

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

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# **H. R. 4193**

## **AN ACT**

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1999, and for other purposes.

105<sup>TH</sup> CONGRESS  
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## AN ACT

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1999, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for the  
3 fiscal year ending September 30, 1999, and for other pur-  
4 poses, namely:

5 TITLE I—DEPARTMENT OF THE INTERIOR

6 BUREAU OF LAND MANAGEMENT

7 MANAGEMENT OF LANDS AND RESOURCES

8 For expenses necessary for protection, use, improve-  
9 ment, development, disposal, cadastral surveying, classi-  
10 fication, acquisition of easements and other interests in  
11 lands, and performance of other functions, including main-  
12 tenance of facilities, as authorized by law, in the manage-  
13 ment of lands and their resources under the jurisdiction  
14 of the Bureau of Land Management, including the general  
15 administration of the Bureau, and assessment of mineral  
16 potential of public lands pursuant to Public Law 96–487  
17 (16 U.S.C. 3150(a)), \$596,425,000, to remain available  
18 until expended, of which \$2,062,000 shall be available for  
19 assessment of the mineral potential of public lands in  
20 Alaska pursuant to section 1010 of Public Law 96–487  
21 (16 U.S.C. 3150); and of which \$3,000,000 shall be de-  
22 rived from the special receipt account established by the  
23 Land and Water Conservation Act of 1965, as amended  
24 (16 U.S.C. 4601–6a(i)); and of which \$1,500,000 shall be  
25 available in fiscal year 1999 subject to a match by at least

1 an equal amount by the National Fish and Wildlife Foun-  
2 dation, to such Foundation for cost-shared projects sup-  
3 porting conservation of Bureau lands; in addition,  
4 \$32,650,000 for Mining Law Administration program op-  
5 erations, including the cost of administering the mining  
6 claim fee program, to remain available until expended, to  
7 be reduced by amounts collected by the Bureau and cred-  
8 ited to this appropriation from annual mining claim fees  
9 so as to result in a final appropriation estimated at not  
10 more than \$596,425,000, and \$2,000,000, to remain  
11 available until expended, from communication site rental  
12 fees established by the Bureau for the cost of administer-  
13 ing communication site activities: *Provided*, That appro-  
14 priations herein made shall not be available for the de-  
15 struction of healthy, unadopted, wild horses and burros  
16 in the care of the Bureau or its contractors.

17 WILDLAND FIRE MANAGEMENT

18 For necessary expenses for fire preparedness, sup-  
19 pression operations, emergency rehabilitation; and hazard-  
20 ous fuels reduction by the Department of the Interior,  
21 \$286,895,000, to remain available until expended, of  
22 which not to exceed \$6,950,000 shall be for the renovation  
23 or construction of fire facilities: *Provided*, That such funds  
24 are also available for repayment of advances to other ap-  
25 propriation accounts from which funds were previously  
26 transferred for such purposes: *Provided further*, That un-

1 obligated balances of amounts previously appropriated to  
2 the “Fire Protection” and “Emergency Department of the  
3 Interior Firefighting Fund” may be transferred and  
4 merged with this appropriation: *Provided further*, That  
5 persons hired pursuant to 43 U.S.C. 1469 may be fur-  
6 nished subsistence and lodging without cost from funds  
7 available from this appropriation: *Provided further*, That  
8 notwithstanding 42 U.S.C. 1856d, sums received by a Bu-  
9 reau or office of the Department of the Interior for fire  
10 protection rendered pursuant to 42 U.S.C. 1856 et seq.,  
11 Protection of United States Property, may be credited to  
12 the appropriation from which funds were expended to pro-  
13 vide that protection, and are available without fiscal year  
14 limitation.

15                   CENTRAL HAZARDOUS MATERIALS FUND

16           For necessary expenses of the Department of the In-  
17 terior and any of its component offices and bureaus for  
18 the remedial action, including associated activities, of haz-  
19 ardous waste substances, pollutants, or contaminants pur-  
20 suant to the Comprehensive Environmental Response,  
21 Compensation, and Liability Act, as amended (42 U.S.C.  
22 9601 et seq.), \$10,000,000, to remain available until ex-  
23 pended: *Provided*, That notwithstanding 31 U.S.C. 3302,  
24 sums recovered from or paid by a party in advance of or  
25 as reimbursement for remedial action or response activi-  
26 ties conducted by the Department pursuant to section 107

1 or 113(f) of such Act, shall be credited to this account  
2 to be available until expended without further appropria-  
3 tion: *Provided further*, That such sums recovered from or  
4 paid by any party are not limited to monetary payments  
5 and may include stocks, bonds or other personal or real  
6 property, which may be retained, liquidated, or otherwise  
7 disposed of by the Secretary and which shall be credited  
8 to this account.

9 CONSTRUCTION

10 For construction of buildings, recreation facilities,  
11 roads, trails, and appurtenant facilities, \$6,975,000, to re-  
12 main available until expended.

13 PAYMENTS IN LIEU OF TAXES

14 For expenses necessary to implement the Act of Octo-  
15 ber 20, 1976, as amended (31 U.S.C. 6901–6907),  
16 \$120,000,000 (increased by \$20,000,000), of which not  
17 to exceed \$400,000 shall be available for administrative  
18 expenses: *Provided*, That no payment shall be made to oth-  
19 erwise eligible units of local government if the computed  
20 amount of the payment is less than \$100.

21 LAND ACQUISITION

22 For expenses necessary to carry out sections 205,  
23 206, and 318(d) of Public Law 94–579, including admin-  
24 istrative expenses and acquisition of lands or waters, or  
25 interests therein, \$10,000,000, to be derived from the

1 Land and Water Conservation Fund, to remain available  
2 until expended.

3 OREGON AND CALIFORNIA GRANT LANDS

4 For expenses necessary for management, protection,  
5 and development of resources and for construction, oper-  
6 ation, and maintenance of access roads, reforestation, and  
7 other improvements on the revested Oregon and California  
8 Railroad grant lands, on other Federal lands in the Or-  
9 egon and California land-grant counties of Oregon, and  
10 on adjacent rights-of-way; and acquisition of lands or in-  
11 terests therein including existing connecting roads on or  
12 adjacent to such grant lands, \$98,407,000, to remain  
13 available until expended: *Provided*, That 25 percent of the  
14 aggregate of all receipts during the current fiscal year  
15 from the revested Oregon and California Railroad grant  
16 lands is hereby made a charge against the Oregon and  
17 California land-grant fund and shall be transferred to the  
18 General Fund in the Treasury in accordance with the sec-  
19 ond paragraph of subsection (b) of title II of the Act of  
20 August 28, 1937 (50 Stat. 876).

21 FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND

22 (REVOLVING FUND, SPECIAL ACCOUNT)

23 In addition to the purposes authorized in Public Law  
24 102-381, funds made available in the Forest Ecosystem  
25 Health and Recovery Fund can be used for the purpose  
26 of planning, preparing, and monitoring salvage timber

1 sales and forest ecosystem health and recovery activities  
2 such as release from competing vegetation and density  
3 control treatments. The Federal share of receipts (defined  
4 as the portion of salvage timber receipts not paid to the  
5 counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f–  
6 1 et seq., and Public Law 103–66) derived from treat-  
7 ments funded by this account shall be deposited into the  
8 Forest Ecosystem Health and Recovery Fund.

9 RANGE IMPROVEMENTS

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

24 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

25 For administrative expenses and other costs related  
26 to processing application documents and other authoriza-



1 tions for use and disposal of public lands and resources,  
2 for costs of providing copies of official public land docu-  
3 ments, for monitoring construction, operation, and termi-  
4 nation of facilities in conjunction with use authorizations,  
5 and for rehabilitation of damaged property, such amounts  
6 as may be collected under Public Law 94–579, as amend-  
7 ed, and Public Law 93–153, to remain available until ex-  
8 pended: *Provided*, That notwithstanding any provision to  
9 the contrary of section 305(a) of Public Law 94–579 (43  
10 U.S.C. 1735(a)), any moneys that have been or will be  
11 received pursuant to that section, whether as a result of  
12 forfeiture, compromise, or settlement, if not appropriate  
13 for refund pursuant to section 305(c) of that Act (43  
14 U.S.C. 1735(c)), shall be available and may be expended  
15 under the authority of this Act by the Secretary to im-  
16 prove, protect, or rehabilitate any public lands adminis-  
17 tered through the Bureau of Land Management which  
18 have been damaged by the action of a resource developer,  
19 purchaser, permittee, or any unauthorized person, without  
20 regard to whether all moneys collected from each such ac-  
21 tion are used on the exact lands damaged which led to  
22 the action: *Provided further*, That any such moneys that  
23 are in excess of amounts needed to repair damage to the  
24 exact land for which funds were collected may be used to  
25 repair other damaged public lands.

## 1 MISCELLANEOUS TRUST FUNDS

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

## 10 ADMINISTRATIVE PROVISIONS

11 Appropriations for the Bureau of Land Management  
12 shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to  
13 nance of necessary buildings and appurtenant facilities to  
14 which the United States has title; up to \$100,000 for pay-  
15 ments, at the discretion of the Secretary, for information  
16 or evidence concerning violations of laws administered by  
17 the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on his certificate,  
18 not to exceed \$10,000: *Provided*, That notwithstanding 44  
19 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  
20 jointly produced publications for which the cooperators  
21 share the cost of printing either in cash or in services,  
22  
23  
24  
25  
26

1 and the Bureau determines the cooperator is capable of  
2 meeting accepted quality standards.

3 Section 28f(a) of title 30, U.S.C., is amended by  
4 striking beginning with the words “The holder” through  
5 “\$100 per claim.” and inserting “The holder of each  
6 unpatented mining claim, mill or tunnel site, located pur-  
7 suant to the mining laws of the United States before Octo-  
8 ber 1, 1998 shall pay the Secretary of the Interior, on  
9 or before September 1, 1999 a claim maintenance fee of  
10 \$100 per claim site.”.

11 Section 28g to title 30, U.S.C., is amended by strik-  
12 ing “1998” and inserting “1999”.

13 UNITED STATES FISH AND WILDLIFE SERVICE

14 RESOURCE MANAGEMENT

15 For necessary expenses of the United States Fish and  
16 Wildlife Service, for scientific and economic studies, con-  
17 servation, management, investigations, protection, and  
18 utilization of fishery and wildlife resources, except whales,  
19 seals, and sea lions, maintenance of the herd of long-  
20 horned cattle on the Wichita Mountains Wildlife Refuge,  
21 general administration, and for the performance of other  
22 authorized functions related to such resources by direct  
23 expenditure, contracts, grants, cooperative agreements  
24 and reimbursable agreements with public and private enti-  
25 ties, \$607,106,000, to remain available until September

1 30, 2000, except as otherwise provided herein, of which  
2 \$11,648,000 shall remain available until expended for op-  
3 eration and maintenance of fishery mitigation facilities  
4 constructed by the Corps of Engineers under the Lower  
5 Snake River Compensation Plan, authorized by the Water  
6 Resources Development Act of 1976, to compensate for  
7 loss of fishery resources from water development projects  
8 on the Lower Snake River, and of which not less than  
9 \$2,000,000 shall be provided to local governments in  
10 southern California for planning associated with the Natu-  
11 ral Communities Conservation Planning (NCCP) program  
12 and shall remain available until expended: *Provided*, That  
13 not less than \$1,000,000 for high priority projects which  
14 shall be carried out by the Youth Conservation Corps as  
15 authorized by the Act of August 13, 1970, as amended:  
16 *Provided further*, That not to exceed \$6,256,000 shall be  
17 used for implementing subsections (a), (b), (c), and (e)  
18 of section 4 of the Endangered Species Act, as amended,  
19 for species that are indigenous to the United States (ex-  
20 cept for processing petitions, developing and issuing pro-  
21 posed and final regulations, and taking any other steps  
22 to implement actions described in subsections (c)(2)(A),  
23 (c)(2)(B)(i), or (c)(2)(B)(ii)): *Provided further*, That of  
24 the amount available for law enforcement, up to \$400,000  
25 to remain available until expended, may at the discretion

1 of the Secretary, be used for payment for information, re-  
2 wards, or evidence concerning violations of laws adminis-  
3 tered by the Service, and miscellaneous and emergency ex-  
4 penses of enforcement activity, authorized or approved by  
5 the Secretary and to be accounted for solely on his certifi-  
6 cate: *Provided further*, That hereafter, all fees collected for  
7 Federal migratory bird permits shall be available to the  
8 Secretary, without further appropriation, to be used for  
9 the expenses of the U.S. Fish and Wildlife Service in ad-  
10 ministering such Federal migratory bird permits, and  
11 shall remain available until expended: *Provided further*,  
12 That hereafter, pursuant to 31 U.S.C. 9701 and notwith-  
13 standing 31 U.S.C. 3302, the Secretary shall charge rea-  
14 sonable fees for the full costs of the U.S. Fish and Wildlife  
15 Service in operating and maintaining the M/V Tiglax and  
16 other vessels, to be credited to this account and to be  
17 available until expended: *Provided further*, That of the  
18 amount provided for environmental contaminants, up to  
19 \$1,000,000 may remain available until expended for con-  
20 taminant sample analyses.

21 CONSTRUCTION

22 For construction and acquisition of buildings and  
23 other facilities required in the conservation, management,  
24 investigation, protection, and utilization of fishery and  
25 wildlife resources, and the acquisition of lands and inter-

1 ests therein, \$66,100,000, to remain available until ex-  
2 pended.

3 LAND ACQUISITION

4 For expenses necessary to carry out the Land and  
5 Water Conservation Fund Act of 1965, as amended (16  
6 U.S.C. 4601–4 through 11), including administrative ex-  
7 penses, and for acquisition of land or waters, or interest  
8 therein, in accordance with statutory authority applicable  
9 to the United States Fish and Wildlife Service,  
10 \$30,000,000, to be derived from the Land and Water Con-  
11 servation Fund and to remain available until expended.

12 COOPERATIVE ENDANGERED SPECIES CONSERVATION

13 FUND

14 For expenses necessary to carry out the provisions  
15 of the Endangered Species Act of 1973 (16 U.S.C. 1531–  
16 1543), as amended, \$15,000,000, for grants to States, to  
17 be derived from the Cooperative Endangered Species Con-  
18 servation Fund, and to remain available until expended.

19 NATIONAL WILDLIFE REFUGE FUND

20 For expenses necessary to implement the Act of Octo-  
21 ber 17, 1978 (16 U.S.C. 715s), \$10,779,000.

22 NORTH AMERICAN WETLANDS CONSERVATION FUND

23 For expenses necessary to carry out the provisions  
24 of the North American Wetlands Conservation Act, Public  
25 Law 101–233, as amended, \$12,700,000, to remain avail-  
26 able until expended.

## 1 WILDLIFE CONSERVATION AND APPRECIATION FUND

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

## 5 MULTINATIONAL SPECIES CONSERVATION FUND

6 For expenses necessary to carry out the African Ele-  
7 phant Conservation Act (16 U.S.C. 4201–4203, 4211–  
8 4213, 4221–4225, 4241–4245, and 1538), the Asian Ele-  
9 phant Conservation Act of 1997 (Public Law 105–96),  
10 and the Rhinoceros and Tiger Conservation Act of 1994  
11 (16 U.S.C. 5301–5306), \$2,400,000, to remain available  
12 until expended: *Provided*, That unexpended balances of  
13 amounts previously appropriated to the African Elephant  
14 Conservation Fund, Rewards and Operations account, and  
15 Rhinoceros and Tiger Conservation Fund may be trans-  
16 ferred to and merged with this appropriation: *Provided*  
17 *further*, That in fiscal year 1999 and thereafter, donations  
18 to provide assistance under section 5304 of the Rhinoceros  
19 and Tiger Conservation Act, subchapter I of the African  
20 Elephant Conservation Act, and section 6 of the Asian  
21 Elephant Conservation Act of 1997 shall be deposited to  
22 this Fund: *Provided further*, That in fiscal year 1999 and  
23 thereafter, all penalties received by the United States  
24 under 16 U.S.C. 4224 which are not used to pay rewards  
25 under 16 U.S.C. 4225 shall be deposited to this Fund,  
26 to be available to provide assistance under 16 U.S.C.

1 4211: *Provided further*, That in fiscal year 1999 and  
2 thereafter, not more than 3 percent of amounts appro-  
3 priated to this Fund may be used by the Secretary of the  
4 Interior to administer the Fund.

5 ADMINISTRATIVE PROVISIONS

6 Appropriations and funds available to the United  
7 States Fish and Wildlife Service shall be available for pur-  
8 chase of not to exceed 104 passenger motor vehicles, of  
9 which 89 are for replacement only (including 38 for police-  
10 type use); repair of damage to public roads within and  
11 adjacent to reservation areas caused by operations of the  
12 Service; options for the purchase of land at not to exceed  
13 \$1 for each option; facilities incident to such public rec-  
14 reational uses on conservation areas as are consistent with  
15 their primary purpose; and the maintenance and improve-  
16 ment of aquaria, buildings, and other facilities under the  
17 jurisdiction of the Service and to which the United States  
18 has title, and which are used pursuant to law in connection  
19 with management and investigation of fish and wildlife re-  
20 sources: *Provided*, That notwithstanding 44 U.S.C. 501,  
21 the Service may, under cooperative cost sharing and part-  
22 nership arrangements authorized by law, procure printing  
23 services from cooperators in connection with jointly pro-  
24 duced publications for which the cooperators share at least  
25 one-half the cost of printing either in cash or services and  
26 the Service determines the cooperator is capable of meet-



1 ing accepted quality standards: *Provided further*, That the  
2 Service may accept donated aircraft as replacements for  
3 existing aircraft: *Provided further*, That notwithstanding  
4 any other provision of law, the Secretary of the Interior  
5 may not spend any of the funds appropriated in this Act  
6 for the purchase of lands or interests in lands to be used  
7 in the establishment of any new unit of the National Wild-  
8 life Refuge System unless the purchase is approved in ad-  
9 vance by the House and Senate Committees on Appropria-  
10 tions in compliance with the reprogramming procedures  
11 contained in the report accompanying this bill: *Provided*  
12 *further*, That hereafter the Secretary may sell land and  
13 interests in land, other than surface water rights, acquired  
14 in conformance with subsections 206(a) and 207(c) of  
15 Public Law 101–618, the receipts of which shall be depos-  
16 ited to the Lahontan Valley and Pyramid Lake Fish and  
17 Wildlife Fund and used exclusively for the purposes of  
18 such subsections, without regard to the limitation on the  
19 distribution of benefits in subsection 206(f)(2) of such  
20 law: *Provided further*, That section 104(c)(50)(B) of the  
21 Marine Mammal Protection Act (16 U.S.C. 1361–1407)  
22 is amended by inserting “until expended” after “Sec-  
23 retary” in the second sentence.

24 TECHNICAL CORRECTIONS

25 Unit SC–03—

1           (1) The Secretary of the Interior shall, before  
2 the end of the 30-day period beginning on the date  
3 of the enactment of this Act, make such corrections  
4 to the map described in paragraph (2) as are nec-  
5 essary to ensure that depictions of areas on that  
6 map are consistent with the depictions of areas ap-  
7 pearing on the map entitled “Amendments to the  
8 Coastal Barrier Resources System”, dated May 15,  
9 1997, and on file with the Committee on Resources  
10 of the House of Representatives.

11           (2) The map described in this paragraph is the  
12 map that—

13           (A) is included in a set of maps entitled  
14 “Coastal Barrier Resources System”, dated Oc-  
15 tober 24, 1990; and

16           (B) relates to unit SC-03 of the Coastal  
17 Barrier Resources System.

18 Unit FL-35P—

19           (1) The Secretary of the Interior shall, before  
20 the end of the 30-day period beginning on the date  
21 of the enactment of this Act, make such corrections  
22 to the map described in paragraph (2) as are nec-  
23 essary to ensure that depictions of areas on that  
24 map are consistent with the depictions of areas ap-  
25 pearing on the map entitled “Amendments to the

1 Coastal Barrier Resources System”, dated October  
2 22, 1997, and on file with the Committee on Re-  
3 sources of the House of Representatives.

4 (2) The map described in this paragraph is the  
5 map that—

6 (A) is included in a set of maps entitled  
7 “Coastal Barrier Resources System”, dated Oc-  
8 tober 24, 1990; and

9 (B) relates to unit FL-35P of the Coastal  
10 Barrier Resources System.

11 Unit FL-35—

12 The Secretary of the Interior shall, before the  
13 end of the 30-day period beginning on the date of  
14 the enactment of this Act, revise the the map depict-  
15 ing unit FL-35 of the Coastal Barrier Resources  
16 System to exclude Pumpkin Key from the System.

17 NATIONAL PARK SERVICE

18 OPERATION OF THE NATIONAL PARK SYSTEM

19 For expenses necessary for the management, oper-  
20 ation, and maintenance of areas and facilities adminis-  
21 tered by the National Park Service (including special road  
22 maintenance service to trucking permittees on a reimburs-  
23 able basis), and for the general administration of the Na-  
24 tional Park Service, including not less than \$1,000,000  
25 for high priority projects within the scope of the approved

1 budget which shall be carried out by the Youth Conserva-  
2 tion Corps as authorized by 16 U.S.C. 1706,  
3 \$1,333,328,000, of which not to exceed \$12,500,000 may  
4 be used for salaries and expenses of the Denver Service  
5 Center, and of which not less than \$600,000 is for salaries  
6 and expenses associated with new hires of mineral examin-  
7 ers at the Mojave National Preserve, and of which  
8 \$12,800,000 for research, planning and interagency co-  
9 ordination in support of land acquisition for Everglades  
10 restoration shall remain available until expended, and of  
11 which not to exceed \$10,000,000, to remain available until  
12 expended, is to be derived from the special fee account  
13 established pursuant to title V, section 5201 of Public  
14 Law 100–203.

15 NATIONAL RECREATION AND PRESERVATION

16 For expenses necessary to carry out recreation pro-  
17 grams, natural programs, cultural programs, heritage  
18 partnership programs, environmental compliance and re-  
19 view, international park affairs, statutory or contractual  
20 aid for other activities, and grant administration, not oth-  
21 erwise provided for, \$41,939,000 (increased by  
22 \$2,000,000), of which \$4,500,000 is for grants to Herit-  
23 age areas in accordance with section 606 of title VI, divi-  
24 sion I and titles I–VI and VIII–IX, division II of Public  
25 Law 104–333.

## 1 HISTORIC PRESERVATION FUND

2 For expenses necessary in carrying out the Historic  
3 Preservation Act of 1966, as amended (16 U.S.C. 470),  
4 and the Omnibus Parks and Public Lands Management  
5 Act of 1996 (Public Law 104–333), \$40,812,000, to be  
6 derived from the Historic Preservation Fund, to remain  
7 available until September 30, 2000, of which \$7,700,000  
8 pursuant to section 507 of Public Law 104–333 shall re-  
9 main available until expended: *Provided*, That, notwith-  
10 standing any other provision of law, the National Park  
11 Service may hereafter recover all costs of providing nec-  
12 essary services associated with historic preservation tax  
13 certification, and such funds shall remain available until  
14 expended.

## 15 CONSTRUCTION

16 For construction, improvements, repair or replace-  
17 ment of physical facilities, including the modifications au-  
18 thorized by section 104 of the Everglades National Park  
19 Protection and Expansion Act of 1989, \$149,000,000, to  
20 remain available until expended: *Provided*, That the Den-  
21 ver Service Center may not levy any assessments against  
22 specific construction projects.

## 23 LAND AND WATER CONSERVATION FUND

## 24 (RESCISSION)

25 The contract authority provided for fiscal year 1999  
26 by 16 U.S.C. 460l–10a is rescinded.

## 1 LAND ACQUISITION AND STATE ASSISTANCE

2 For expenses necessary to carry out the Land and  
3 Water Conservation Fund Act of 1965, as amended (16  
4 U.S.C. 4601–4 through 11), including administrative ex-  
5 penses, and for acquisition of lands or waters, or interest  
6 therein, in accordance with statutory authority applicable  
7 to the National Park Service, \$69,000,000, to be derived  
8 from the Land and Water Conservation Fund, to remain  
9 available until expended, of which \$500,000 is to admin-  
10 ister the State assistance program: *Provided*, That any  
11 funds made available for the purpose of acquisition of the  
12 Elwha and Glines dams shall be used solely for acquisi-  
13 tion, and shall not be expended until the full purchase  
14 amount has been appropriated by the Congress: *Provided*  
15 *further*, That from the funds made available for land ac-  
16 quisition at Everglades National Park and Big Cypress  
17 National Preserve, the Secretary may provide for Federal  
18 assistance to the State of Florida for the acquisition of  
19 lands or waters, or interests therein, within the Everglades  
20 watershed (consisting of lands and waters within the  
21 boundaries of the South Florida Water Management Dis-  
22 trict, Florida Bay and the Florida Keys) under terms and  
23 conditions deemed necessary by the Secretary, to improve  
24 and restore the hydrological function of the Everglades  
25 watershed: *Provided further*, That funds provided under

1 this heading to the State of Florida shall be subject to  
2 an agreement that such lands will be managed in perpetu-  
3 ity for the restoration of the Everglades.

4 ADMINISTRATIVE PROVISIONS

5 Appropriations for the National Park Service shall be  
6 available for the purchase of not to exceed 375 passenger  
7 motor vehicles, of which 291 shall be for replacement only,  
8 including not to exceed 305 for police-type use, 12 buses,  
9 and 6 ambulances: *Provided*, That none of the funds ap-  
10 propriated to the National Park Service may be used to  
11 process any grant or contract documents which do not in-  
12 clude the text of 18 U.S.C. 1913: *Provided further*, That  
13 none of the funds appropriated to the National Park Serv-  
14 ice may be used to implement an agreement for the rede-  
15 velopment of the southern end of Ellis Island until such  
16 agreement has been submitted to the Congress and shall  
17 not be implemented prior to the expiration of 30 calendar  
18 days (not including any day in which either House of Con-  
19 gress is not in session because of adjournment of more  
20 than three calendar days to a day certain) from the receipt  
21 by the Speaker of the House of Representatives and the  
22 President of the Senate of a full and comprehensive report  
23 on the development of the southern end of Ellis Island,  
24 including the facts and circumstances relied upon in sup-  
25 port of the proposed project.

1       None of the funds in this Act may be spent by the  
2 National Park Service for activities taken in direct re-  
3 sponse to the United Nations Biodiversity Convention.

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

11                   UNITED STATES GEOLOGICAL SURVEY

12                   SURVEYS, INVESTIGATIONS, AND RESEARCH

13       For expenses necessary for the United States Geo-  
14 logical Survey to perform surveys, investigations, and re-  
15 search covering topography, geology, hydrology, and the  
16 mineral and water resources of the United States, its terri-  
17 tories and possessions, and other areas as authorized by  
18 43 U.S.C. 31, 1332, and 1340; classify lands as to their  
19 mineral and water resources; give engineering supervision  
20 to power permittees and Federal Energy Regulatory Com-  
21 mission licensees; administer the minerals exploration pro-  
22 gram (30 U.S.C. 641); and publish and disseminate data  
23 relative to the foregoing activities; and to conduct inquiries  
24 into the economic conditions affecting mining and mate-  
25 rials processing industries (30 U.S.C. 3, 21a, and 1603;



1 50 U.S.C. 98g(1)) and related purposes as authorized by  
2 law and to publish and disseminate data, \$774,838,000  
3 of which \$68,096,000 shall be available only for coopera-  
4 tion with States or municipalities for water resources in-  
5 vestigations; and of which \$16,400,000 shall remain avail-  
6 able until expended for conducting inquiries into the eco-  
7 nomic conditions affecting mining and materials process-  
8 ing industries; and of which \$150,871,000 shall be avail-  
9 able until September 30, 2000 for the biological research  
10 activity and the operation of the Cooperative Research  
11 Units: *Provided*, That none of these funds provided for  
12 the biological research activity shall be used to conduct  
13 new surveys on private property, unless specifically au-  
14 thorized in writing by the property owner: *Provided fur-*  
15 *ther*, That no part of this appropriation shall be used to  
16 pay more than one-half the cost of topographic mapping  
17 or water resources data collection and investigations car-  
18 ried on in cooperation with States and municipalities.

19 ADMINISTRATIVE PROVISIONS

20 The amount appropriated for the United States Geo-  
21 logical Survey shall be available for the purchase of not  
22 to exceed 53 passenger motor vehicles, of which 48 are  
23 for replacement only; reimbursement to the General Serv-  
24 ices Administration for security guard services; contract-  
25 ing for the furnishing of topographic maps and for the  
26 making of geophysical or other specialized surveys when

1 it is administratively determined that such procedures are  
2 in the public interest; construction and maintenance of  
3 necessary buildings and appurtenant facilities; acquisition  
4 of lands for gauging stations and observation wells; ex-  
5 penses of the United States National Committee on Geol-  
6 ogy; and payment of compensation and expenses of per-  
7 sons on the rolls of the Survey duly appointed to represent  
8 the United States in the negotiation and administration  
9 of interstate compacts: *Provided*, That activities funded by  
10 appropriations herein made may be accomplished through  
11 the use of contracts, grants, or cooperative agreements as  
12 defined in 31 U.S.C. 6302 et seq.: *Provided further*, That  
13 the United States Geological Survey may contract directly  
14 with individuals or indirectly with institutions or nonprofit  
15 organizations, without regard to 41 U.S.C. 5, for the tem-  
16 porary or intermittent services of science students or re-  
17 cent graduates, who shall be considered employees for the  
18 purposes of chapter 81 of title 5, United States Code, re-  
19 lating to compensation for work injuries, and chapter 171  
20 of title 28, United States Code, relating to tort claims,  
21 but shall not be considered to be Federal employees for  
22 any other purposes.

## 1 MINERALS MANAGEMENT SERVICE

## 2 ROYALTY AND OFFSHORE MINERALS MANAGEMENT

3 For expenses necessary for minerals leasing and envi-  
4 ronmental studies, regulation of industry operations, and  
5 collection of royalties, as authorized by law; for enforcing  
6 laws and regulations applicable to oil, gas, and other min-  
7 erals leases, permits, licenses and operating contracts; and  
8 for matching grants or cooperative agreements; including  
9 the purchase of not to exceed eight passenger motor vehi-  
10 cles for replacement only, \$116,402,000, of which  
11 \$72,729,000 shall be available for royalty management ac-  
12 tivities; and an amount not to exceed \$100,000,000, to  
13 be credited to this appropriation and to remain available  
14 until expended, from additions to receipts resulting from  
15 increases to rates in effect on August 5, 1993, from rate  
16 increases to fee collections for Outer Continental Shelf ad-  
17 ministrative activities performed by the Minerals Manage-  
18 ment Service over and above the rates in effect on Septem-  
19 ber 30, 1993, and from additional fees for Outer Con-  
20 tinental Shelf administrative activities established after  
21 September 30, 1993: *Provided*, That \$3,000,000 for com-  
22 puter acquisitions shall remain available until September  
23 30, 2000: *Provided further*, That funds appropriated  
24 under this Act shall be available for the payment of inter-  
25 est in accordance with 30 U.S.C. 1721(b) and (d): *Pro-*

1 *vided further*, That not to exceed \$3,000 shall be available  
2 for reasonable expenses related to promoting volunteer  
3 beach and marine cleanup activities: *Provided further*,  
4 That notwithstanding any other provision of law, \$15,000  
5 under this heading shall be available for refunds of over-  
6 payments in connection with certain Indian leases in which  
7 the Director of the Minerals Management Service con-  
8 curred with the claimed refund due, to pay amounts owed  
9 to Indian allottees or Tribes, or to correct prior unrecover-  
10 able erroneous payments.

11 OIL SPILL RESEARCH

12 For necessary expenses to carry out title I, section  
13 1016, title IV, sections 4202 and 4303, title VII, and title  
14 VIII, section 8201 of the Oil Pollution Act of 1990,  
15 \$6,118,000, which shall be derived from the Oil Spill Li-  
16 ability Trust Fund, to remain available until expended.

17 OFFICE OF SURFACE MINING RECLAMATION AND  
18 ENFORCEMENT

19 REGULATION AND TECHNOLOGY

20 For necessary expenses to carry out the provisions  
21 of the Surface Mining Control and Reclamation Act of  
22 1977, Public Law 95–87, as amended, including the pur-  
23 chase of not to exceed 10 passenger motor vehicles, for  
24 replacement only, \$93,074,000, and notwithstanding 31  
25 U.S.C. 3302, an additional amount shall be credited to  
26 this account, to remain available until expended, from per-

1 formance bond forfeitures in fiscal year 1999 and there-  
2 after: *Provided*, That the Secretary of the Interior, pursu-  
3 ant to regulations, may use directly or through grants to  
4 States, moneys collected in fiscal year 1999 for civil pen-  
5 alties assessed under section 518 of the Surface Mining  
6 Control and Reclamation Act of 1977 (30 U.S.C. 1268),  
7 to reclaim lands adversely affected by coal mining prac-  
8 tices after August 3, 1977, to remain available until ex-  
9 pended: *Provided further*, That appropriations for the Of-  
10 fice of Surface Mining Reclamation and Enforcement may  
11 provide for the travel and per diem expenses of State and  
12 tribal personnel attending Office of Surface Mining Rec-  
13 lamation and Enforcement sponsored training: *Provided*  
14 *further*, That beginning in fiscal year 1999 and thereafter,  
15 cost-based fees for the products of the Mine Map Reposi-  
16 tory shall be established (and revised as needed) in Fed-  
17 eral Register Notices, and shall be collected and credited  
18 to this account, to be available until expended for the costs  
19 of administering this program.

20 ABANDONED MINE RECLAMATION FUND

21 For necessary expenses to carry out title IV of the  
22 Surface Mining Control and Reclamation Act of 1977,  
23 Public Law 95–87, as amended, including the purchase  
24 of not more than 10 passenger motor vehicles for replace-  
25 ment only, \$185,416,000, to be derived from receipts of  
26 the Abandoned Mine Reclamation Fund and to remain

1 available until expended; of which up to \$7,000,000, to  
2 be derived from the cumulative balance of interest earned  
3 to date on the Fund, shall be for supplemental grants to  
4 States for the reclamation of abandoned sites with acid  
5 mine rock drainage from coal mines, and for associated  
6 activities, through the Appalachian Clean Streams Initia-  
7 tive: *Provided*, That grants to minimum program States  
8 will be \$1,500,000 per State in fiscal year 1999: *Provided*  
9 *further*, That of the funds herein provided up to  
10 \$18,000,000 may be used for the emergency program au-  
11 thorized by section 410 of Public Law 95–87, as amended,  
12 of which no more than 25 percent shall be used for emer-  
13 gency reclamation projects in any one State and funds for  
14 federally administered emergency reclamation projects  
15 under this proviso shall not exceed \$11,000,000: *Provided*  
16 *further*, That prior year unobligated funds appropriated  
17 for the emergency reclamation program shall not be sub-  
18 ject to the 25 percent limitation per State and may be  
19 used without fiscal year limitation for emergency projects:  
20 *Provided further*, That pursuant to Public Law 97–365,  
21 the Department of the Interior is authorized to use up  
22 to 20 percent from the recovery of the delinquent debt  
23 owed to the United States Government to pay for con-  
24 tracts to collect these debts: *Provided further*, That funds  
25 made available to States under title IV of Public Law 95–

1 87 may be used, at their discretion, for any required non-  
2 Federal share of the cost of projects funded by the Federal  
3 Government for the purpose of environmental restoration  
4 related to treatment or abatement of acid mine drainage  
5 from abandoned mines: *Provided further*, That such  
6 projects must be consistent with the purposes and prior-  
7 ities of the Surface Mining Control and Reclamation Act:  
8 *Provided further*, That the State of Maryland may set  
9 aside the greater of \$1,000,000 or 10 percent of the total  
10 of the grants made available to the State under title IV  
11 of the Surface Mining Control and Reclamation Act of  
12 1977, as amended (30 U.S.C. 1231 et seq.), if the amount  
13 set aside is deposited in an acid mine drainage abatement  
14 and treatment fund established under a State law, pursu-  
15 ant to which law the amount (together with all interest  
16 earned on the amount) is expended by the State to under-  
17 take acid mine drainage abatement and treatment  
18 projects, except that before any amounts greater than 10  
19 percent of its title IV grants are deposited in an acid mine  
20 drainage abatement and treatment fund, the State of  
21 Maryland must first complete all Surface Mining Control  
22 and Reclamation Act priority one projects: *Provided fur-*  
23 *ther*, That hereafter, donations received to support  
24 projects under the Appalachian Clean Streams Initiative  
25 and under the Western Mine Lands Restoration Partner-

1 ships Initiative, pursuant to 30 U.S.C. 1231, shall be cred-  
2 ited to this account and remain available until expended  
3 without further appropriation for projects sponsored  
4 under these initiatives, directly through agreements with  
5 other Federal agencies, or through grants to States, and  
6 funding to local governments, or tax exempt private enti-  
7 ties.

8 BUREAU OF INDIAN AFFAIRS

9 OPERATION OF INDIAN PROGRAMS

10 For expenses necessary for the operation of Indian  
11 programs, as authorized by law, including the Snyder Act  
12 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-  
13 termination and Education Assistance Act of 1975 (25  
14 U.S.C. 450 et seq.), as amended, the Education Amend-  
15 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally  
16 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),  
17 as amended, \$1,558,425,000, to remain available until  
18 September 30, 2000 except as otherwise provided herein,  
19 of which not to exceed \$96,028,000 shall be for welfare  
20 assistance payments and notwithstanding any other provi-  
21 sion of law, including but not limited to the Indian Self-  
22 Determination Act of 1975, as amended, not to exceed  
23 \$114,881,000 shall be available for payments to tribes and  
24 tribal organizations for contract support costs associated  
25 with ongoing contracts, grants, compacts, or annual fund-



1 ing agreements entered into with the Bureau prior to or  
2 during fiscal year 1999, as authorized by such Act, except  
3 that tribes and tribal organizations may use their tribal  
4 priority allocations for unmet indirect costs of ongoing  
5 contracts, grants, or compacts, or annual funding agree-  
6 ments and for unmet welfare assistance costs, and of  
7 which not to exceed \$383,451,000 for school operations  
8 costs of Bureau-funded schools and other education pro-  
9 grams shall become available on July 1, 1999, and shall  
10 remain available until September 30, 2000; and of which  
11 not to exceed \$52,256,000 shall remain available until ex-  
12 pended for housing improvement, road maintenance, at-  
13 torney fees, litigation support, self-governance grants, the  
14 Indian Self-Determination Fund, land records improve-  
15 ment, the Navajo-Hopi Settlement Program: *Provided*,  
16 That notwithstanding any other provision of law, including  
17 but not limited to the Indian Self-Determination Act of  
18 1975, as amended, and 25 U.S.C. 2008, not to exceed  
19 \$42,160,000 within and only from such amounts made  
20 available for school operations shall be available to tribes  
21 and tribal organizations for administrative cost grants as-  
22 sociated with the operation of Bureau-funded schools: *Pro-*  
23 *vided further*, That hereafter funds made available to  
24 tribes and tribal organizations through contracts, compact  
25 agreements, or grants, as authorized by the Indian Self-

1 Determination Act of 1975 or grants authorized by the  
2 Indian Education Amendments of 1988 (25 U.S.C. 2001  
3 and 2008A) shall remain available until expended by the  
4 contractor or grantee: *Provided further*, That hereafter to  
5 provide funding uniformity within a Self-Governance Com-  
6 pact, any funds provided in this Act with availability for  
7 more than two years may be reprogrammed to two year  
8 availability but shall remain available within the Compact  
9 until expended: *Provided further*, That hereafter notwith-  
10 standing any other provision of law, Indian tribal govern-  
11 ments may, by appropriate changes in eligibility criteria  
12 or by other means, change eligibility for general assistance  
13 or change the amount of general assistance payments for  
14 individuals within the service area of such tribe who are  
15 otherwise deemed eligible for general assistance payments  
16 so long as such changes are applied in a consistent manner  
17 to individuals similarly situated and, that any savings real-  
18 ized by such changes shall be available for use in meeting  
19 other priorities of the tribes and, that any net increase  
20 in costs to the Federal Government which result solely  
21 from tribally increased payment levels for general assist-  
22 ance shall be met exclusively from funds available to the  
23 tribe from within its tribal priority allocation: *Provided*  
24 *further*, That any forestry funds allocated to a tribe which  
25 remain unobligated as of September 30, 2000, may be

1 transferred during fiscal year 2001 to an Indian forest  
2 land assistance account established for the benefit of such  
3 tribe within the tribe's trust fund account: *Provided fur-*  
4 *ther*, That any such unobligated balances not so trans-  
5 ferred shall expire on September 30, 2001: *Provided fur-*  
6 *ther*, That hereafter tribes may use tribal priority alloca-  
7 tions funds for the replacement and repair of school facili-  
8 ties in compliance with 25 U.S.C. 2005(a), so long as such  
9 replacement or repair is approved by the Secretary and  
10 completed with non-Federal tribal and/or tribal priority al-  
11 location funds.

#### 12 CONSTRUCTION

13 For construction, repair, improvement, and mainte-  
14 nance of irrigation and power systems, buildings, utilities,  
15 and other facilities, including architectural and engineer-  
16 ing services by contract; acquisition of lands, and interests  
17 in lands; and preparation of lands for farming, and for  
18 construction of the Navajo Indian Irrigation Project pur-  
19 suant to Public Law 87-483, \$121,695,000, to remain  
20 available until expended: *Provided*, That such amounts as  
21 may be available for the construction of the Navajo Indian  
22 Irrigation Project may be transferred to the Bureau of  
23 Reclamation: *Provided further*, That not to exceed 6 per-  
24 cent of contract authority available to the Bureau of In-  
25 dian Affairs from the Federal Highway Trust Fund may  
26 be used to cover the road program management costs of

1 the Bureau: *Provided further*, That any funds provided for  
2 the Safety of Dams program pursuant to 25 U.S.C. 13  
3 shall be made available on a nonreimbursable basis: *Pro-*  
4 *vided further*, That for fiscal year 1999, in implementing  
5 new construction or facilities improvement and repair  
6 project grants in excess of \$100,000 that are provided to  
7 tribally controlled grant schools under Public Law 100–  
8 297, as amended, the Secretary of the Interior shall use  
9 the Administrative and Audit Requirements and Cost  
10 Principles for Assistance Programs contained in 43 CFR  
11 part 12 as the regulatory requirements: *Provided further*,  
12 That such grants shall not be subject to section 12.61 of  
13 43 CFR; the Secretary and the grantee shall negotiate and  
14 determine a schedule of payments for the work to be per-  
15 formed: *Provided further*, That in considering applications,  
16 the Secretary shall consider whether the Indian tribe or  
17 tribal organization would be deficient in assuring that the  
18 construction projects conform to applicable building stand-  
19 ards and codes and Federal, tribal, or State health and  
20 safety standards as required by 25 U.S.C. 2005(a), with  
21 respect to organizational and financial management capa-  
22 bilities: *Provided further*, That if the Secretary declines an  
23 application, the Secretary shall follow the requirements  
24 contained in 25 U.S.C. 2505(f): *Provided further*, That  
25 any disputes between the Secretary and any grantee con-

cerning a grant shall be subject to the disputes provision  
in 25 U.S.C. 2508(e): *Provided further*, That funds appropriated in Public Law 105–18, making emergency supplemental appropriations for the Bureau of Indian Affairs for the repair of irrigation projects damaged in the severe winter conditions and ensuing flooding, are available on a nonreimbursable basis.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND  
MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, \$28,396,000, to remain available until expended; of which \$27,530,000 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 \$866,000 shall be available pursuant to Public Laws 99–264, and 100–580: *Provided*, That in fiscal year 1999 and thereafter, the Secretary is directed to sell land and interests in land, other than surface water rights, acquired in conformance with section 2 of the Truckee River Water Quality Settlement Agreement, the receipts of which shall be deposited to the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund, and be available for the purposes of section 2 of such agreement, without regard to the limitation on the distribution of benefits in

1 the second sentence of paragraph 206(f)(2) of Public Law  
2 101–618.

3 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

4 For the cost of guaranteed loans, \$4,501,000, as au-  
5 thorized by the Indian Financing Act of 1974, as amend-  
6 ed: *Provided*, That such costs, including the cost of modi-  
7 fying such loans, shall be as defined in section 502 of the  
8 Congressional Budget Act of 1974: *Provided further*, That  
9 these funds are available to subsidize total loan principal,  
10 any part of which is to be guaranteed, not to exceed  
11 \$34,615,000.

12 In addition, for administrative expenses to carry out  
13 the guaranteed loan programs, \$500,000.

14 ADMINISTRATIVE PROVISIONS

15 The Bureau of Indian Affairs may carry out the oper-  
16 ation of Indian programs by direct expenditure, contracts,  
17 cooperative agreements, compacts and grants, either di-  
18 rectly or in cooperation with States and other organiza-  
19 tions.

20 Appropriations for the Bureau of Indian Affairs (ex-  
21 cept the revolving fund for loans, the Indian loan guaran-  
22 tee and insurance fund, and the Indian Guaranteed Loan  
23 Program account) shall be available for expenses of exhib-  
24 its, and purchase of not to exceed 229 passenger motor  
25 vehicles, of which not to exceed 187 shall be for replace-  
26 ment only.

1           Notwithstanding any other provision of law, no funds  
2 available to the Bureau of Indian Affairs for central office  
3 operations or pooled overhead general administration (ex-  
4 cept facilities operations and maintenance) shall be avail-  
5 able for tribal contracts, grants, compacts, or cooperative  
6 agreements with the Bureau of Indian Affairs under the  
7 provisions of the Indian Self-Determination Act or the  
8 Tribal Self-Governance Act of 1994 (Public Law 103–  
9 413).

10           Notwithstanding any other provision of law, no funds  
11 available to the Bureau, other than the amounts provided  
12 herein for assistance to public schools under 25 U.S.C.  
13 452 et seq., shall be available to support the operation of  
14 any elementary or secondary school in the State of Alaska.

15           Appropriations made available in this or any other  
16 Act for schools funded by the Bureau shall be available  
17 only to the schools in the Bureau school system as of Sep-  
18 tember 1, 1996. No funds available to the Bureau shall  
19 be used to support expanded grades for any school or dor-  
20 mitory beyond the grade structure in place or approved  
21 by the Secretary of the Interior at each school in the Bu-  
22 reau school system as of October 1, 1995.

23           In the event any tribe returns appropriations made  
24 available by the Act to the Bureau of Indian Affairs for  
25 distribution to other tribes, this action will not diminish

1 the Federal Government's trust responsibility to that  
2 tribe, or the government-to-government relationship be-  
3 tween the United States and that tribe, or the tribe's right  
4 to future appropriations.

5 DEPARTMENTAL OFFICES

6 INSULAR AFFAIRS

7 ASSISTANCE TO TERRITORIES

8 For expenses necessary for assistance to territories  
9 under the jurisdiction of the Department of the Interior,  
10 \$66,175,000 (reduced by \$2,000,000), of which: (1)  
11 \$62,326,000 shall be available until expended for technical  
12 assistance, including maintenance assistance, disaster as-  
13 sistance, insular management controls, and brown tree  
14 snake control and research; grants to the judiciary in  
15 American Samoa for compensation and expenses, as au-  
16 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-  
17 ment of American Samoa, in addition to current local rev-  
18 enues, for construction and support of governmental func-  
19 tions; grants to the Government of the Virgin Islands as  
20 authorized by law; grants to the Government of Guam,  
21 as authorized by law; and grants to the Government of  
22 the Northern Mariana Islands as authorized by law (Pub-  
23 lic Law 94-241; 90 Stat. 272); and (2) \$3,849,000 shall  
24 be available for salaries and expenses of the Office of Insu-  
25 lar Affairs: *Provided*, That all financial transactions of the



1 territorial and local governments herein provided for, in-  
2 cluding such transactions of all agencies or instrumental-  
3 ities established or used by such governments, may be au-  
4 dited by the General Accounting Office, at its discretion,  
5 in accordance with chapter 35 of title 31, United States  
6 Code: *Provided further*, That Northern Mariana Islands  
7 Covenant grant funding shall be provided according to  
8 those terms of the Agreement of the Special Representa-  
9 tives on Future United States Financial Assistance for the  
10 Northern Mariana Islands approved by Public Law 99-  
11 396, or any subsequent legislation related to Common-  
12 wealth of the Northern Mariana Islands grant funding:  
13 *Provided further*, That of the Covenant grant funding for  
14 the Government of the Northern Mariana Islands  
15 \$5,000,000 shall be used for the construction of prison  
16 facilities and \$500,000 shall be used for construction and  
17 equipping of a crime laboratory unless the Secretary deter-  
18 mines that acceptable alternative financing for these  
19 projects is already in place: *Provided further*, That of the  
20 amounts provided for technical assistance, sufficient fund-  
21 ing shall be made available for a grant to the Close Up  
22 Foundation: *Provided further*, That the funds for the pro-  
23 gram of operations and maintenance improvement are ap-  
24 propriated to institutionalize routine operations and main-  
25 tenance improvement of capital infrastructure in Amer-

1 ican Samoa, Guam, the Virgin Islands, the Commonwealth  
2 of the Northern Mariana Islands, the Republic of Palau,  
3 the Republic of the Marshall Islands, and the Federated  
4 States of Micronesia through assessments of long-range  
5 operations maintenance needs, improved capability of local  
6 operations and maintenance institutions and agencies (in-  
7 cluding management and vocational education training),  
8 and project-specific maintenance (with territorial partici-  
9 pation and cost sharing to be determined by the Secretary  
10 based on the individual territory's commitment to timely  
11 maintenance of its capital assets): *Provided further*, That  
12 any appropriation for disaster assistance under this head-  
13 ing in this Act or previous appropriations Acts may be  
14 used as non-Federal matching funds for the purpose of  
15 hazard mitigation grants provided pursuant to section 404  
16 of the Robert T. Stafford Disaster Relief and Emergency  
17 Assistance Act (42 U.S.C. 5170c).

18 COMPACT OF FREE ASSOCIATION

19 For economic assistance and necessary expenses for  
20 the Federated States of Micronesia and the Republic of  
21 the Marshall Islands as provided for in sections 122, 221,  
22 223, 232, and 233 of the Compact of Free Association,  
23 and for economic assistance and necessary expenses for  
24 the Republic of Palau as provided for in sections 122, 221,  
25 223, 232, and 233 of the Compact of Free Association,

1 \$20,545,000, to remain available until expended, as au-  
2 thorized by Public Law 99-239 and Public Law 99-658.

3 DEPARTMENTAL MANAGEMENT

4 SALARIES AND EXPENSES

5 For necessary expenses for management of the De-  
6 partment of the Interior, \$58,286,000, of which not to ex-  
7 ceed \$8,500 may be for official reception and representa-  
8 tion expenses, and of which up to \$1,000,000 shall be  
9 available for workers compensation payments and unem-  
10 ployment compensation payments associated with the or-  
11 derly closure of the United States Bureau of Mines.

12 OFFICE OF THE SOLICITOR

13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of the Solicitor,  
15 \$37,304,000.

16 OFFICE OF INSPECTOR GENERAL

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of Inspector  
19 General, \$24,499,000.

20 OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

21 FEDERAL TRUST PROGRAMS

22 For operation of trust programs for Indians by direct  
23 expenditure, contracts, cooperative agreements, compacts,  
24 and grants, \$39,499,000, to remain available until ex-  
25 pended: *Provided*, That funds for trust management im-

1 improvements may be transferred to the Bureau of Indian  
2 Affairs: *Provided further*, That funds made available to  
3 Tribes and Tribal organizations through contracts or  
4 grants obligated during fiscal year 1999, as authorized by  
5 the Indian Self-Determination Act of 1975 (25 U.S.C. 450  
6 et seq.), shall remain available until expended by the con-  
7 tractor or grantee: *Provided further*, That notwithstanding  
8 any other provision of law, the statute of limitations shall  
9 not commence to run on any claim, including any claim  
10 in litigation pending on the date of the enactment of this  
11 Act, concerning losses to or mismanagement of trust  
12 funds, until the affected tribe or individual Indian has  
13 been furnished with an accounting of such funds from  
14 which the beneficiary can determine whether there has  
15 been a loss: *Provided further*, That hereafter the Secretary  
16 shall not be required to provide a periodic statement of  
17 performance pursuant to 25 U.S.C. 4011(b), nor to invest  
18 pursuant to 25 U.S.C. 161a, any Indian trust account  
19 managed by the Secretary that has not had activity for  
20 at least eighteen months and has a balance of \$1.00 or  
21 less: *Provided further*, That hereafter the Secretary shall  
22 maintain a record of any such accounts and amounts in  
23 such accounts will remain available upon request to the  
24 accountholder.

1       NATURAL RESOURCE DAMAGE ASSESSMENT AND  
2                                   RESTORATION  
3       NATURAL RESOURCE DAMAGE ASSESSMENT FUND

4       To conduct natural resource damage assessment ac-  
5 tivities by the Department of the Interior necessary to  
6 carry out the provisions of the Comprehensive Environ-  
7 mental Response, Compensation, and Liability Act, as  
8 amended (42 U.S.C. 9601 et seq.), Federal Water Pollu-  
9 tion Control Act, as amended (33 U.S.C. 1251 et seq.),  
10 the Oil Pollution Act of 1990 (Public Law 101–380), and  
11 Public Law 101–337, \$4,492,000, to remain available  
12 until expended: *Provided*, That obligated and unexpended  
13 balances in the United States Fish and Wildlife Service,  
14 Natural Resource Damage Assessment Fund account at  
15 the end of fiscal year 1998 shall be transferred to and  
16 made a part of the Departmental Offices, Natural Re-  
17 source Damage Assessment and Restoration, Natural Re-  
18 source Damage Assessment Fund account and shall re-  
19 main available until expended.

20                                   ADMINISTRATIVE PROVISIONS

21       There is hereby authorized for acquisition from avail-  
22 able resources within the Working Capital Fund, 15 air-  
23 craft, 10 of which shall be for replacement and which may  
24 be obtained by donation, purchase or through available ex-  
25 cess surplus property: *Provided*, That notwithstanding any  
26 other provision of law, existing aircraft being replaced may

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

8 GENERAL PROVISIONS—DEPARTMENT OF THE  
9 INTERIOR

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

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

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

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



1 tions 1535 and 1536 of title 31, United States Code: *Pro-*  
2 *vided*, That reimbursements for costs and supplies, mate-  
3 rials, equipment, and for services rendered may be cred-  
4 ited to the appropriation current at the time such reim-  
5 bursements are received.

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

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

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

1       SEC. 107. No funds provided in this title may be ex-  
2       pended by the Department of the Interior for the conduct  
3       of offshore leasing and related activities placed under re-  
4       striction in the President's moratorium statement of June  
5       26, 1990, in the areas of northern, central, and southern  
6       California; the North Atlantic; Washington and Oregon;  
7       and the eastern Gulf of Mexico south of 26 degrees north  
8       latitude and east of 86 degrees west longitude.

9       SEC. 108. No funds provided in this title may be ex-  
10      pended by the Department of the Interior for the conduct  
11      of offshore oil and natural gas preleasing, leasing, and re-  
12      lated activities, on lands within the North Aleutian Basin  
13      planning area.

14      SEC. 109. No funds provided in this title may be ex-  
15      pended by the Department of the Interior to conduct off-  
16      shore oil and natural gas preleasing, leasing and related  
17      activities in the eastern Gulf of Mexico planning area for  
18      any lands located outside Sale 181, as identified in the  
19      final Outer Continental Shelf 5-Year Oil and Gas Leasing  
20      Program, 1997–2002.

21      SEC. 110. No funds provided in this title may be ex-  
22      pended by the Department of the Interior to conduct oil  
23      and natural gas preleasing, leasing and related activities  
24      in the Mid-Atlantic and South Atlantic planning areas.

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

10           (1) invested by the Indian tribe, tribal organiza-  
11 tion, or consortium only in obligations of the United  
12 States, or in obligations or securities that are guar-  
13 anteed or insured by the United States, or mutual  
14 (or other) funds registered with the Securities and  
15 Exchange Commission and which only invest in obli-  
16 gations of the United States or securities that are  
17 guaranteed or insured by the United States; or

18           (2) deposited only into accounts that are in-  
19 sured by an agency or instrumentality of the United  
20 States, or are fully collateralized to ensure protec-  
21 tion of the Funds, even in the event of a bank fail-  
22 ure.

23       SEC. 112. (a) Employees of Helium Operations, Bu-  
24 reau of Land Management, entitled to severance pay  
25 under 5 U.S.C. 5595, may apply for, and the Secretary

1 of the Interior may pay, the total amount of the severance  
2 pay to the employee in a lump sum. Employees paid sever-  
3 ance pay in a lump sum and subsequently reemployed by  
4 the Federal Government shall be subject to the repayment  
5 provisions of 5 U.S.C. 5595(i)(2) and (3), except that any  
6 repayment shall be made to the Helium Fund.

7 (b) Helium Operations employees who elect to con-  
8 tinue health benefits after separation shall be liable for  
9 not more than the required employee contribution under  
10 5 U.S.C. 8905a(d)(1)(A). The Helium Fund shall pay for  
11 18 months the remaining portion of required contribu-  
12 tions.

13 (c) The Secretary of the Interior may provide for  
14 training to assist Helium Operations employees in the  
15 transition to other Federal or private sector jobs during  
16 the facility shut-down and disposition process and for up  
17 to 12 months following separation from Federal employ-  
18 ment, including retraining and relocation incentives on the  
19 same terms and conditions as authorized for employees of  
20 the Department of Defense in section 348 of the National  
21 Defense Authorization Act for Fiscal Year 1995.

22 (d) For purposes of the annual leave restoration pro-  
23 visions of 5 U.S.C. 6304(d)(1)(B), the cessation of helium  
24 production and sales, and other related Helium Program  
25 activities shall be deemed to create an exigency of public

1 business under, and annual leave that is lost during leave  
2 years 1997 through 2001 because of, 5 U.S.C. 6304 (re-  
3 gardless of whether such leave was scheduled in advance)  
4 shall be restored to the employee and shall be credited and  
5 available in accordance with 5 U.S.C. 6304(d)(2). Annual  
6 leave so restored and remaining unused upon the transfer  
7 of a Helium Program employee to a position of the execu-  
8 tive branch outside of the Helium Program shall be liq-  
9 uidated by payment to the employee of a lump sum from  
10 the Helium Fund for such leave.

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

20 SEC. 113. In fiscal year 1999 and thereafter, the Sec-  
21 retary may accept donations and bequests of money, serv-  
22 ices, or other personal property for the management and  
23 enhancement of the Department's Natural Resources Li-  
24 brary. The Secretary may hold, use, and administer such

1 donations until expended and without further appropria-  
2 tion.

3       SEC. 114. Notwithstanding any other provision of  
4 law, including but not limited to the Indian Self-Deter-  
5 mination Act of 1975, as amended, funds available under  
6 this title for Indian self-determination or self-governance  
7 contract or grant support costs may be expended only for  
8 costs directly attributable to contracts, grants and com-  
9 pacts pursuant to the Indian Self-Determination Act and  
10 no funds appropriated in this title shall be available for  
11 any contract support costs or indirect costs associated  
12 with any contract, grant, cooperative agreement, self-gov-  
13 ernance compact or funding agreement entered into be-  
14 tween an Indian tribe or tribal organization and any entity  
15 other than an agency of the Department of the Interior.

16       SEC. 115. Notwithstanding any other provisions of  
17 law, the National Park Service shall not develop or imple-  
18 ment a reduced entrance fee program to accommodate  
19 non-local travel through a unit. The Secretary may provide  
20 for and regulate local non-recreational passage through  
21 units of the National Park System, allowing each unit to  
22 develop guidelines and permits for such activity appro-  
23 priate to that unit.

24       SEC. 116. (a) Denver Service Center employees who  
25 voluntarily resign or retire from the National Park Service

1 on or before December 31, 1998, shall receive, from the  
2 National Park Service, a lump sum voluntary separation  
3 incentive payment that shall be equal to the lesser of an  
4 amount equal to the amount the employee would be enti-  
5 tled to receive under section 5595(c) of title 5, United  
6 States Code, if the employee were entitled to payment  
7 under such section; or \$25,000.

8 (1) The voluntary separation incentive pay-  
9 ment—

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

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

16 (2) Employees receiving a voluntary separation  
17 incentive payment and accepting employment with  
18 the Federal Government within five years of the date  
19 of separation shall be required to repay the entire  
20 amount of the incentive payment to the National  
21 Park Service.

22 (3) The Secretary may, at the request of the  
23 head of an Executive branch agency, waive the re-  
24 payment under paragraph (2) if the individual in-

1       involved possesses unique abilities and is the only  
2       qualified applicant available for the position.

3               (4) In addition to any other payment which it  
4       is required to make under subchapter III of chapter  
5       83 of title 5, United States Code, the National Park  
6       Service shall remit to the Office of Personnel Man-  
7       agement for deposit in the Treasury of the United  
8       States to the credit of the Civil Service Retirement  
9       and Disability Fund an amount equal to 15 percent  
10      of the final basic pay of each employee of the Na-  
11      tional Park Service—

12                       (A) who retires under section 8336(d)(2)  
13                       of title 5, United States Code; and

14                       (B) to whom a voluntary separation incen-  
15                       tive payment has been or is to be paid under  
16                       the provisions of this section.

17      (b) Employees of the Denver Service Center entitled  
18      to severance pay under 5 U.S.C. 5595, may apply for, and  
19      the National Park Service may pay, the total amount of  
20      severance pay to the employee in a lump sum. Employees  
21      paid severance pay in a lump sum and subsequently reem-  
22      ployed by the Federal Government shall be subject to the  
23      repayment provisions of 5 U.S.C. 5595(i)(2) and (3), ex-  
24      cept that any repayment shall be made to the National  
25      Park Service.



1           (c) Employees of the Denver Service Center who vol-  
2 untarily resign on or before December 31, 1998, or who  
3 are separated in a reduction in force, shall be liable for  
4 not more than the required employee contribution under  
5 5 U.S.C. 8905a(d)(1)(A) if they elect to continue health  
6 benefits after separation. The National Park Service shall  
7 pay for 12 months the remaining portion of required con-  
8 tributions.

9           SEC. 117. Notwithstanding any other provision of  
10 law, the Secretary is authorized to permit persons, firms  
11 or organizations engaged in commercial, cultural, edu-  
12 cational, or recreational activities (as defined in section  
13 612a of title 40, United States Code) not currently occu-  
14 pying such space to use courtyards, auditoriums, meeting  
15 rooms, and other space of the main and south Interior  
16 building complex, Washington, D.C., the maintenance, op-  
17 eration, and protection of which has been delegated to the  
18 Secretary from the Administrator of General Services pur-  
19 suant to the Federal Property and Administrative Services  
20 Act of 1949, and to assess reasonable charges therefore,  
21 subject to such procedures as the Secretary deems appro-  
22 priate for such uses. Charges may be for the space, utili-  
23 ties, maintenance, repair, and other services. Charges for  
24 such space and services may be at rates equivalent to the  
25 prevailing commercial rate for comparable space and serv-

1 ices devoted to a similar purpose in the vicinity of the  
2 main and south Interior building complex, Washington,  
3 D.C. for which charges are being assessed. The Secretary  
4 may without further appropriation hold, administer, and  
5 use such proceeds within the Departmental Management  
6 Working Capital Fund to offset the operation of the build-  
7 ings under his jurisdiction, whether delegated or other-  
8 wise, and for related purposes, until expended.

9       SEC. 118. The 37 mile River Valley Trail from the  
10 town of Delaware Gap to the edge of the town of Milford,  
11 Pennsylvania located within the Delaware Water Gap Na-  
12 tional Recreation Area shall hereafter be referred to in any  
13 law, regulation, document, or record of the United States  
14 as the Joseph M. McDade Recreational Trail.

## 15                   TITLE II—RELATED AGENCIES

### 16                   DEPARTMENT OF AGRICULTURE

#### 17                   FOREST SERVICE

#### 18                   FOREST AND RANGELAND RESEARCH

19       For necessary expenses of forest and rangeland re-  
20 search as authorized by law, \$197,444,000, to remain  
21 available until expended.

#### 22                   STATE AND PRIVATE FORESTRY

23       For necessary expenses of cooperating with and pro-  
24 viding technical and financial assistance to States, terri-  
25 tories, possessions, and others, and for forest health man-

1 agement, cooperative forestry, and education and land  
2 conservation activities, \$156,167,000, to remain available  
3 until expended, as authorized by law.

4 NATIONAL FOREST SYSTEM

5 For necessary expenses of the Forest Service, not  
6 otherwise provided for, for management, protection, im-  
7 provement, and utilization of the National Forest System,  
8 and for administrative expenses associated with the man-  
9 agement of funds provided under the headings “Forest  
10 and Rangeland Research”, “State and Private Forestry”,  
11 “National Forest System”, “Wildland Fire Management”,  
12 “Reconstruction and Construction”, and “Land Acquisi-  
13 tion”, \$1,231,421,000, to remain available until expended,  
14 which shall include 50 percent of all moneys received dur-  
15 ing prior fiscal years as fees collected under the Land and  
16 Water Conservation Fund Act of 1965, as amended, in  
17 accordance with section 4 of the Act (16 U.S.C. 460l-  
18 6a(i)).

19 WILDLAND FIRE MANAGEMENT

20 For necessary expenses for forest fire presuppression  
21 activities on National Forest System lands, for emergency  
22 fire suppression on or adjacent to such lands or other  
23 lands under fire protection agreement, and for emergency  
24 rehabilitation of burned-over National Forest System  
25 lands and waters, \$631,737,000, to remain available until

1 expended: *Provided*, That such funds are available for re-  
2 payment of advances from other appropriations accounts  
3 previously transferred for such purposes.

4 RECONSTRUCTION AND CONSTRUCTION

5 For necessary expenses of the Forest Service, not  
6 otherwise provided for, \$271,444,000, to remain available  
7 until expended for construction, reconstruction and acqui-  
8 sition of buildings and other facilities, and for construc-  
9 tion, reconstruction, repair and maintenance of forest  
10 roads and trails by the Forest Service as authorized by  
11 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*,  
12 That up to \$15,000,000 of the funds provided herein for  
13 road maintenance shall be available for the planned oblit-  
14 eration of roads which are no longer needed: *Provided fur-*  
15 *ther*, That the Forest Service may make an advance of  
16 up to \$200,000 from the funds provided under this head-  
17 ing in this Act and up to \$800,000 provided under this  
18 heading in Public Law 105–83 to the City of Colorado  
19 Springs, Colorado for the design and reconstruction of the  
20 Pikes Peak Summit House in accordance with terms and  
21 conditions agreed to.

22 LAND ACQUISITION

23 For expenses necessary to carry out the provisions  
24 of the Land and Water Conservation Fund Act of 1965,  
25 as amended (16 U.S.C. 4601–4 through 11), including ad-  
26 ministrative expenses, and for acquisition of land or wa-

1 ters, or interest therein, in accordance with statutory au-  
2 thority applicable to the Forest Service, \$30,000,000, to  
3 be derived from the Land and Water Conservation Fund,  
4 to remain available until expended.

5 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL  
6 ACTS

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

13 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

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

20 RANGE BETTERMENT FUND

21 For necessary expenses of range rehabilitation, pro-  
22 tection, and improvement, 50 percent of all moneys re-  
23 ceived during the prior fiscal year, as fees for grazing do-  
24 mestic livestock on lands in National Forests in the 16  
25 Western States, pursuant to section 401(b)(1) of Public  
26 Law 94-579, as amended, to remain available until ex-

1 pended, of which not to exceed 6 percent shall be available  
2 for administrative expenses associated with on-the-ground  
3 range rehabilitation, protection, and improvements.

4 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND  
5 RANGELAND RESEARCH

6 For expenses authorized by 16 U.S.C. 1643(b),  
7 \$92,000, to remain available until expended, to be derived  
8 from the fund established pursuant to the above Act.

9 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

10 Appropriations to the Forest Service for the current  
11 fiscal year shall be available for: (1) purchase of not to  
12 exceed 177 passenger motor vehicles of which 22 will be  
13 used primarily for law enforcement purposes and of which  
14 176 shall be for replacement; acquisition of 25 passenger  
15 motor vehicles from excess sources, and hire of such vehi-  
16 cles; operation and maintenance of aircraft, the purchase  
17 of not to exceed two for replacement only, and acquisition  
18 of sufficient aircraft from excess sources to maintain the  
19 operable fleet at 198 aircraft for use in Forest Service  
20 wildland fire programs and other Forest Service programs;  
21 notwithstanding other provisions of law, existing aircraft  
22 being replaced may be sold, with proceeds derived or  
23 trade-in value used to offset the purchase price for the  
24 replacement aircraft; (2) services pursuant to 7 U.S.C.  
25 2225, and not to exceed \$100,000 for employment under

1 5 U.S.C. 3109; (3) purchase, erection, and alteration of  
2 buildings and other public improvements (7 U.S.C. 2250);  
3 (4) acquisition of land, waters, and interests therein, pur-  
4 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the  
5 Volunteers in the National Forest Act of 1972 (16 U.S.C.  
6 558a, 558d, and 558a note); (6) the cost of uniforms as  
7 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-  
8 lection contracts in accordance with 31 U.S.C. 3718(c).

9       None of the funds made available under this Act shall  
10 be obligated or expended to abolish any region, to move  
11 or close any regional office for National Forest System  
12 administration of the Forest Service, Department of Agri-  
13 culture without the advance consent of the House and  
14 Senate Committees on Appropriations.

15       Any appropriations or funds available to the Forest  
16 Service may be transferred to the Wildland Fire Manage-  
17 ment appropriation for forest firefighting, emergency re-  
18 habilitation of burned-over or damaged lands or waters  
19 under its jurisdiction, and fire preparedness due to severe  
20 burning conditions.

21       Funds appropriated to the Forest Service shall be  
22 available for assistance to or through the Agency for Inter-  
23 national Development and the Foreign Agricultural Serv-  
24 ice in connection with forest and rangeland research, tech-  
25 nical information, and assistance in foreign countries, and

1 shall be available to support forestry and related natural  
2 resource activities outside the United States and its terri-  
3 tories and possessions, including technical assistance, edu-  
4 cation and training, and cooperation with United States  
5 and international organizations.

6       None of the funds made available to the Forest Serv-  
7 ice under this Act shall be subject to transfer under the  
8 provisions of section 702(b) of the Department of Agri-  
9 culture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C.  
10 147b unless the proposed transfer is approved in advance  
11 by the House and Senate Committees on Appropriations  
12 in compliance with the reprogramming procedures con-  
13 tained in House Report 105–163.

14       None of the funds available to the Forest Service may  
15 be reprogrammed without the advance approval of the  
16 House and Senate Committees on Appropriations in ac-  
17 cordance with the procedures contained in House Report  
18 105–163.

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

23       Notwithstanding any other provision of law, hereafter  
24 any appropriations or funds available to the Forest Service  
25 may be used to disseminate program information to pri-



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

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

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

23       None of the funds available in this Act shall be used  
24 for timber sale preparation using clearcutting in hardwood  
25 stands in excess of 25 percent of the fiscal year 1989 har-

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

6       Any money collected from the States for fire suppres-  
7 sion assistance rendered by the Forest Service on non-  
8 Federal lands not in the vicinity of National Forest Sys-  
9 tem lands shall hereafter be used to reimburse the applica-  
10 ble appropriation and shall remain available until ex-  
11 pended as the Secretary may direct in conducting activi-  
12 ties authorized by 16 U.S.C. 2101 note, 2101–2110, 1606,  
13 and 2111.

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

17       Notwithstanding any other provision of law, hereafter  
18 the Forest Service is authorized to employ or otherwise  
19 contract with persons at regular rates of pay, as deter-  
20 mined by the Service, to perform work occasioned by emer-  
21 gencies such as fires, storms, floods, earthquakes or any  
22 other unavoidable cause without regard to Sundays, Fed-  
23 eral holidays, and the regular workweek.

24       To the greatest extent possible, and in accordance  
25 with the Final Amendment to the Shawnee National For-

1 est Plan, none of the funds available in this Act shall be  
2 used for preparation of timber sales using clearcutting or  
3 other forms of even-aged management in hardwood stands  
4 in the Shawnee National Forest, Illinois.

5 Pursuant to sections 405(b) and 410(b) of Public  
6 Law 101–593, of the funds available to the Forest Service,  
7 up to \$2,250,000 may be advanced in a lump sum as Fed-  
8 eral financial assistance to the National Forest Founda-  
9 tion, without regard to when the Foundation incurs ex-  
10 penses, for administrative expenses or projects on or bene-  
11 fitting National Forest System lands or related to Forest  
12 Service programs: *Provided*, That of the Federal funds  
13 made available to the Foundation, no more than \$400,000  
14 shall be available for administrative expenses: *Provided*  
15 *further*, That the Foundation shall obtain, by the end of  
16 the period of Federal financial assistance, private con-  
17 tributions to match on at least one-for-one basis funds  
18 made available by the Forest Service: *Provided further*,  
19 That the Foundation may transfer Federal funds to a  
20 non-Federal recipient for a project at the same rate that  
21 the recipient has obtained the non-Federal matching  
22 funds: *Provided further*, That hereafter, the National For-  
23 est Foundation may hold Federal funds made available  
24 but not immediately disbursed and may use any interest  
25 or other investment income earned (before, on, or after

1 the date of enactment of this Act) on Federal funds to  
2 carry out the purposes of Public Law 101–593: *Provided*  
3 *further*, That such investments may be made only in inter-  
4 est-bearing obligations of the United States or in obliga-  
5 tions guaranteed as to both principal and interest by the  
6 United States.

7 Pursuant to section 2(b)(2) of Public Law 98–244,  
8 up to \$2,225,000 of the funds available to the Forest  
9 Service shall be available for matching funds to the Na-  
10 tional Fish and Wildlife Foundation, as authorized by 16  
11 U.S.C. 3701–3709, and may be advanced in a lump sum  
12 as Federal financial assistance, without regard to when  
13 expenses are incurred, for projects on or benefitting Na-  
14 tional Forest System lands or related to Forest Service  
15 programs: *Provided*, That the Foundation shall obtain, by  
16 the end of the period of Federal financial assistance, pri-  
17 vate contributions to match on at least a one-for-one basis  
18 funds advanced by the Forest Service: *Provided further*,  
19 That the Foundation may transfer Federal funds to a  
20 non-Federal recipient for a project at the same rate that  
21 the recipient has obtained the non-Federal matching  
22 funds.

23 Funds appropriated to the Forest Service shall be  
24 available for interactions with and providing technical as-

1 sistance to rural communities for sustainable rural devel-  
2 opment purposes.

3       Notwithstanding any other provision of law, 80 per-  
4 cent of the funds appropriated to the Forest Service in  
5 the “National Forest System” and “Reconstruction and  
6 Construction” accounts and planned to be allocated to ac-  
7 tivities under the “Jobs in the Woods” program for  
8 projects on National Forest land in the State of Washing-  
9 ton may be granted directly to the Washington State De-  
10 partment of Fish and Wildlife for accomplishment of  
11 planned projects. Twenty percent of said funds shall be  
12 retained by the Forest Service for planning and admin-  
13 istering projects. Project selection and prioritization shall  
14 be accomplished by the Forest Service with such consulta-  
15 tion with the State of Washington as the Forest Service  
16 deems appropriate.

17       Funds appropriated to the Forest Service shall be  
18 available for payments to counties within the Columbia  
19 River Gorge National Scenic Area, pursuant to sections  
20 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–  
21 663.

22       The Secretary of Agriculture is authorized to enter  
23 into grants, contracts, and cooperative agreements as ap-  
24 propriate with the Pinchot Institute for Conservation, as  
25 well as with public and other private agencies, organiza-

1 tions, institutions, and individuals, to provide for the de-  
2 velopment, administration, maintenance, or restoration of  
3 land, facilities, or Forest Service programs, at the Grey  
4 Towers National Historic Landmark: *Provided*, That, sub-  
5 ject to such terms and conditions as the Secretary of Agri-  
6 culture may prescribe, any such public or private agency,  
7 organization, institution, or individual may solicit, accept,  
8 and administer private gifts of money and real or personal  
9 property for the benefit of, or in connection with, the ac-  
10 tivities and services at the Grey Towers National Historic  
11 Landmark: *Provided further*, That such gifts may be ac-  
12 cepted notwithstanding the fact that a donor conducts  
13 business with the Department of Agriculture in any capac-  
14 ity.

15 Funds appropriated to the Forest Service shall be  
16 available, as determined by the Secretary, for payments  
17 to Del Norte County, California, pursuant to sections  
18 13(e) and 14 of the Smith River National Recreation Area  
19 Act (Public Law 101–612).

20 For purposes of the Southeast Alaska Economic Dis-  
21 aster Fund as set forth in section 101(c) of Public Law  
22 104–134, the direct grants provided in subsection (c) shall  
23 be considered direct payments for purposes of all applica-  
24 ble law except that these direct grants may not be used  
25 for lobbying activities.

1       No employee of the Department of Agriculture may  
2 be detailed or assigned from an agency or office funded  
3 by this Act to any other agency or office of the Depart-  
4 ment for more than 30 days unless the individual's em-  
5 ploying agency or office is fully reimbursed by the receiv-  
6 ing agency or office for the salary and expenses of the  
7 employee for the period of assignment.

8       The amount obligated during fiscal year 1999 from  
9 the Knutson-Vandenberg fund provided in section 3 of the  
10 Act of June 9, 1930 (commonly known as the Knutson-  
11 Vandenberg Act; 16 U.S.C. 576b), may not be used for  
12 indirect support activities (as defined in the Forest Service  
13 Handbook).

14       The amount obligated during fiscal year 1999 from  
15 the timber salvage sale fund provided in section 14(h) of  
16 the National Forest Management Act of 1976 (16 U.S.C.  
17 472a(h)) for indirect support activities (as defined in the  
18 Forest Service Handbook) may not exceed 25 percent of  
19 total amount obligated from such fund during such fiscal  
20 year.

## 21                   DEPARTMENT OF ENERGY

### 22           FOSSIL ENERGY RESEARCH AND DEVELOPMENT

23       For necessary expenses in carrying out fossil energy  
24 research and development activities, under the authority  
25 of the Department of Energy Organization Act (Public

1 Law 95–91), including the acquisition of interest, includ-  
2 ing defeasible and equitable interests in any real property  
3 or any facility or for plant or facility acquisition or expan-  
4 sion, and for conducting inquiries, technological investiga-  
5 tions and research concerning the extraction, processing,  
6 use, and disposal of mineral substances without objection-  
7 able social and environmental costs (30 U.S.C. 3, 1602,  
8 and 1603), performed under the minerals and materials  
9 science programs at the Albany Research Center in Or-  
10 egon, \$365,550,000 (reduced by \$50,000,000), to remain  
11 available until expended: *Provided*, That no part of the  
12 sum herein made available shall be used for the field test-  
13 ing of nuclear explosives in the recovery of oil and gas.

14 ALTERNATIVE FUELS PRODUCTION

15 (INCLUDING TRANSFER OF FUNDS)

16 Moneys received as investment income on the prin-  
17 cipal amount in the Great Plains Project Trust at the  
18 Norwest Bank of North Dakota, in such sums as are  
19 earned as of October 1, 1998, shall be deposited in this  
20 account and immediately transferred to the general fund  
21 of the Treasury. Moneys received as revenue sharing from  
22 operation of the Great Plains Gasification Plant shall be  
23 immediately transferred to the general fund of the Treas-  
24 ury.



## 1           NAVAL PETROLEUM AND OIL SHALE RESERVES

2           For necessary expenses in carrying out naval petro-  
3 leum and oil shale reserve activities, \$14,000,000, to re-  
4 main available until expended: *Provided*, That the require-  
5 ments of 10 U.S.C. 7430(b)(2)(B) shall not apply to fiscal  
6 year 1999: *Provided further*, That, notwithstanding any  
7 other provision of law, funds available pursuant to the  
8 first proviso under this heading in Public Law 101-512  
9 shall be immediately available for all naval petroleum and  
10 oil shale reserve activities.

## 11                                   ENERGY CONSERVATION

12           For necessary expenses in carrying out energy con-  
13 servation activities, \$675,250,000, to remain available  
14 until expended, including, notwithstanding any other pro-  
15 vision of law, \$64,000,000, which shall be transferred to  
16 this account from amounts held in escrow under section  
17 3002(d) of Public Law 95-509 (15 U.S.C. 4501(d)): *Pro-*  
18 *vided*, That \$161,000,000 shall be for use in energy con-  
19 servation programs as defined in section 3008(3) of Public  
20 Law 99-509 (15 U.S.C. 4507): *Provided further*, That  
21 notwithstanding section 3003(d)(2) of Public Law 99-509  
22 such sums shall be allocated to the eligible programs as  
23 follows: \$129,000,000 for weatherization assistance grants  
24 and \$32,000,000 for State energy conservation grants.

## 1 ECONOMIC REGULATION

2 For necessary expenses in carrying out the activities  
3 of the Office of Hearings and Appeals, \$1,801,000, to re-  
4 main available until expended.

## 5 STRATEGIC PETROLEUM RESERVE

6 For necessary expenses for Strategic Petroleum Re-  
7 serve facility development and operations and program  
8 management activities pursuant to the Energy Policy and  
9 Conservation Act of 1975, as amended (42 U.S.C. 6201  
10 et seq.), \$160,120,000, to remain available until expended.

## 11 ENERGY INFORMATION ADMINISTRATION

12 For necessary expenses in carrying out the activities  
13 of the Energy Information Administration, \$68,000,000,  
14 to remain available until expended.

## 15 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

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

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

1 endar days to a day certain) from the receipt by the  
2 Speaker of the House of Representatives and the Presi-  
3 dent of the Senate of a full comprehensive report on such  
4 project, including the facts and circumstances relied upon  
5 in support of the proposed project.

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

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

16 The Secretary, in fiscal year 1999 and thereafter,  
17 shall continue the process begun in fiscal year 1998 of  
18 accepting funds from other Federal agencies in return for  
19 assisting agencies in achieving energy efficiency in Federal  
20 facilities and operations by the use of privately financed,  
21 energy savings performance contracts and other private fi-  
22 nancing mechanisms. The funds may be provided after  
23 agencies begin to realize energy cost savings; may be re-  
24 tained by the Secretary until expended; and may be used  
25 only for the purpose of assisting Federal agencies in

1 achieving greater efficiency, water conservation and use  
2 of renewable energy by means of privately financed mecha-  
3 nisms, including energy savings performance contracts  
4 and utility incentive programs. These recovered funds will  
5 continue to be used to administer even greater energy effi-  
6 ciency, water conservation and use of renewable energy by  
7 means of privately financed mechanisms such as utility ef-  
8 ficiency service contracts and energy savings performance  
9 contracts. The recoverable funds will be used for all nec-  
10 essary program expenses, including contractor support  
11 and resources needed, to achieve overall Federal energy  
12 management program objectives for greater energy sav-  
13 ings. Any such privately financed contracts shall meet the  
14 provisions of the Energy Policy Act of 1992, Public Law  
15 102–486 regarding energy savings performance contracts  
16 and utility incentive programs.

17 DEPARTMENT OF HEALTH AND HUMAN  
18 SERVICES

19 INDIAN HEALTH SERVICE

20 INDIAN HEALTH SERVICES

21 For expenses necessary to carry out the Act of Au-  
22 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-  
23 tion Act, the Indian Health Care Improvement Act, and  
24 titles II and III of the Public Health Service Act with re-  
25 spect to the Indian Health Service, \$1,932,953,000, to-

1 gether with payments received during the fiscal year pur-  
2 suant to 42 U.S.C. 238(b) for services furnished by the  
3 Indian Health Service: *Provided*, That funds made avail-  
4 able to tribes and tribal organizations through contracts,  
5 grant agreements, or any other agreements or compacts  
6 authorized by the Indian Self-Determination and Edu-  
7 cation Assistance Act of 1975 (25 U.S.C. 450), shall be  
8 deemed to be obligated at the time of the grant or contract  
9 award and thereafter shall remain available to the tribe  
10 or tribal organization without fiscal year limitation: *Pro-*  
11 *vided further*, That \$12,000,000 shall remain available  
12 until expended, for the Indian Catastrophic Health Emer-  
13 gency Fund: *Provided further*, That \$377,363,000 for con-  
14 tract medical care shall remain available for obligation  
15 until September 30, 2000: *Provided further*, That of the  
16 funds provided, up to \$17,000,000 may be used to carry  
17 out the loan repayment program under section 108 of the  
18 Indian Health Care Improvement Act: *Provided further*,  
19 That funds provided in this Act may be used for one-year  
20 contracts and grants which are to be performed in two  
21 fiscal years, so long as the total obligation is recorded in  
22 the year for which the funds are appropriated: *Provided*  
23 *further*, That the amounts collected by the Secretary of  
24 Health and Human Services under the authority of title  
25 IV of the Indian Health Care Improvement Act shall re-

1 main available until expended for the purpose of achieving  
2 compliance with the applicable conditions and require-  
3 ments of titles XVIII and XIX of the Social Security Act  
4 (exclusive of planning, design, or construction of new fa-  
5 cilities): *Provided further*, That funding contained herein,  
6 and in any earlier appropriations Acts for scholarship pro-  
7 grams under the Indian Health Care Improvement Act  
8 (25 U.S.C. 1613) shall remain available for obligation  
9 until September 30, 2000: *Provided further*, That amounts  
10 received by tribes and tribal organizations under title IV  
11 of the Indian Health Care Improvement Act shall be re-  
12 ported and accounted for and available to the receiving  
13 tribes and tribal organizations until expended: *Provided*  
14 *further*, That, notwithstanding any other provision of law,  
15 of the amounts provided herein, not to exceed  
16 \$194,781,000 shall be for payments to tribes and tribal  
17 organizations for contract or grant support costs associ-  
18 ated with contracts, grants, self-governance compacts or  
19 annual funding agreements between the Indian Health  
20 Service and a tribe or tribal organization pursuant to the  
21 Indian Self-Determination Act of 1975, as amended, prior  
22 to or during fiscal year 1999.

23 INDIAN HEALTH FACILITIES

24 For construction, repair, maintenance, improvement,  
25 and equipment of health and related auxiliary facilities,

1 including quarters for personnel; preparation of plans,  
2 specifications, and drawings; acquisition of sites, purchase  
3 and erection of modular buildings, and purchases of trail-  
4 ers; and for provision of domestic and community sanita-  
5 tion facilities for Indians, as authorized by section 7 of  
6 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian  
7 Self-Determination Act, and the Indian Health Care Im-  
8 provement Act, and for expenses necessary to carry out  
9 such Acts and titles II and III of the Public Health Serv-  
10 ice Act with respect to environmental health and facilities  
11 support activities of the Indian Health Service,  
12 \$313,175,000, to remain available until expended: *Pro-*  
13 *vided*, That notwithstanding any other provision of law,  
14 funds appropriated for the planning, design, construction  
15 or renovation of health facilities for the benefit of an In-  
16 dian tribe or tribes may be used to purchase land for sites  
17 to construct, improve, or enlarge health or related facili-  
18 ties.

19 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

20 Appropriations in this Act to the Indian Health Serv-  
21 ice shall be available for services as authorized by 5 U.S.C.  
22 3109 but at rates not to exceed the per diem rate equiva-  
23 lent to the maximum rate payable for senior-level positions  
24 under 5 U.S.C. 5376; hire of passenger motor vehicles and  
25 aircraft; purchase of medical equipment; purchase of re-



1 prints; purchase, renovation and erection of modular  
2 buildings and renovation of existing facilities; payments  
3 for telephone service in private residences in the field,  
4 when authorized under regulations approved by the Sec-  
5 retary; and for uniforms or allowances therefore as au-  
6 thorized by 5 U.S.C. 5901–5902; and for expenses of at-  
7 tendance at meetings which are concerned with the func-  
8 tions or activities for which the appropriation is made or  
9 which will contribute to improved conduct, supervision, or  
10 management of those functions or activities: *Provided*,  
11 That in accordance with the provisions of the Indian  
12 Health Care Improvement Act, non-Indian patients may  
13 be extended health care at all tribally administered or In-  
14 dian Health Service facilities, subject to charges, and the  
15 proceeds along with funds recovered under the Federal  
16 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall  
17 be credited to the account of the facility providing the  
18 service and shall be available without fiscal year limitation:  
19 *Provided further*, That notwithstanding any other law or  
20 regulation, funds transferred from the Department of  
21 Housing and Urban Development to the Indian Health  
22 Service shall be administered under Public Law 86–121  
23 (the Indian Sanitation Facilities Act) and Public Law 93–  
24 638, as amended: *Provided further*, That funds appro-  
25 priated to the Indian Health Service in this Act, except

1 those used for administrative and program direction pur-  
2 poses, shall not be subject to limitations directed at cur-  
3 tailing Federal travel and transportation: *Provided further*,  
4 That notwithstanding any other provision of law, funds  
5 previously or herein made available to a tribe or tribal or-  
6 ganization through a contract, grant, or agreement au-  
7 thorized by title I or III of the Indian Self-Determination  
8 and Education Assistance Act of 1975 (25 U.S.C. 450),  
9 may be deobligated and reobligated to a self-determination  
10 contract under title I, or a self-governance agreement  
11 under title III of such Act and thereafter shall remain  
12 available to the tribe or tribal organization without fiscal  
13 year limitation: *Provided further*, That none of the funds  
14 made available to the Indian Health Service in this Act  
15 shall be used to implement the final rule published in the  
16 Federal Register on September 16, 1987, by the Depart-  
17 ment of Health and Human Services, relating to the eligi-  
18 bility for the health care services of the Indian Health  
19 Service until the Indian Health Service has submitted a  
20 budget request reflecting the increased costs associated  
21 with the proposed final rule, and such request has been  
22 included in an appropriations Act and enacted into law:  
23 *Provided further*, That funds made available in this Act  
24 are to be apportioned to the Indian Health Service as ap-  
25 propriated in this Act, and accounted for in the appropria-

1 tion structure set forth in this Act: *Provided further*, That  
2 with respect to functions transferred by the Indian Health  
3 Service to tribes or tribal organizations, the Indian Health  
4 Service is authorized to provide goods and services to  
5 those entities, on a reimbursable basis, including payment  
6 in advance with subsequent adjustment, and the reim-  
7 bursements received therefrom, along with the funds re-  
8 ceived from those entities pursuant to the Indian Self-De-  
9 termination Act, may be credited to the same or subse-  
10 quent appropriation account which provided the funding,  
11 said amounts to remain available until expended: *Provided*  
12 *further*, That, heretofore and hereafter and notwithstand-  
13 ing any other provision of law, funds available to the In-  
14 dian Health Service in this Act or any other Act for Indian  
15 self-determination or self-governance contract or grant  
16 support costs may be expended only for costs directly at-  
17 tributable to contracts, grants and compacts pursuant to  
18 the Indian Self-Determination Act and no funds appro-  
19 priated by this or any other Act shall be available for any  
20 contract support costs or indirect costs associated with  
21 any contract, grant, cooperative agreement, self-govern-  
22 ance compact, or funding agreement entered into between  
23 an Indian tribe or tribal organization and any entity other  
24 than the Indian Health Service: *Provided further*, That,  
25 notwithstanding any other provision of law, hereafter any

1 funds appropriated to the Indian Health Service in this  
2 or any other Act for payments to tribes and tribal organi-  
3 zations for contract or grant support costs for contracts,  
4 grants, self-governance compacts or annual funding agree-  
5 ments with the Indian Health Service pursuant to the In-  
6 dian Self-Determination Act of 1975, as amended, shall  
7 be allocated and distributed to such contracts, grants, self-  
8 governance compacts and annual funding agreements each  
9 year on a pro-rata proportionate basis regardless of  
10 amounts allocated in any previous year to such contracts,  
11 grants, self-governance compacts or annual funding agree-  
12 ments: *Provided further*, That reimbursements for train-  
13 ing, technical assistance, or services provided by the In-  
14 dian Health Service will contain total costs, including di-  
15 rect, administrative, and overhead associated with the pro-  
16 vision of goods, services, or technical assistance: *Provided*  
17 *further*, That the appropriation structure for the Indian  
18 Health Service may not be altered without advance ap-  
19 proval of the House and Senate Committees on Appropria-  
20 tions.

## 21 OTHER RELATED AGENCIES

### 22 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

#### 23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of Navajo and  
25 Hopi Indian Relocation as authorized by Public Law 93-

1 531, \$13,000,000, to remain available until expended:  
2 *Provided*, That funds provided in this or any other appro-  
3 priations Act are to be used to relocate eligible individuals  
4 and groups including evictees from District 6, Hopi-parti-  
5 tioned lands residents, those in significantly substandard  
6 housing, and all others certified as eligible and not in-  
7 cluded in the preceding categories: *Provided further*, That  
8 none of the funds contained in this or any other Act may  
9 be used by the Office of Navajo and Hopi Indian Reloca-  
10 tion to evict any single Navajo or Navajo family who, as  
11 of November 30, 1985, was physically domiciled on the  
12 lands partitioned to the Hopi Tribe unless a new or re-  
13 placement home is provided for such household: *Provided*  
14 *further*, That no relocatee will be provided with more than  
15 one new or replacement home: *Provided further*, That the  
16 Office shall relocate any certified eligible relocatees who  
17 have selected and received an approved homesite on the  
18 Navajo reservation or selected a replacement residence off  
19 the Navajo reservation or on the land acquired pursuant  
20 to 25 U.S.C. 640d-10.

21 SMITHSONIAN INSTITUTION

22 SALARIES AND EXPENSES

23 For necessary expenses of the Smithsonian Institu-  
24 tion, as authorized by law, including research in the fields  
25 of art, science, and history; development, preservation, and

1 documentation of the National Collections; presentation of  
2 public exhibits and performances; collection, preparation,  
3 dissemination, and exchange of information and publica-  
4 tions; conduct of education, training, and museum assist-  
5 ance programs; maintenance, alteration, operation, lease  
6 (for terms not to exceed 30 years), and protection of build-  
7 ings, facilities, and approaches; not to exceed \$100,000  
8 for services as authorized by 5 U.S.C. 3109; up to 5 re-  
9 placement passenger vehicles; purchase, rental, repair, and  
10 cleaning of uniforms for employees, \$346,449,000, of  
11 which not to exceed \$48,076,000 for the instrumentation  
12 program, collections acquisition, Museum Support Center  
13 equipment and move, exhibition reinstallation, the Na-  
14 tional Museum of the American Indian, the repatriation  
15 of skeletal remains program, research equipment, informa-  
16 tion management, and Latino programming shall remain  
17 available until expended, and including such funds as may  
18 be necessary to support American overseas research cen-  
19 ters and a total of \$125,000 for the Council of American  
20 Overseas Research Centers: *Provided*, That funds appro-  
21 priated herein are available for advance payments to inde-  
22 pendent contractors performing research services or par-  
23 ticipating in official Smithsonian presentations.

1           CONSTRUCTION AND IMPROVEMENTS, NATIONAL  
2                                   ZOOLOGICAL PARK

3           For necessary expenses of planning, construction, re-  
4 modeling, and equipping of buildings and facilities at the  
5 National Zoological Park, by contract or otherwise,  
6 \$4,500,000, to remain available until expended.

7                                   REPAIR AND RESTORATION OF BUILDINGS

8           For necessary expenses of repair and restoration of  
9 buildings owned or occupied by the Smithsonian Institu-  
10 tion, by contract or otherwise, as authorized by section  
11 2 of the Act of August 22, 1949 (63 Stat. 623), including  
12 not to exceed \$10,000 for services as authorized by 5  
13 U.S.C. 3109, \$44,500,000, to remain available until ex-  
14 pended, of which \$4,500,000 is for the Security System  
15 Modernization Program: *Provided*, That contracts award-  
16 ed for environmental systems, protection systems, and ex-  
17 terior repair or restoration of buildings of the Smithsonian  
18 Institution may be negotiated with selected contractors  
19 and awarded on the basis of contractor qualifications as  
20 well as price.

21                                   CONSTRUCTION

22           For necessary expenses for construction, \$2,000,000,  
23 to remain available until expended.

1 ADMINISTRATIVE PROVISIONS, SMITHSONIAN  
2 INSTITUTION

3 None of the funds in this or any other Act may be  
4 used to initiate the planning or design of any expansion  
5 of current space or new facility without the advance ap-  
6 proval of both the House and Senate Appropriations Com-  
7 mittees.

8 None of the funds in this or any other Act may be  
9 used to prepare a historic structures report, or for any  
10 other purpose, involving the Holt House located at the Na-  
11 tional Zoological Park in Washington, D.C.

12 None of the funds in this or any other Act may be  
13 used to pay any judgment resulting from a complaint filed  
14 by Geddes, Brecher, Qualls & Cunningham in the United  
15 States Court of Federal Claims regarding the National  
16 Museum of the American Indian Mall Museum.

17 The Smithsonian Institution shall not use Federal  
18 funds in excess of the amount specified in Public Law  
19 101-185 for the construction of the National Museum of  
20 the American Indian.

21 NATIONAL GALLERY OF ART

22 SALARIES AND EXPENSES

23 For the upkeep and operations of the National Gal-  
24 lery of Art, the protection and care of the works of art  
25 therein, and administrative expenses incident thereto, as



1 authorized by the Act of March 24, 1937 (50 Stat. 51),  
2 as amended by the public resolution of April 13, 1939  
3 (Public Resolution 9, Seventy-sixth Congress), including  
4 services as authorized by 5 U.S.C. 3109; payment in ad-  
5 vance when authorized by the treasurer of the Gallery for  
6 membership in library, museum, and art associations or  
7 societies whose publications or services are available to  
8 members only, or to members at a price lower than to the  
9 general public; purchase, repair, and cleaning of uniforms  
10 for guards, and uniforms, or allowances therefor, for other  
11 employees as authorized by law (5 U.S.C. 5901–5902);  
12 purchase or rental of devices and services for protecting  
13 buildings and contents thereof, and maintenance, alter-  
14 ation, improvement, and repair of buildings, approaches,  
15 and grounds; and purchase of services for restoration and  
16 repair of works of art for the National Gallery of Art by  
17 contracts made, without advertising, with individuals,  
18 firms, or organizations at such rates or prices and under  
19 such terms and conditions as the Gallery may deem prop-  
20 er, \$57,938,000 of which not to exceed \$3,026,000 for the  
21 special exhibition program shall remain available until ex-  
22 pended: *Provided*, That all functions and activities of the  
23 National Gallery of Art funded herein shall be subject to  
24 the requirements for a Federal entity under the Inspector  
25 General Act of 1978 (5 U.S.C. App. 3).

## 1 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

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

## 11 JOHN F. KENNEDY CENTER FOR THE PERFORMING

## 12 ARTS

## 13 OPERATIONS AND MAINTENANCE

14 For necessary expenses for the operation, mainte-  
15 nance and security of the John F. Kennedy Center for  
16 the Performing Arts, \$12,187,000.

## 17 CONSTRUCTION

18 For necessary expenses for capital repair and reha-  
19 bilitation of the existing features of the building and site  
20 of the John F. Kennedy Center for the Performing Arts,  
21 \$9,000,000, to remain available until expended.

## 22 WOODROW WILSON INTERNATIONAL CENTER FOR

## 23 SCHOLARS

## 24 SALARIES AND EXPENSES

25 For expenses necessary in carrying out the provisions  
26 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.

1 1356) including hire of passenger vehicles and services as  
2 authorized by 5 U.S.C. 3109, \$5,840,000.

3 NATIONAL FOUNDATION ON THE ARTS AND THE  
4 HUMANITIES  
5 NATIONAL ENDOWMENT FOR THE ARTS  
6 GRANTS AND ADMINISTRATION

7 For necessary expenses to carry out the National  
8 Foundation on the Arts and the Humanities Act of 1965,  
9 as amended, \$81,240,000 shall be available to the Na-  
10 tional Endowment for the Arts for the support of projects  
11 and productions in the arts through assistance to organi-  
12 zations and individuals pursuant to section 5(c) of the Act,  
13 and for administering the functions of the Act, to remain  
14 available until expended.

15 MATCHING GRANTS

16 To carry out the provisions of section 10(a)(2) of the  
17 National Foundation on the Arts and the Humanities Act  
18 of 1965, as amended, \$16,760,000, to remain available  
19 until expended, to the National Endowment for the Arts:  
20 *Provided*, That this appropriation shall be available for ob-  
21 ligation only in such amounts as may be equal to the total  
22 amounts of gifts, bequests, and devises of money, and  
23 other property accepted by the chairman or by grantees  
24 of the Endowment under the provisions of section  
25 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during

1 the current and preceding fiscal years for which equal  
2 amounts have not previously been appropriated.

3 NATIONAL ENDOWMENT FOR THE HUMANITIES

4 GRANTS AND ADMINISTRATION

5 For necessary expenses to carry out the National  
6 Foundation on the Arts and the Humanities Act of 1965,  
7 as amended, \$96,800,000, shall be available to the Na-  
8 tional Endowment for the Humanities for support of ac-  
9 tivities in the humanities, pursuant to section 7(c) of the  
10 Act, and for administering the functions of the Act, to  
11 remain available until expended.

12 MATCHING GRANTS

13 To carry out the provisions of section 10(a)(2) of the  
14 National Foundation on the Arts and the Humanities Act  
15 of 1965, as amended, \$13,900,000, to remain available  
16 until expended, of which \$9,900,000 shall be available to  
17 the National Endowment for the Humanities for the pur-  
18 poses of section 7(h): *Provided*, That this appropriation  
19 shall be available for obligation only in such amounts as  
20 may be equal to the total amounts of gifts, bequests, and  
21 devises of money, and other property accepted by the  
22 chairman or by grantees of the Endowment under the pro-  
23 visions of subsections 11(a)(2)(B) and 11(a)(3)(B) during  
24 the current and preceding fiscal years for which equal  
25 amounts have not previously been appropriated.

1           INSTITUTE OF MUSEUM AND LIBRARY SERVICES  
2                           OFFICE OF MUSEUM SERVICES  
3                           GRANTS AND ADMINISTRATION

4           For carrying out subtitle C of the Museum and Li-  
5 brary Services Act of 1996, as amended, \$23,405,000, to  
6 remain available until expended.

7                           ADMINISTRATIVE PROVISIONS

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

18                           COMMISSION OF FINE ARTS

19                           SALARIES AND EXPENSES

20           For expenses made necessary by the Act establishing  
21 a Commission of Fine Arts (40 U.S.C. 104), \$898,000.

22                           NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

23           For necessary expenses as authorized by Public Law  
24 99–190 (20 U.S.C. 956(a)), as amended, \$7,000,000.

1           ADVISORY COUNCIL ON HISTORIC PRESERVATION

2                               SALARIES AND EXPENSES

3           For necessary expenses of the Advisory Council on  
4 Historic Preservation (Public Law 89–665, as amended),  
5 \$2,800,000: *Provided*, That none of these funds shall be  
6 available for compensation of level V of the Executive  
7 Schedule or higher positions.

8           NATIONAL CAPITAL PLANNING COMMISSION

9                               SALARIES AND EXPENSES

10          For necessary expenses, as authorized by the Na-  
11 tional Capital Planning Act of 1952 (40 U.S.C. 71–71i),  
12 including services as authorized by 5 U.S.C. 3109,  
13 \$5,954,000: *Provided*, That all appointed members will be  
14 compensated at a rate not to exceed the rate for level IV  
15 of the Executive Schedule.

16          UNITED STATES HOLOCAUST MEMORIAL COUNCIL

17                               HOLOCAUST MEMORIAL COUNCIL

18          For expenses of the Holocaust Memorial Council, as  
19 authorized by Public Law 96–388 (36 U.S.C. 1401), as  
20 amended, \$31,707,000, of which \$1,575,000 for the muse-  
21 um’s repair and rehabilitation program and \$1,264,000  
22 for the museum’s exhibitions program shall remain avail-  
23 able until expended.

## 1 PRESIDIO TRUST

## 2 PRESIDIO TRUST FUND

3 For necessary expenses to carry out title I of the Om-  
4 nibus Parks and Public Lands Management Act of 1996,  
5 \$14,913,000 shall be available to the Presidio Trust, to  
6 remain available until expended. The Trust is authorized  
7 to issue obligations to the Secretary of the Treasury pur-  
8 suant to section 104(d)(3) of the Act, in an amount not  
9 to exceed \$25,000,000.

## 10 TITLE III—GENERAL PROVISIONS

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

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

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

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

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

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

19       SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN  
20 ACT.—None of the funds made available in this Act may  
21 be expended by an entity unless the entity agrees that in  
22 expending the funds the entity will comply with sections  
23 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–  
24 10c; popularly known as the “Buy American Act”).



1 (b) SENSE OF THE CONGRESS; REQUIREMENT RE-  
2 GARDING NOTICE.—

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

11 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—  
12 In providing financial assistance using funds made  
13 available in this Act, the head of each Federal agen-  
14 cy shall provide to each recipient of the assistance  
15 a notice describing the statement made in paragraph  
16 (1) by the Congress.

17 (c) PROHIBITION OF CONTRACTS WITH PERSONS  
18 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—  
19 If it has been finally determined by a court or Federal  
20 agency that any person intentionally affixed a label bear-  
21 ing a “Made in America” inscription, or any inscription  
22 with the same meaning, to any product sold in or shipped  
23 to the United States that is not made in the United  
24 States, the person shall be ineligible to receive any con-  
25 tract or subcontract made with funds made available in

1 this Act, pursuant to the debarment, suspension, and ineli-  
2 gibility procedures described in sections 9.400 through  
3 9.409 of title 48, Code of Federal Regulations.

4 SEC. 308. None of the funds in this Act may be used  
5 to plan, prepare, or offer for sale timber from trees classi-  
6 fied as giant sequoia (*Sequoiadendron giganteum*) which  
7 are located on National Forest System or Bureau of Land  
8 Management lands in a manner different than such sales  
9 were conducted in fiscal year 1995.

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

15 SEC. 310. None of the funds appropriated or other-  
16 wise made available by this Act may be used for the  
17 AmeriCorps program, unless the relevant agencies of the  
18 Department of the Interior and/or Agriculture follow ap-  
19 propriate reprogramming guidelines: *Provided*, That if no  
20 funds are provided for the AmeriCorps program by the  
21 Departments of Veterans Affairs and Housing and Urban  
22 Development, and Independent Agencies Appropriations  
23 Act, 1999, then none of the funds appropriated or other-  
24 wise made available by this Act may be used for the  
25 AmeriCorps programs.

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

8       SEC. 312. (a) LIMITATION OF FUNDS.—None of the  
9 funds appropriated or otherwise made available pursuant  
10 to this Act shall be obligated or expended to accept or  
11 process applications for a patent for any mining or mill  
12 site claim located under the general mining laws.

13       (b) EXCEPTIONS.—The provisions of subsection (a)  
14 shall not apply if the Secretary of the Interior determines  
15 that, for the claim concerned: (1) a patent application was  
16 filed with the Secretary on or before September 30, 1994;  
17 and (2) all requirements established under sections 2325  
18 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30)  
19 for vein or lode claims and sections 2329, 2330, 2331,  
20 and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and  
21 37) for placer claims, and section 2337 of the Revised  
22 Statutes (30 U.S.C. 42) for mill site claims, as the case  
23 may be, were fully complied with by the applicant by that  
24 date.

1           (c) REPORT.—On September 30, 1999, the Secretary  
2 of the Interior shall file with the House and Senate Com-  
3 mittees on Appropriations and the Committee on Re-  
4 sources of the House of Representatives and the Commit-  
5 tee on Energy and Natural Resources of the Senate a re-  
6 port on actions taken by the Department under the plan  
7 submitted pursuant to section 314(c) of the Department  
8 of the Interior and Related Agencies Appropriations Act,  
9 1997 (Public Law 104–208).

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

22          SEC. 313. None of the funds appropriated or other-  
23 wise made available by this Act may be used for the pur-  
24 poses of acquiring lands in the counties of Gallia, Law-

1 rence, Monroe, or Washington, Ohio, for the Wayne Na-  
2 tional Forest.

3       SEC. 314. Notwithstanding any other provision of  
4 law, amounts appropriated to or earmarked in committee  
5 reports for the Bureau of Indian Affairs and the Indian  
6 Health Service by Public Laws 103–138, 103–332, 104–  
7 134, 104–208, and 105–83 for payments to tribes and  
8 tribal organizations for contract support costs associated  
9 with self-determination or self-governance contracts,  
10 grants, compacts or annual funding agreements with the  
11 Bureau of Indian Affairs or the Indian Health Service as  
12 funded by such Acts, are the total amounts available for  
13 fiscal years 1994 through 1998 for such purposes, except  
14 that, for the Bureau of Indian Affairs, tribes and tribal  
15 organizations may use their tribal priority allocations for  
16 unmet indirect costs of ongoing contracts, grants, self-gov-  
17 ernance compacts or annual funding agreements.

18       SEC. 315. Notwithstanding any other provision of  
19 law, for fiscal year 1999 the Secretaries of Agriculture and  
20 the Interior are authorized to limit competition for water-  
21 shed restoration project contracts as part of the “Jobs in  
22 the Woods” component of the President’s Forest Plan for  
23 the Pacific Northwest to individuals and entities in histori-  
24 cally timber-dependent areas in the States of Washington,

1 Oregon, and northern California that have been affected  
2 by reduced timber harvesting on Federal lands.

3 SEC. 316. None of the funds collected under the Rec-  
4 reational Fee Demonstration program may be used to  
5 plan, design, or construct a visitor center or any other per-  
6 manent structure without prior approval of the House and  
7 the Senate Committees on Appropriations if the estimated  
8 total cost of the facility exceeds \$500,000.

9 SEC. 317. None of the funds made available by this  
10 Act may be used to require any person to vacate real prop-  
11 erty where a term is expiring under a use and occupancy  
12 reservation in Sleeping Bear Dunes National Lakeshore  
13 until such time as the National Park Service indicates to  
14 the appropriate congressional committees and the holders  
15 of these reservations that it has sufficient funds to remove  
16 the residence on that property within 90 days of that resi-  
17 dence being vacated. The National Park Service will pro-  
18 vide at least 90 days notice to the holders of expired res-  
19 ervations to allow them time to leave the residence. The  
20 National Park Service will charge fair market value rental  
21 rates while any occupancy continues beyond an expired  
22 reservation. Reservation holders who stay beyond the expi-  
23 ration date will also be required to pay for appraisals to  
24 determine current fair market value rental rates, any re-

1 habilitation needed to ensure suitability for occupancy, ap-  
2 propriate insurance, and all continuing utility costs.

3       SEC. 318. (a) None of the funds made available in  
4 this Act or any other Act providing appropriations for the  
5 Department of the Interior, the Forest Service or the  
6 Smithsonian Institution may be used to submit nomina-  
7 tions for the designation of Biosphere Reserves pursuant  
8 to the Man and Biosphere program administered by the  
9 United Nations Educational, Scientific, and Cultural Or-  
10 ganization.

11       (b) The provisions of this section shall be repealed  
12 upon enactment of subsequent legislation specifically au-  
13 thorizing United States participation in the Man and Bio-  
14 sphere program.

15       SEC. 319. None of the funds made available in this  
16 or any other Act for any fiscal year may be used to des-  
17 ignate, or to post any sign designating, any portion of Ca-  
18 naval National Seashore in Brevard County, Florida, as  
19 a clothing-optional area or as an area in which public nu-  
20 dity is permitted, if such designation would be contrary  
21 to county ordinance.

22       SEC. 320. Of the funds available to the National En-  
23 dowment for the Arts:

24               (1) The Chairperson shall only award a grant  
25       to an individual if such grant is awarded to such in-

1       dividual for a literature fellowship, National Herit-  
2       age Fellowship, or American Jazz Masters Fellow-  
3       ship.

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

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

16       SEC. 321. The National Endowment for the Arts and  
17       the National Endowment for the Humanities are author-  
18       ized to solicit, accept, receive, and invest in the name of  
19       the United States, gifts, bequests, or devises of money and  
20       other property or services and to use such in furtherance  
21       of the functions of the National Endowment for the Arts  
22       and the National Endowment for the Humanities. Any  
23       proceeds from such gifts, bequests, or devises, after ac-  
24       ceptance by the National Endowment for the Arts or the  
25       National Endowment for the Humanities, shall be paid by



1 the donor or the representative of the donor to the Chair-  
2 man. The Chairman shall enter the proceeds in a special  
3 interest-bearing account to the credit of the appropriate  
4 Endowment for the purposes specified in each case.

5       SEC. 322. (a) WATERSHED RESTORATION AND EN-  
6 HANCEMENT AGREEMENTS.—For fiscal years 1999 and  
7 2000, appropriations for the Forest Service may be used  
8 by the Secretary of Agriculture for the purpose of entering  
9 into cooperative agreements with willing State and local  
10 governments, private and nonprofit entities and land-  
11 owners for protection, restoration and enhancement of fish  
12 and wildlife habitat, and other resources on public or pri-  
13 vate land or both that benefit these resources within the  
14 watershed.

15       (b) DIRECT AND INDIRECT WATERSHED AGREE-  
16 MENTS.—The Secretary of Agriculture may enter into a  
17 watershed restoration and enhancement agreement—

18             (1) directly with a willing private landowner; or

19             (2) indirectly through an agreement with a

20 State, local or tribal government or other public en-

21 tity, educational institution, or private nonprofit or-

22 ganization.

23       (c) TERMS AND CONDITIONS.—In order for the Sec-

24 retary to enter into a watershed restoration and enhance-

25 ment agreement—

1 (1) the agreement shall—

2 (A) include such terms and conditions mu-  
3 tually agreed to by the Secretary and the land-  
4 owner;

5 (B) improve the viability of and otherwise  
6 benefit the fish, wildlife, and other resources on  
7 national forests lands within the watershed;

8 (C) authorize the provision of technical as-  
9 sistance by the Secretary in the planning of  
10 management activities that will further the pur-  
11 poses of the agreement;

12 (D) provide for the sharing of costs of im-  
13 plementing the agreement among the Federal  
14 Government, the landowner(s), and other enti-  
15 ties, as mutually agreed on by the affected in-  
16 terests; and

17 (E) ensure that any expenditure by the  
18 Secretary pursuant to the agreement is deter-  
19 mined by the Secretary to be in the public in-  
20 terest; and

21 (2) the Secretary may require such other terms  
22 and conditions as are necessary to protect the public  
23 investment on non-Federal lands, provided such  
24 terms and conditions are mutually agreed to by the

1 Secretary and other landowners, State and local gov-  
2 ernments or both.

3 SEC. 323. (a) In providing services or awarding fi-  
4 nancial assistance under the National Foundation on the  
5 Arts and the Humanities Act of 1965 from funds appro-  
6 priated under this Act, the Chairperson of the National  
7 Endowment for the Arts shall ensure that priority is given  
8 to providing services or awarding financial assistance for  
9 projects, productions, workshops, or programs that serve  
10 underserved populations.

11 (b) In this section:

12 (1) The term “underserved population” means  
13 a population of individuals who have historically  
14 been outside the purview of arts and humanities pro-  
15 grams due to factors such as a high incidence of in-  
16 come below the poverty line or to geographic isola-  
17 tion.

18 (2) The term “poverty line” means the poverty  
19 line (as defined by the Office of Management and  
20 Budget, and revised annually in accordance with sec-  
21 tion 673(2) of the Community Services Block Grant  
22 Act (42 U.S.C. 9902(2)) applicable to a family of  
23 the size involved.

24 (c) In providing services and awarding financial as-  
25 sistance under the National Foundation on the Arts and

1 Humanities Act of 1965 with funds appropriated by this  
2 Act, the Chairperson of the National Endowment for the  
3 Arts shall ensure that priority is given to providing serv-  
4 ices or awarding financial assistance for projects, produc-  
5 tions, workshops, or programs that will encourage public  
6 knowledge, education, understanding, and appreciation of  
7 the arts.

8 (d) With funds appropriated by this Act to carry out  
9 section 5 of the National Foundation on the Arts and Hu-  
10 manities Act of 1965—

11 (1) the Chairperson shall establish a grant cat-  
12 egory for projects, productions, workshops, or pro-  
13 grams that are of national impact or availability or  
14 are able to tour several States;

15 (2) the Chairperson shall not make grants ex-  
16 ceeding 15 percent, in the aggregate, of such funds  
17 to any single State, excluding grants made under the  
18 authority of paragraph (1);

19 (3) the Chairperson shall report to the Con-  
20 gress annually and by State, on grants awarded by  
21 the Chairperson in each grant category under sec-  
22 tion 5 of such Act; and

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

1       SEC. 324. None of the funds in this Act may be used  
2 for planning, design or construction of improvements to  
3 Pennsylvania Avenue in front of the White House without  
4 the advance approval of the House and Senate Committees  
5 on Appropriations.

6       SEC. 325. None of the funds in this or any other Act  
7 may be used to relocate the Woodrow Wilson International  
8 Center for Scholars from the Smithsonian Institution to  
9 the Ronald Reagan Building in Washington, D.C.

10       SEC. 326. The Auditors West Building (Annex 3) lo-  
11 cated at Raoul Wallenberg Place and Independence Ave-  
12 nue Southwest, Washington, District of Columbia is here-  
13 by named the “Sidney R. Yates Building” and shall be  
14 referred to in any law, regulation, document, or record of  
15 the United States as the “Sidney R. Yates Building”.

16       SEC. 327. (a) IN GENERAL.—Notwithstanding any  
17 other provision of law, not later than December 11, 1998,  
18 the Secretary of Agriculture shall grant Chugach Alaska  
19 Corporation an irrevocable and perpetual 250-foot-wide  
20 easement for the construction, use, and maintenance of  
21 public roads and related facilities necessary for access to  
22 and economic development of the land interests in the Car-  
23 bon Mountain and Katalla vicinity that were conveyed to  
24 Chugach Alaska Corporation pursuant to the Alaska Na-  
25 tive Claims Settlement Act. The centerline of the easement

1 is depicted on the map entitled “Carbon Mountain Access  
2 Easement” and dated November 4, 1997. Nothing in this  
3 section waives any legal environmental requirement with  
4 respect to the actual road construction.

5 (b) SUBMISSION OF SURVEY; RELINQUISHMENT OF  
6 UNNEEDED PORTION OF EASEMENT.—Not later than 90  
7 days after completion of construction of roads and related  
8 facilities on the easement granted pursuant to subsection  
9 (a), Chugach Alaska Corporation shall submit to the Sec-  
10 retary of Agriculture an as-built survey of such roads and  
11 related facilities and relinquish to the United States those  
12 portions of the easement Chugach Alaska Corporation  
13 deems not necessary for future use.

14 (c) Construction and Maintenance.—Construction  
15 and maintenance of any roads pursuant to subsection (a)  
16 shall be in accordance with the best management practices  
17 of the Forest Service as promulgated in the Forest Service  
18 Handbook.

19 SEC. 328. Section 101(c) of Public Law 104–134, as  
20 amended, is further amended as follows: Under the head-  
21 ing “Title III—General Provisions” amend section 315(f)  
22 (16 U.S.C. 460l–6a note) by striking “September 30,  
23 1999” after the words “and end on” and inserting “Sep-  
24 tember 30, 2001” and striking “September 30, 2002”

1 after the words “remain available through” and inserting  
2 “September 30, 2004”.

3       SEC. 329. Notwithstanding any other provision of  
4 law, none of the funds in this Act may be used to enter  
5 into any new or expanded self-determination contract or  
6 grant or self-governance compact pursuant to the Indian  
7 Self-Determination Act of 1975, as amended, for any ac-  
8 tivities not previously covered by such contracts, compacts  
9 or grants. Nothing in this section precludes the continu-  
10 ation of those specific activities for which self-determina-  
11 tion and self-governance contracts, compacts and grants  
12 currently exist or the renewal of contracts, compacts and  
13 grants for those activities.

14       SEC. 330. (a) PROHIBITION ON TIMBER PURCHASER  
15 ROAD CREDITS.—In financing any forest development  
16 road pursuant to section 4 of Public Law 88–657 (16  
17 U.S.C. 535, commonly known as the National Forest  
18 Roads and Trails Act), the Secretary of Agriculture may  
19 not provide for amortization of road costs in any contract  
20 with, or otherwise provide effective credit for road con-  
21 struction to, any purchaser of national forest timber or  
22 other forest products.

23       (b) CONSTRUCTION OF ROADS BY TIMBER PUR-  
24 CHASERS.—Whenever the Secretary of Agriculture makes  
25 a determination that a forest development road referred

1 to in subsection (a) shall be constructed or paid for, in  
2 whole or in part, by a purchaser of national forest timber  
3 or other forest products, the Secretary shall include notice  
4 of the determination in the notice of sale of the timber  
5 or other forest products. The notice of sale shall contain,  
6 or announce the availability of, sufficient information re-  
7 lated to the road described in the notice to permit a pro-  
8 spective bidder on the sale to calculate the likely cost that  
9 would be incurred by the bidder to construct or finance  
10 the construction of the road so that the bidder may reflect  
11 such cost in the bid.

12 (c) SPECIAL ELECTION BY SMALL BUSINESS CON-  
13 CERNS.—(1) A notice of sale referred to in subsection (b)  
14 shall give a purchaser of national forest timber or other  
15 forest products that qualifies as a “small business con-  
16 cern” under the Small Business Act (15 U.S.C. 631 et  
17 seq.), and regulations issued thereunder, the option to  
18 elect that the Secretary of Agriculture build the road de-  
19 scribed in the notice. The Secretary shall provide the small  
20 business concern with an estimate of the cost that would  
21 be incurred by the Secretary to construct the road on be-  
22 half of the small business concern. The notice of sale shall  
23 also include the date on which the road described in the  
24 notice will be completed by the Secretary if the election  
25 is made.



1           (2) If the election referred to in paragraph (1) is  
2 made, the purchaser of the national forest timber or other  
3 forest products shall pay to the Secretary of Agriculture,  
4 in addition to the price paid for the timber or other forest  
5 products, an amount equal to the estimated cost of the  
6 road which otherwise would be paid by the purchaser as  
7 provided in the notice of sale. Pending receipt of such  
8 amount, the Secretary may use receipts from the sale of  
9 national forest timber or other forest products to accom-  
10 plish the requested road construction.

11           (d) POST CONSTRUCTION HARVESTING.—In each  
12 sale of national forest timber or other forest products re-  
13 ferred to in this section, the Secretary of Agriculture is  
14 encouraged to authorize harvest of the timber or other for-  
15 est products in a unit included in the sale as soon as road  
16 work for that unit is completed and the road work is ap-  
17 proved by the Secretary.

18           (e) CONSTRUCTION STANDARD.—For any forest de-  
19 velopment road that is to be constructed or paid for by  
20 a purchaser of national forest timber or other forest prod-  
21 ucts, the Secretary of Agriculture may not require the pur-  
22 chaser to design, construct, or maintain the road (or pay  
23 for the design, construction, or maintenance of the road)  
24 to a standard higher than the standard, consistent with  
25 applicable environmental laws and regulations, that is suf-

1 ficient for the harvesting and removal of the timber or  
2 other forest products, unless the Secretary bears that part  
3 of the cost necessary to meet the higher standard.

4 (f) TREATMENT OF ROAD VALUE.—For any forest  
5 development road that is constructed or paid for by a pur-  
6 chaser of national forest timber or other forest products,  
7 the appraised value of the road construction shall be con-  
8 sidered to be money received for purposes of the payments  
9 required to be made under the sixth paragraph under the  
10 heading “FOREST SERVICE” in the Act of May 23,  
11 1908 (35 Stat. 260, 16 U.S.C. 500), and section 13 of  
12 the Act of March 1, 1911 (35 Stat. 963; commonly known  
13 as the Weeks Act; 16 U.S.C. 500). To the extent that the  
14 appraised value of road construction determined under  
15 this subsection reflects funds contributed by the Secretary  
16 of Agriculture to build the road to a higher standard pur-  
17 suant to subsection (e), the Secretary shall modify the ap-  
18 praisal of the road construction to exclude the effect of  
19 the Federal funds.

20 (g) EFFECTIVE DATE.—(1) This section and the re-  
21 quirements of this section shall take effect (and apply  
22 thereafter) upon the earlier of—

23 (A) March 1, 1999; and

24 (B) the date that is the later of—

1 (i) the effective date of regulations issued  
2 by the Secretary of Agriculture to implement  
3 this section; and

4 (ii) the date on which a new standard tim-  
5 ber sale contract, which is designed to imple-  
6 ment this section and has been published for  
7 public comment, is approved by the Secretary.

8 (2) Notwithstanding paragraph (1), any sale of na-  
9 tional forest timber or other forest products for which no-  
10 tice of sale is provided before the effective date of this  
11 section, and any effective purchaser road credit earned  
12 pursuant to a contract resulting from such a notice of sale  
13 or otherwise earned before that effective date, shall con-  
14 tinue to be subject to section 4 of Public Law 88–657 and  
15 section 14(i) of the National Forest Management Act of  
16 1976 (16 U.S.C. 472a(i)), and rules issued thereunder,  
17 as in effect on the day before the date of the enactment  
18 of this Act.

19 SEC. 331. Section 6(b)(1)(B)(iii) of the National  
20 Foundation on the Arts and the Humanities Act of 1965  
21 (20 U.S.C. 955(b)(1)(B)(iii)) is amended by striking  
22 “One” and inserting “Two”.

23 SEC. 332. (a) **CONDITIONAL EFFECTIVE DATE.**—  
24 This section shall take effect only if the Energy and Water  
25 Development Appropriations Act, 1999, does not appro-

1 priate at least \$6,000,000 in new funds for the manage-  
2 ment by the Tennessee Valley Authority of the Land Be-  
3 tween the Lakes National Recreation Area in the States  
4 of Kentucky and Tennessee.

5 (b) TRANSFER OF JURISDICTION, LAND BETWEEN  
6 THE LAKES NATIONAL RECREATION AREA.—The Ten-  
7 nessee Valley Authority shall transfer, without reimburse-  
8 ment, the Land Between the Lakes National Recreation  
9 Area to the administrative jurisdiction of the Secretary of  
10 Agriculture.

11 (c) MANAGEMENT.—Upon the transfer of jurisdiction  
12 under subsection (b), the Land Between the Lakes Na-  
13 tional Recreation Area, hereinafter Recreation Area, is es-  
14 tablished as a unit of the National Forest System, and  
15 the Secretary of Agriculture, acting through the Chief of  
16 the Forest Service, shall administer the Recreation Area  
17 in accordance with this section and (except as provided  
18 in subsection (d)) the laws, rules, and regulations pertain-  
19 ing to the National Forest System. Except as provided in  
20 subsection (d), land within the Recreation Area shall have  
21 the status of land acquired under the Act of March 1,  
22 1911 (commonly known as the Weeks Act; 16 U.S.C. 515  
23 et seq.). The Secretary shall manage the Recreation Area  
24 for multiple use as a unit of the National Forest System,  
25 in conjunction with the original mission statement of the

1 Recreation Area emphasizing outdoor recreation, environ-  
2 mental education, fish and wildlife conservation, and re-  
3 gional development. The Secretary shall conduct an inven-  
4 tory of all cemeteries located in the Recreation Area and  
5 ensure public access to such cemeteries for purposes of  
6 burials, visitation and maintenance.

7 (d) FEES AND OTHER CHARGES.—The Secretary of  
8 Agriculture may charge reasonable fees for admission to  
9 and the use of designated sites in the Recreation Area or  
10 for activities in the Recreation Area. No general entrance  
11 fees shall be charged within the Recreation Area. Notwith-  
12 standing any other provision of law, all amounts received  
13 from charges, user fees, and natural resource utilization,  
14 including timber and agricultural receipts, arising from  
15 the Recreation Area shall be deposited in a special fund  
16 in the Treasury to be known as the “Land Between the  
17 Lakes Management Fund”, which shall be available to the  
18 Secretary, without subsequent appropriation, for the man-  
19 agement of the Recreation Area, including the payment  
20 of salaries and expenses.

21 (e) PAYMENTS.—Federal lands within the Recreation  
22 Area shall be subject to the provisions for payments in  
23 lieu of taxes under chapter 69 of title 31, United States  
24 Code. Notwithstanding the transfer of jurisdiction, the  
25 Tennessee Valley Authority shall continue to be respon-

1 sible for payments under section 13 of the Tennessee Val-  
2 ley Authority Act of 1933 (16 U.S.C. 831l).

3 (f) TRANSITION.—(1) The transfer of jurisdiction  
4 under subsection (b) should be effected in an efficient and  
5 cost-effective manner to minimize the disruption of the  
6 personal lives of the Tennessee Valley Authority and For-  
7 est Service employees affected by the transfer. Not later  
8 than 30 days after the date on which this section takes  
9 effect, the Secretary of Agriculture and the Tennessee Val-  
10 ley Authority shall enter into a memorandum of agreement  
11 to provide procedures for the orderly withdrawal or trans-  
12 fer of officers and employees of the Tennessee Valley Au-  
13 thority, the transfer of property, fixtures, and facilities,  
14 the interagency transfer of officers and employees, the  
15 transfer of records, and such other transfer issues as the  
16 Tennessee Valley Authority and the Secretary consider to  
17 be appropriate. The agreement shall provide for a transi-  
18 tion team consisting of Tennessee Valley Authority and  
19 Forest Service employees.

20 (2) In order to provide for a cost-effective transfer  
21 of the law enforcement responsibilities between the Forest  
22 Service and the Tennessee Valley Authority, the law en-  
23 forcement authorities designated under section 4A of the  
24 Tennessee Valley Authority Act of 1933 (16 U.S.C. 831c–  
25 3) are hereby granted to special agents and law enforce-

1 ment officers of the Forest Service. The law enforcement  
2 authorities designated under the eleventh undesignated  
3 paragraph under the heading “SURVEYING THE PUBLIC  
4 LANDS” of the Act of June 4, 1897 (30 Stat. 35; 16  
5 U.S.C. 551), the first paragraph of that portion des-  
6 ignated “GENERAL EXPENSES, FOREST SERVICE” of the  
7 Act of March 3, 1905 (33 U.S.C. 873; 16 U.S.C. 559),  
8 the National Forest System Drug Control Act of 1986 (16  
9 U.S.C. 559b–559g) are hereby granted to law enforcement  
10 agents of the Tennessee Valley Authority, within the  
11 boundaries of the Recreation Area, for a period of 1 year  
12 from the date on which this section takes effect.

13 (3) Unless terminated for cause, all permanent Ten-  
14 nessee Valley Authority employees at the Recreation Area  
15 shall be guaranteed employment by the Tennessee Valley  
16 Authority for a minimum of five months following the date  
17 on which this section takes effect. The Tennessee Valley  
18 Authority shall provide affected employees of the Ten-  
19 nessee Valley Authority at the Recreation Area with a sev-  
20 erance/compensation package based on established prac-  
21 tices of the Tennessee Valley Authority. Funding for the  
22 activities prescribed for the Tennessee Valley Authority in  
23 this section is to be derived only from one or more of the  
24 following sources: nonpower fund balances and collections;  
25 investment returns of the nonpower program; applied pro-

1 grammatic savings in the power and nonpower programs;  
2 savings from the suspension of bonuses and awards; sav-  
3 ings from reductions in memberships and contributions;  
4 increases in collections resulting from nonpower activities,  
5 including user fees; or increases in charges to private and  
6 public utilities both investor and cooperatively owned, as  
7 well as to direct load customers. Such funds are available  
8 to fund the activities under this paragraph, notwithstand-  
9 ing section 11, 14, 15, 29, or other provisions of the Ten-  
10 nessee Valley Authority Act, as amended, or provisions of  
11 the TVA power bond covenants. The savings from, and  
12 revenue adjustments to, the TVA budget in fiscal year  
13 1999 and thereafter shall be sufficient to fund the afore-  
14 mentioned activities such that the net spending authority  
15 and resulting outlays for these activities shall not exceed  
16 \$0 in fiscal year 1999 and thereafter. Within 30 days of  
17 enactment of this Act, the Chairman of the TVA shall sub-  
18 mit to the House and Senate Committees on Appropria-  
19 tions an itemized list of the amounts of the proposed re-  
20 duction and increased receipts to be made pursuant to this  
21 section in fiscal year 1999. By November 1, 2000, the  
22 Chairman of the TVA shall submit to the House and Sen-  
23 ate Committees on Appropriations an itemized list of the  
24 amounts of the reductions and increased receipts made  
25 pursuant to this paragraph for fiscal year 1999.



1 (g) ADVISORY BOARD.—Within 90 days after the  
2 date on which this section takes effect, the Secretary of  
3 Agriculture shall establish a 17-member citizen advisory  
4 board to advise the Secretary on environmental education  
5 in the Recreation Area and means of promoting public  
6 participation for the land and resource management plan  
7 for the Recreation Area.

8 SEC. 333. (a) Any appropriations contained in this  
9 Act or any other Act for the operation or implementation  
10 of the Interior Columbia Basin Ecosystem Management  
11 Project (hereinafter “Project”) shall be obligated or ex-  
12 pended only as provided in this section.

13 (b) Within 120 days of the date of enactment of this  
14 Act, the Secretary of Agriculture and the Secretary of the  
15 Interior shall—

16 (1) prepare and submit to the Committees on  
17 Appropriations of the House of Representatives and  
18 the Senate the report required by section 323(a) of  
19 the Department of the Interior and Related Agencies  
20 Appropriations Act, 1998 (111 Stat. 1543, 1596–7),  
21 including any additional information necessary to  
22 correspond with the requirements of this section;

23 (2) distribute for advisory purposes to each na-  
24 tional forest and each resource area or other rel-  
25 evant planning unit of the Bureau of Land Manage-

1       ment within the region encompassed by the Project  
2       (hereinafter “Project forest”) all relevant scientific  
3       findings of the Project and the report required by  
4       paragraph (1); and

5               (3) conduct and complete the orderly closing of  
6       the offices of the Project.

7       (c)(1)(A) Within 90 days after the completion of the  
8       requirements of subsection (b), each Forest Service Super-  
9       visor of, or Bureau of Land Management official with ju-  
10      risdiction over, a Project forest shall review the resource  
11      management plan or other land use plan for the Project  
12      forest (hereinafter “plan”), and, as they may relate to the  
13      specific resources and conditions existing on the Project  
14      forest as of the date of enactment of this Act, the scientific  
15      information and report provided pursuant to subsection  
16      (b)(2) and any policies made applicable to the Project for-  
17      est prior to the date of enactment of this Act, and deter-  
18      mine whether an amendment to or revision of the plan  
19      is warranted.

20            (B) If the determination is made pursuant to sub-  
21      paragraph (A) that a plan amendment or revision is war-  
22      ranted, preparation of the amendment or revision shall be  
23      completed within 12 months or 18 months, respectively,  
24      of the date of the determination.

1           (2) To the maximum extent practicable, any plan  
2 amendment or revision prepared pursuant to paragraph  
3 (1)(B) shall provide for management standards appro-  
4 priate to the specific conditions of individual sites and  
5 avoid the imposition of general standards applicable to  
6 multiple sites.

7           SEC. 334. Amounts deposited during fiscal year 1998  
8 in the roads and trails fund provided for in the fourteenth  
9 paragraph under the heading “FOREST SERVICE” of  
10 the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501),  
11 shall be used by the Secretary of Agriculture, without re-  
12 gard to the State in which the amounts were derived, to  
13 repair or reconstruct roads, bridges, and trails on National  
14 Forest System lands or to carry out and administer  
15 projects to improve forest health conditions, which may  
16 include the repair or reconstruction of roads, bridges, and  
17 trails on National Forest System lands in the wildland-  
18 community interface where there is an abnormally high  
19 risk of fire. The projects shall emphasize reducing risks  
20 to human safety and public health and property and en-  
21 hancing ecological functions, long-term forest productivity,  
22 and biological integrity. The Secretary shall commence the  
23 projects during fiscal year 1999, but the projects may be  
24 completed in a subsequent fiscal year. Funds shall not be  
25 expended under this section to replace funds which would

1 otherwise appropriately be expended from the timber sal-  
2 vage sale fund. Nothing in this section shall be construed  
3 to exempt any project from any environmental law.

4 SEC. 335. Section 5 of the Arts and Artifacts Indem-  
5 nity Act (20 U.S.C. 974) is amended—

6 (1) in subsection (b) by striking  
7 “\$3,000,000,000” and inserting “\$5,000,000,000”;

8 (2) in subsection (c) by striking  
9 “\$300,000,000” and inserting “\$500,000,000”;

10 (3) by striking “or” at the end of subsection  
11 (d)(4);

12 (4) in subsection (d)(5) by striking  
13 “\$200,000,000 or more” and inserting “not less  
14 than \$200,000,000 but less than \$300,000,000” and  
15 by striking the final period and inserting a semi-  
16 colon; and

17 (5) by inserting the following two new sub-  
18 sections after subsection (d)(5):

19 “(6) not less than \$300,000,000 but less than  
20 \$400,000,000, then coverage under this chapter  
21 shall extend only to loss or damage in excess of the  
22 first \$300,000 of loss or damage to items covered;  
23 or

24 “(7) \$400,000,000 or more, then coverage  
25 under this chapter shall extend only to loss or dam-

1       age in excess of the first \$400,000 of loss or damage  
2       to items covered.”.

3                               TULARE CONVEYANCE

4       SEC. 336. (a) IN GENERAL.—Subject to subsections  
5 (c) and (d), all conveyances to the Redevelopment Agency  
6 of the City of Tulare, California, of lands described in sub-  
7 section (b), heretofore or hereafter, made directly by the  
8 Southern Pacific Transportation Company, or its succes-  
9 sors, are hereby validated to the extent that the convey-  
10 ances would be legal or valid if all right, title, and interest  
11 of the United States, except minerals, were held by the  
12 Southern Pacific Transportation Company.

13       (b) LANDS DESCRIBED.—The lands referred to in  
14 subsection (a) are the parcels shown on the map entitled  
15 “Tulare Redevelopment Agency-Railroad Parcels Pro-  
16 posed to be Acquired”, dated May 29, 1997, that formed  
17 part of a railroad right-of-way granted to the Southern  
18 Pacific Railroad Company, or its successors, agents, or as-  
19 signs, by the Federal Government (including the right-of-  
20 way approved by an Act of Congress on July 27, 1866).  
21 The map referred to in this subsection shall be on file and  
22 available for public inspection in the offices of the Director  
23 of the Bureau of Land Management.

24       (c) PRESERVATION OF EXISTING RIGHTS OF AC-  
25 CESS.—Nothing in this section shall impair any existing  
26 rights of access in favor of the public or any owner of

1 adjacent lands over, under or across the lands which are  
2 referred to in subsection (a).

3 (d) MINERALS.—The United States disclaims any  
4 and all right of surface entry to the mineral estate of lands  
5 described in subsection (b).

6 SEC. 337. The final set of maps entitled “Coastal  
7 Barrier Resources System”, dated “October 24, 1990, re-  
8 vised November 12, 1996”, and relating to the following  
9 units of the Coastal Barrier Resources System: P04A,  
10 P05/P05P; P05A/P05AP, FL-06P; P10/P10P; P11;  
11 P11AP; P11A; P18/P18P; P25/P25P; and P32/P32P  
12 (which set of maps were created by the Department of  
13 the Interior to comply with section 220 of Public Law  
14 104-333, 110 Stat. 4115, and notice of which was pub-  
15 lished in the Federal Register on May 28, 1997) shall have  
16 the force and effect of law and replace and substitute for  
17 any other inconsistent Coastal Barrier Resource System  
18 map in the possession of the Department of the Interior.  
19 This provision is effective immediately upon enactment of  
20 this Act and the Secretary of the Interior or his designee  
21 shall immediately make this ministerial substitution.

22 SEC. 338. Section 405(c)(2) of the Indian Health  
23 Care Improvement Act (42 U.S.C. 1645(c)(2)) is amended  
24 by striking “September 30, 1998” and inserting “Septem-  
25 ber 30, 2000”.

1       SEC. 339. Section 3003 of the Petroleum Overcharge  
2 Distribution and Restitution Act of 1986 (15 U.S.C.  
3 4502) is amended by adding after subsection (d) the fol-  
4 lowing new subsection:

5       “(e) Subsections (b), (c), and (d) of this section are  
6 repealed, and any rights that may have arisen are extin-  
7 guished, on the date of the enactment of the Department  
8 of the Interior and Related Agencies Appropriations Act,  
9 1999. After that date, the amount available for direct res-  
10 titution to current and future refined petroleum product  
11 claimants under this Act is reduced by the amounts speci-  
12 fied in title II of that Act as being derived from amounts  
13 held in escrow under section 3002(d). The Secretary shall  
14 assure that the amount remaining in escrow to satisfy re-  
15 fined petroleum product claims for direct restitution is al-  
16 located equitably among the claimants.”.

17       SEC. 340. Section 123(a)(2)(C) of the Department  
18 of the Interior and Related Agencies Appropriations Act,  
19 1998 (111 Stat. 1566), is amended by striking “self-regu-  
20 lated tribes such as”.

21       SEC. 341. (a) MORATORIUM ON FEDERAL MANAGE-  
22 MENT.—None of the funds made available to the Depart-  
23 ment of the Interior or the Department of Agriculture by  
24 this or any other Act hereafter enacted may be used prior  
25 to October 1, 2000, to issue or implement final regula-

1 tions, rules, or policies pursuant to title VIII of the Alaska  
2 National Interest Lands Conservation Act to assert juris-  
3 diction, management, or control over the navigable waters  
4 transferred to the State of Alaska pursuant to the Sub-  
5 merged Lands Act of 1953 or the Alaska Statehood Act  
6 of 1959.

7 (b) EFFECTIVE DATE OF 1997 ANILCA AMEND-  
8 MENTS.—Section 316(d) of Public Law 105–83 is amend-  
9 ed by striking “December 1, 1998” and inserting “Octo-  
10 ber 1, 2000”.

11 (c) REPEAL.—Subsections (a) and (b) shall be re-  
12 pealed on December 1, 1998, unless on or before that date  
13 an amendment to the constitution of the State of Alaska  
14 has been adopted which the Secretary of the Interior has  
15 determined would enable Alaska statutes to be enacted  
16 which provide the priority required in section 804 of the  
17 Alaska National Interest Lands Conservation Act (16  
18 U.S.C. 3114) in the taking on public lands of fish and  
19 wildlife.

20 SEC. 342. None of the funds made available in this  
21 Act may be used to establish a national wildlife refuge in  
22 the Kankakee River watershed in northwestern Indiana  
23 and northeastern Illinois.



1        This Act may be cited as the “Department of the In-  
2        terior and Related Agencies Appropriations Act, 1999”.

          Passed the House of Representatives July 23, 1998.

Attest:

*Clerk.*