killed giant sequoia other than specimen trees is*
21 *permitted.*

22 **(121)**Page 80, after line 5 insert:

23 *SEC. 318. None of the funds appropriated in this Act*
24 *may be used to implement any increase in government*
25 *housing rental rates in excess of 10 per centum more than*

1 *the rental rates which were in effect on September 1, 1993,*
2 *for such housing.*

3 **(122)**Page 80, after line 5 insert:

4 *SEC. 319. (a) Section 2374(2) of the Food, Agriculture,*
5 *Conservation, and Trade Act of 1990 (7 U.S.C. 6612) is*
6 *amended by inserting “, forage production” after “recre-*
7 *ation”.*

8 *(b) Section 2374(3) of the Food, Agriculture, Conserva-*
9 *tion, and Trade Act of 1990 (7 U.S.C. 6612) is amended*
10 *to read as follows:*

11 *“(3) The term ‘rural community’ means—*

12 *“(A) any town, township, municipality, or*
13 *other similar unit of general purpose local gov-*
14 *ernment, or any area represented by a not-for-*
15 *profit corporation organized under state law for*
16 *any purpose of promoting broad based economic*
17 *development, that has a population of not more*
18 *than 10,000 individuals (according to the latest*
19 *decennial census), that is located within a coun-*
20 *ty in which at least 15 percent of the total pri-*
21 *mary and secondary labor and proprietor in-*
22 *come is derived from forestry, wood products,*
23 *and forest-related industries such as recreation,*
24 *forage production, and tourism, and that is lo-*

1 cated within the boundary, or within 100 miles
2 of the boundary, of a national forest; or

3 “(B) any county that is not contained with-
4 in a Metropolitan Statistical Area as defined by
5 the United States Office of Management and
6 Budget, in which at least 15 percent of the total
7 primary and secondary labor and proprietor in-
8 come is derived from forestry, wood products,
9 and forest-related industries such as recreation,
10 forage production, and tourism, and that is lo-
11 cated within the boundary, or within 100 miles
12 of the boundary, of a national forest.

13 “(C) any unincorporated area of a county
14 having a population larger than 22,550 individ-
15 uals (according to the latest decennial census) in
16 which at least 15 percent of the total primary
17 and secondary labor and proprietor income is
18 derived from forestry, wood products, and forest-
19 related industries such as recreation, forage pro-
20 duction, and tourism, and that is located more
21 than 10 miles from an incorporated municipal-
22 ity.”.

23 (c) Section 2374 of the Food, Agriculture, Conserva-
24 tion, and Trade Act of 1990 (7 U.S.C. 6612) is amended
25 by adding at the end thereof the following new subsection:

1 “(5) The term ‘National Forests’ means National
2 Forest System lands.”.

3 **(123)**Page 80, after line 5 insert:

4 *SEC. 320. None of the funds made available by this*
5 *or any other law may be used to revise part 4, 1780, or*
6 *4100 of title 43 of the Code of Federal Regulations in ac-*
7 *cordance with Part VI, Department of the Interior, Bureau*
8 *of Land Management or part 222 of title 36 of the Code*
9 *of Federal Regulations in accordance with Part V, Depart-*
10 *ment of Agriculture, Forest Service, of volume 58, number*
11 *155, of the Federal Register, dated August 13, 1993, or to*
12 *continue any action involving the proposed rulemaking con-*
13 *tained in such Federal Register prior to October 1, 1994.*

14 **(124)**Page 80, after line 5 insert:

15 *SEC. 321. FOREST SERVICE SEPARATION PAY.—(a) In*
16 *order to avoid or minimize the need for involuntary separa-*
17 *tions, effective for the period beginning upon the date of*
18 *enactment of this Act through and including September 30,*
19 *1994, the Secretary of Agriculture, under such regulations*
20 *and subject to such conditions as the Secretary of Agri-*
21 *culture may prescribe, shall have authority to offer separa-*
22 *tion pay to employees of the Forest Service to the same ex-*
23 *tent the Secretary of Defense is authorized to offer separa-*
24 *tion pay to employees of a defense agency in section 5597*
25 *of title 5, United States Code.*

1 (b) *In the event that an authority is enacted to offer*
2 *separation pay or a voluntary separation incentive similar*
3 *to such section 5597 of title 5, United States Code, but ap-*
4 *plicable to employees in the executive branch generally, the*
5 *authority under subsection (a) shall terminate.*

6 (c) *Such payments may be made to employees who*
7 *agree, during a continuous 90 day period designated by the*
8 *agency head, beginning no earlier than the date of enact-*
9 *ment of this Act and ending no later than September 30,*
10 *1994, to separate from service with the agency, whether by*
11 *retirement or resignation.*

12 (d) *An employee who has received a voluntary separa-*
13 *tion incentive under this section and accepts employment*
14 *with the Government of the United States within 2 years*
15 *of the date of the separation on which payment of the incen-*
16 *tive is based shall be required to repay the entire amount*
17 *of the incentive to the agency that paid the incentive.*

18 (e) *Total outlays by the Forest Service pursuant to the*
19 *cooperative work trust funds accounts (12-8028-0-7-302)*
20 *shall not exceed \$279,668,000 in fiscal year 1994.*

21 **(125)**Page 80, after line 5 insert:

22 *SEC. 322. None of the funds provided in this Act may*
23 *be used to study or implement the Bureau of Land Manage-*
24 *ment/United States Forest Service comprehensive strategy*

- 1 *for Pacific salmon and steelhead habitat ("PACFISH") in*
- 2 *the Tongass National Forest.*

Attest:

Secretary.

HR 2520 EAS—2

HR 2520 EAS—3

HR 2520 EAS—4

HR 2520 EAS—5

HR 2520 EAS—6