

Calendar No. 183

106TH CONGRESS
1ST SESSION

S. 1292

[Report No. 106–99]

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

IN THE SENATE OF THE UNITED STATES

JUNE 28, 1999

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

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of the Interior and related agencies for the
6 fiscal year ending September 30, 2000, and for other pur-
7 poses, namely:

1 TITLE I—DEPARTMENT OF THE INTERIOR

2 BUREAU OF LAND MANAGEMENT

3 MANAGEMENT OF LANDS AND RESOURCES

4 For expenses necessary for protection, use, improve-
5 ment, development, disposal, cadastral surveying, classi-
6 fication, acquisition of easements and other interests in
7 lands, and performance of other functions, including main-
8 tenance of facilities, as authorized by law, in the manage-
9 ment of lands and their resources under the jurisdiction
10 of the Bureau of Land Management, including the general
11 administration of the Bureau, and assessment of mineral
12 potential of public lands pursuant to Public Law 96–487
13 (16 U.S.C. 3150(a)), \$634,321,000, to remain available
14 until expended, of which \$2,147,000 shall be available for
15 assessment of the mineral potential of public lands in
16 Alaska pursuant to section 1010 of Public Law 96–487
17 (16 U.S.C. 3150); and of which not to exceed \$1,000,000
18 shall be derived from the special receipt account estab-
19 lished by the Land and Water Conservation Act of 1965,
20 as amended (16 U.S.C. 460l–6a(i)); and of which
21 \$1,500,000 shall be available in fiscal year 2000 subject
22 to a match by at least an equal amount by the National
23 Fish and Wildlife Foundation, to such Foundation for
24 cost-shared projects supporting conservation of Bureau
25 lands; in addition, \$33,529,000 for Mining Law Adminis-

1 tration program operations, including the cost of admin-
 2 istering the mining claim fee program; to remain available
 3 until expended, to be reduced by amounts collected by the
 4 Bureau and credited to this appropriation from annual
 5 mining claim fees so as to result in a final appropriation
 6 estimated at not more than \$634,321,000, and
 7 \$2,000,000, to remain available until expended, from com-
 8 munication site rental fees established by the Bureau for
 9 the cost of administering communication site activities:
 10 *Provided*, That appropriations herein made shall not be
 11 available for the destruction of healthy, unadopted, wild
 12 horses and burros in the care of the Bureau or its contrac-
 13 tors.

14 WILDLAND FIRE MANAGEMENT

15 For necessary expenses for fire preparedness, sup-
 16 pression operations, emergency rehabilitation and haz-
 17 ardous fuels reduction by the Department of the Interior,
 18 \$287,305,000, to remain available until expended, of
 19 which not to exceed \$5,025,000 shall be for the renovation
 20 or construction of fire facilities: *Provided*, That such funds
 21 are also available for repayment of advances to other ap-
 22 propriation accounts from which funds were previously
 23 transferred for such purposes: *Provided further*, That un-
 24 obligated balances of amounts previously appropriated to
 25 the “Fire Protection” and “Emergency Department of the
 26 Interior Firefighting Fund” may be transferred and

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

12 CENTRAL HAZARDOUS MATERIALS FUND

13 For necessary expenses of the Department of the In-
 14 terior and any of its component offices and bureaus for
 15 the remedial action, including associated activities, of haz-
 16 ardous waste substances, pollutants, or contaminants pur-
 17 suant to the Comprehensive Environmental Response,
 18 Compensation, and Liability Act, as amended (42 U.S.C.
 19 9601 et seq.), \$10,000,000, to remain available until ex-
 20 pended: *Provided*, That notwithstanding 31 U.S.C. 3302,
 21 sums recovered from or paid by a party in advance of or
 22 as reimbursement for remedial action or response activi-
 23 ties conducted by the Department pursuant to section 107
 24 or 113(f) of such Act, shall be credited to this account
 25 to be available until expended without further appropria-
 26 tion: *Provided further*, That such sums recovered from or

1 paid by any party are not limited to monetary payments
2 and may include stocks, bonds or other personal or real
3 property, which may be retained, liquidated, or otherwise
4 disposed of by the Secretary and which shall be credited
5 to this account.

6 CONSTRUCTION

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

10 PAYMENTS IN LIEU OF TAXES

11 For expenses necessary to implement the Act of Octo-
12 ber 20, 1976, as amended (31 U.S.C. 6901–6907),
13 \$130,000,000, of which not to exceed \$400,000 shall be
14 available for administrative expenses: *Provided*, That no
15 payment shall be made to otherwise eligible units of local
16 government if the computed amount of the payment is less
17 than \$100.

18 LAND ACQUISITION

19 For expenses necessary to carry out sections 205,
20 206, and 318(d) of Public Law 94–579, including admin-
21 istrative expenses and acquisition of lands or waters, or
22 interests therein, \$17,400,000, to be derived from the
23 Land and Water Conservation Fund, to remain available
24 until expended.

1 OREGON AND CALIFORNIA GRANT LANDS

2 For expenses necessary for management, protection,
 3 and development of resources and for construction, oper-
 4 ation, and maintenance of access roads, reforestation, and
 5 other improvements on the revested Oregon and California
 6 Railroad grant lands, on other Federal lands in the Or-
 7 egon and California land-grant counties of Oregon, and
 8 on adjacent rights-of-way; and acquisition of lands or in-
 9 terests therein including existing connecting roads on or
 10 adjacent to such grant lands; \$99,225,000, to remain
 11 available until expended: *Provided*, That 25 percent of the
 12 aggregate of all receipts during the current fiscal year
 13 from the revested Oregon and California Railroad grant
 14 lands is hereby made a charge against the Oregon and
 15 California land-grant fund and shall be transferred to the
 16 General Fund in the Treasury in accordance with the sec-
 17 ond paragraph of subsection (b) of title II of the Act of
 18 August 28, 1937 (50 Stat. 876).

19 FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND

20 (REVOLVING FUND, SPECIAL ACCOUNT)

21 In addition to the purposes authorized in Public Law
 22 102–381, funds made available in the Forest Ecosystem
 23 Health and Recovery Fund can be used for the purpose
 24 of planning, preparing, and monitoring salvage timber
 25 sales and forest ecosystem health and recovery activities

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

8 RANGE IMPROVEMENTS

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

23 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

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

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

MISCELLANEOUS TRUST FUNDS

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

ADMINISTRATIVE PROVISIONS

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

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

3 UNITED STATES FISH AND WILDLIFE SERVICE

4 RESOURCE MANAGEMENT

5 For necessary expenses of the United States Fish and
6 Wildlife Service, for scientific and economic studies, con-
7 servation, management, investigations, protection, and
8 utilization of fishery and wildlife resources, except whales,
9 seals, and sea lions, maintenance of the herd of long-
10 horned cattle on the Wichita Mountains Wildlife Refuge,
11 general administration, and for the performance of other
12 authorized functions related to such resources by direct
13 expenditure, contracts, grants, cooperative agreements
14 and reimbursable agreements with public and private enti-
15 ties, \$683,519,000, to remain available until September
16 30, 2001, except as otherwise provided herein, of which
17 \$11,701,000 shall remain available until expended for op-
18 eration and maintenance of fishery mitigation facilities
19 constructed by the Corps of Engineers under the Lower
20 Snake River Compensation Plan, authorized by the Water
21 Resources Development Act of 1976, to compensate for
22 loss of fishery resources from water development projects
23 on the Lower Snake River: *Provided*, That not less than
24 \$1,000,000 for high priority projects which shall be car-
25 ried out by the Youth Conservation Corps as authorized

1 by the Act of August 13, 1970, as amended: *Provided fur-*
2 *ther*, That not to exceed \$5,932,000 shall be used for im-
3 plementing subsections (a), (b), (c), and (e) of section 4
4 of the Endangered Species Act, as amended, for species
5 that are indigenous to the United States (except for proc-
6 essing petitions, developing and issuing proposed and final
7 regulations, and taking any other steps to implement ac-
8 tions described in subsections (c)(2)(A), (c)(2)(B)(i), or
9 (c)(2)(B)(ii)): *Provided further*, That of the amount avail-
10 able for law enforcement, up to \$400,000 to remain avail-
11 able until expended, may at the discretion of the Sec-
12 retary, be used for payment for information, rewards, or
13 evidence concerning violations of laws administered by the
14 Service, and miscellaneous and emergency expenses of en-
15 forcement activity, authorized or approved by the Sec-
16 retary and to be accounted for solely on his certificate:
17 *Provided further*, That of the amount provided for environ-
18 mental contaminants, up to \$1,000,000 may remain avail-
19 able until expended for contaminant sample analyses: *Pro-*
20 *vided further*, That all fines collected by the U.S. Fish and
21 Wildlife Service for violations of the Marine Mammal Pro-
22 tection Act (16 U.S.C. 1362–1407) and implementing reg-
23 ulations shall be available to the Secretary, without fur-
24 ther appropriation, to be used for the expenses of the U.S.
25 Fish and Wildlife Service in administering activities for

1 the protection and recovery of manatees, polar bears, sea
2 otters, and walruses, and shall remain available until ex-
3 pended: *Provided further*, That, heretofore and hereafter,
4 in carrying out work under reimbursable agreements with
5 any state, local, or tribal government, the U.S. Fish and
6 Wildlife Service may, without regard to 31 U.S.C. 1341
7 and notwithstanding any other provision of law or regula-
8 tion, record obligations against accounts receivable from
9 such entities, and shall credit amounts received from such
10 entities to this appropriation, such credit to occur within
11 90 days of the date of the original request by the Service
12 for payment.

13 CONSTRUCTION

14 For construction and acquisition of buildings and
15 other facilities required in the conservation, management,
16 investigation, protection, and utilization of fishery and
17 wildlife resources, and the acquisition of lands and inter-
18 ests therein; \$40,434,000, to remain available until ex-
19 pended: *Provided*, That notwithstanding any other provi-
20 sion of law, a single procurement for the construction of
21 facilities at the Alaska Maritime National Wildlife Refuge
22 may be issued which includes the full scope of the project:
23 *Provided further*, That the solicitation and the contract
24 shall contain the clauses “availability of funds” found at
25 48 C.F.R. 52.232.18.

1 LAND ACQUISITION

2 For expenses necessary to carry out the Land and
3 Water Conservation Fund Act of 1965, as amended (16
4 U.S.C. 460l–4 through 11), including administrative ex-
5 penses, and for acquisition of land or waters, or interest
6 therein, in accordance with statutory authority applicable
7 to the United States Fish and Wildlife Service,
8 \$55,244,000, to be derived from the Land and Water Con-
9 servation Fund and to remain available until expended.

10 COOPERATIVE ENDANGERED SPECIES CONSERVATION

11 FUND

12 For expenses necessary to carry out the provisions
13 of the Endangered Species Act of 1973 (16 U.S.C. 1531–
14 1543), as amended, \$21,480,000, to be derived from the
15 Cooperative Endangered Species Conservation Fund, and
16 to remain available until expended.

17 NATIONAL WILDLIFE REFUGE FUND

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

20 MULTINATIONAL SPECIES CONSERVATION FUND

21 For expenses necessary to carry out the African Ele-
22 phant Conservation Act (16 U.S.C. 4201–4203, 4211–
23 4213, 4221–4225, 4241–4245, and 1538), the Asian Ele-
24 phant Conservation Act of 1997 (16 U.S.C. 4261–4266),
25 and the Rhinoceros and Tiger Conservation Act of 1994
26 (16 U.S.C. 5301–5306), \$2,400,000, to remain available

1 until expended: *Provided*, That funds made available
 2 under this Act, Public Law 105–277, and Public Law
 3 105–83 for rhinoceros, tiger, and Asian elephant conserva-
 4 tion programs are exempt from any sanctions imposed
 5 against any country under section 102 of the Arms Export
 6 Control Act (22 U.S.C. aa–1).

7 NORTH AMERICAN WETLANDS CONSERVATION FUND

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

12 WILDLIFE CONSERVATION AND APPRECIATION FUND

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

16 ADMINISTRATIVE PROVISIONS

17 Appropriations and funds available to the United
 18 States Fish and Wildlife Service shall be available for pur-
 19 chase of not to exceed 70 passenger motor vehicles, of
 20 which 61 are for replacement only (including 36 for police-
 21 type use); repair of damage to public roads within and
 22 adjacent to reservation areas caused by operations of the
 23 Service; options for the purchase of land at not to exceed
 24 \$1 for each option; facilities incident to such public rec-
 25 reational uses on conservation areas as are consistent with
 26 their primary purpose; and the maintenance and improve-

1 ment of aquaria, buildings, and other facilities under the
2 jurisdiction of the Service and to which the United States
3 has title, and which are used pursuant to law in connection
4 with management and investigation of fish and wildlife re-
5 sources: *Provided*, That notwithstanding 44 U.S.C. 501,
6 the Service may, under cooperative cost sharing and part-
7 nership arrangements authorized by law, procure printing
8 services from cooperators in connection with jointly pro-
9 duced publications for which the cooperators share at least
10 one-half the cost of printing either in cash or services and
11 the Service determines the cooperator is capable of meet-
12 ing accepted quality standards: *Provided further*, That the
13 Service may accept donated aircraft as replacements for
14 existing aircraft: *Provided further*, That notwithstanding
15 any other provision of law, the Secretary of the Interior
16 may not spend any of the funds appropriated in this Act
17 for the purchase of lands or interests in lands to be used
18 in the establishment of any new unit of the National Wild-
19 life Refuge System unless the purchase is approved in ad-
20 vance by the House and Senate Committees on Appropria-
21 tions in compliance with the reprogramming procedures
22 contained in Senate Report 105–56.

1 NATIONAL PARK SERVICE

2 OPERATION OF THE NATIONAL PARK SYSTEM

3 For expenses necessary for the management, oper-
4 ation, and maintenance of areas and facilities adminis-
5 tered by the National Park Service (including special road
6 maintenance service to trucking permittees on a reimburs-
7 able basis), and for the general administration of the Na-
8 tional Park Service, including not less than \$1,000,000
9 for high priority projects within the scope of the approved
10 budget which shall be carried out by the Youth Conserva-
11 tion Corps as authorized by 16 U.S.C. 1706,
12 \$1,355,176,000, of which \$8,800,000 is for research,
13 planning and interagency coordination in support of land
14 acquisition for Everglades restoration shall remain avail-
15 able until expended, and of which not to exceed
16 \$8,000,000, to remain available until expended, is to be
17 derived from the special fee account established pursuant
18 to title V, section 5201 of Public Law 100–203.

19 NATIONAL RECREATION AND PRESERVATION

20 For expenses necessary to carry out recreation pro-
21 grams, natural programs, cultural programs, heritage
22 partnership programs, environmental compliance and re-
23 view, international park affairs, statutory or contractual
24 aid for other activities, and grant administration, not oth-
25 erwise provided for, \$49,951,000: *Provided*, That notwith-
26 standing any other provision of law, the National Park

1 Service may hereafter recover all fees derived from pro-
 2 viding necessary review services associated with historic
 3 preservation tax certification, and such funds shall be
 4 available until expended without further appropriation for
 5 the costs of such review services.

6 HISTORIC PRESERVATION FUND

7 For expenses necessary in carrying out the Historic
 8 Preservation Act of 1966, as amended (16 U.S.C. 470),
 9 and the Omnibus Parks and Public Lands Management
 10 Act of 1996 (Public Law 104–333), \$42,412,000, to be
 11 derived from the Historic Preservation Fund, to remain
 12 available until September 30, 2001, of which \$8,422,000
 13 pursuant to section 507 of Public Law 104–333 shall re-
 14 main available until 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, \$221,093,000, to
 20 remain available until expended, of which \$1,100,000 shall
 21 be for realignment of the Denali National Park entrance
 22 road: *Provided*, That \$4,000,000 for the Wheeling Na-
 23 tional Heritage Area and \$1,000,000 for Montpelier shall
 24 be derived from the Historic Preservation Fund pursuant
 25 to 16 U.S.C. 470a: *Provided further*, That notwithstanding
 26 any other provision of law, a single procurement for the

1 construction of visitor facilities at Brooks Camp at Katmai
 2 National Park and Preserve may be issued which includes
 3 the full scope of the project: *Provided further*, That the
 4 solicitation and the contract shall contain the clause
 5 “availability of funds” found at 48 CFR 52.232.18.

6 LAND AND WATER CONSERVATION FUND
 7 (RESCISSION)

8 The contract authority provided for fiscal year 2000
 9 by 16 U.S.C. 460l–10a is rescinded.

10 LAND ACQUISITION AND STATE ASSISTANCE

11 For expenses necessary to carry out the Land and
 12 Water Conservation Fund Act of 1965, as amended (16
 13 U.S.C. 460l–4 through 11), including administrative ex-
 14 penses, and for acquisition of lands or waters, or interest
 15 therein, in accordance with statutory authority applicable
 16 to the National Park Service, \$84,525,000, to be derived
 17 from the Land and Water Conservation Fund, to remain
 18 available until expended, of which \$500,000 is to admin-
 19 ister the State assistance program.

20 ADMINISTRATIVE PROVISIONS

21 Appropriations for the National Park Service shall be
 22 available for the purchase of not to exceed 384 passenger
 23 motor vehicles, of which 298 shall be for replacement only,
 24 including not to exceed 312 for police-type use, 12 buses,
 25 and 6 ambulances: *Provided*, That none of the funds ap-
 26 propriated to the National Park Service may be used to

1 process any grant or contract documents which do not in-
2 clude the text of 18 U.S.C. 1913: *Provided further*, That
3 none of the funds appropriated to the National Park Serv-
4 ice may be used to implement an agreement for the rede-
5 velopment of the southern end of Ellis Island until such
6 agreement has been submitted to the Congress and shall
7 not be implemented prior to the expiration of 30 calendar
8 days (not including any day in which either House of Con-
9 gress is not in session because of adjournment of more
10 than three calendar days to a day certain) from the receipt
11 by the Speaker of the House of Representatives and the
12 President of the Senate of a full and comprehensive report
13 on the development of the southern end of Ellis Island,
14 including the facts and circumstances relied upon in sup-
15 port of the proposed project.

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

19 The National Park Service may distribute to oper-
20 ating units based on the safety record of each unit the
21 costs of programs designed to improve workplace and em-
22 ployee safety, and to encourage employees receiving work-
23 ers' compensation benefits pursuant to chapter 81 of title
24 5, United States Code, to return to appropriate positions
25 for which they are medically able.

1 UNITED STATES GEOLOGICAL SURVEY

2 SURVEYS, INVESTIGATIONS, AND RESEARCH

3 For expenses necessary for the United States Geo-
4 logical Survey to perform surveys, investigations, and re-
5 search covering topography, geology, hydrology, biology,
6 and the mineral and water resources of the United States,
7 its territories and possessions, and other areas as author-
8 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
9 to their mineral and water resources; give engineering su-
10 pervision to power permittees and Federal Energy Regu-
11 latory Commission licensees; administer the minerals ex-
12 ploration program (30 U.S.C. 641); and publish and dis-
13 seminate data relative to the foregoing activities; and to
14 conduct inquiries into the economic conditions affecting
15 mining and materials processing industries (30 U.S.C. 3,
16 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes
17 as authorized by law and to publish and disseminate data;
18 \$813,243,000, of which \$72,314,000 shall be available
19 only for cooperation with States or municipalities for
20 water resources investigations; and of which \$16,400,000
21 shall remain available until expended for conducting in-
22 quires into the economic conditions affecting mining and
23 materials processing industries; and of which \$2,000,000
24 shall remain available until expended for ongoing develop-
25 ment of a mineral and geologic data base; and of which

1 \$160,248,000 shall be available until September 30, 2001
 2 for the biological research activity and the operation of
 3 the Cooperative Research Units: *Provided*, That of the
 4 funds available for the biological research activity,
 5 \$1,000,000 shall be made available by grant to the Uni-
 6 versity of Alaska for conduct of, directly or through sub-
 7 grants, basic marine research activities in the North Pa-
 8 cific Ocean pursuant to a plan approved by the Depart-
 9 ment of Commerce, the Department of the Interior, and
 10 the State of Alaska: *Provided further*, That none of these
 11 funds provided for the biological research activity shall be
 12 used to conduct new surveys on private property, unless
 13 specifically authorized in writing by the property owner:
 14 *Provided further*, That no part of this appropriation shall
 15 be used to pay more than one-half the cost of topographic
 16 mapping or water resources data collection and investiga-
 17 tions carried on in cooperation with States and municipali-
 18 ties.

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; con-
 25 tracting for the furnishing of topographic maps and for
 26 the making of geophysical or other specialized surveys

1 when it is administratively determined that such proce-
2 dures are in the public interest; construction and mainte-
3 nance of necessary buildings and appurtenant facilities;
4 acquisition of lands for gauging stations and observation
5 wells; expenses of the United States National Committee
6 on Geology; and payment of compensation and expenses
7 of persons on the rolls of the Survey duly appointed to
8 represent the United States in the negotiation and admin-
9 istration of interstate compacts: *Provided*, That activities
10 funded by appropriations herein made may be accom-
11 plished through the use of contracts, grants, or coopera-
12 tive agreements as defined in 31 U.S.C. 6302 et seq.: *Pro-*
13 *vided further*, That the United States Geological Survey
14 may contract directly with individuals or indirectly with
15 institutions or nonprofit organizations, without regard to
16 41 U.S.C. 5, for the temporary or intermittent services
17 of students or recent graduates, who shall be considered
18 employees for the purposes of chapters 57 and 81 of title
19 5, United States Code, relating to compensation for travel
20 and work injuries, and chapter 171 of title 28, United
21 States Code, relating to tort claims, but shall not be con-
22 sidered to be Federal employees for 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; \$110,682,000, of which
11 \$84,569,000 shall be available for royalty management ac-
12 tivities; and an amount not to exceed \$124,000,000, 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 Sep-
19 tember 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, 2001: *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; \$95,891,000: *Provided*, That the Sec-
 25 retary of the Interior, pursuant to regulations, may use
 26 directly or through grants to States, moneys collected in

1 fiscal year 2000 for civil penalties assessed under section
2 518 of the Surface Mining Control and Reclamation Act
3 of 1977 (30 U.S.C. 1268), to reclaim lands adversely af-
4 fected by coal mining practices after August 3, 1977, to
5 remain available until expended: *Provided further*, That
6 appropriations for the Office of Surface Mining Reclama-
7 tion and Enforcement may provide for the travel and per
8 diem expenses of State and tribal personnel attending Of-
9 fice of Surface Mining Reclamation and Enforcement
10 sponsored training.

11 ABANDONED MINE RECLAMATION FUND

12 For necessary expenses to carry out title IV of the
13 Surface Mining Control and Reclamation Act of 1977,
14 Public Law 95–87, as amended, including the purchase
15 of not more than 10 passenger motor vehicles for replace-
16 ment only, \$185,658,000, to be derived from receipts of
17 the Abandoned Mine Reclamation Fund and to remain
18 available until expended; of which up to \$7,000,000, to
19 be derived from the Federal Expenses Share of the Fund,
20 shall be for supplemental grants to States for the reclama-
21 tion of abandoned sites with acid mine rock drainage from
22 coal mines, and for associated activities, through the Ap-
23 palachian Clean Streams Initiative: *Provided*, That grants
24 to minimum program States will be \$1,500,000 per State
25 in fiscal year 2000: *Provided further*, That of the funds
26 herein provided up to \$18,000,000 may be used for the

1 emergency program authorized by section 410 of Public
2 Law 95–87, as amended, of which no more than 25 per-
3 cent shall be used for emergency reclamation projects in
4 any one State and funds for federally administered emer-
5 gency reclamation projects under this proviso shall not ex-
6 ceed \$11,000,000: *Provided further*, That prior year unob-
7 ligated funds appropriated for the emergency reclamation
8 program shall not be subject to the 25 percent limitation
9 per State and may be used without fiscal year limitation
10 for emergency projects: *Provided further*, That pursuant
11 to Public Law 97–365, the Department of the Interior is
12 authorized to use up to 20 percent from the recovery of
13 the delinquent debt owed to the United States Government
14 to pay for contracts to collect these debts: *Provided fur-*
15 *ther*, That funds made available under title IV of Public
16 Law 95–87 may be used for any required non-Federal
17 share of the cost of projects funded by the Federal Gov-
18 ernment for the purpose of environmental restoration re-
19 lated to treatment or abatement of acid mine drainage
20 from abandoned mines: *Provided further*, That such
21 projects must be consistent with the purposes and prior-
22 ities of the Surface Mining Control and Reclamation Act:
23 *Provided further*, That the State of Maryland may set
24 aside the greater of \$1,000,000 or 10 percent of the total
25 of the grants made available to the State under title IV

1 of the Surface Mining Control and Reclamation Act of
 2 1977, as amended (30 U.S.C. 1231 et seq.), if the amount
 3 set aside is deposited in an acid mine drainage abatement
 4 and treatment fund established under a State law, pursu-
 5 ant to which law the amount (together with all interest
 6 earned on the amount) is expended by the State to under-
 7 take acid mine drainage abatement and treatment
 8 projects, except that before any amounts greater than 10
 9 percent of its title IV grants are deposited in an acid mine
 10 drainage abatement and treatment fund, the State of
 11 Maryland must first complete all Surface Mining Control
 12 and Reclamation Act priority one projects.

13 BUREAU OF INDIAN AFFAIRS

14 OPERATION OF INDIAN PROGRAMS

15 For expenses necessary for the operation of Indian
 16 programs, as authorized by law, including the Snyder Act
 17 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
 18 termination and Education Assistance Act of 1975 (25
 19 U.S.C. 450 et seq.), as amended, the Education Amend-
 20 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally
 21 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),
 22 as amended, \$1,631,996,000, to remain available until
 23 September 30, 2001 except as otherwise provided herein,
 24 of which not to exceed \$93,684,000 shall be for welfare
 25 assistance payments and notwithstanding any other provi-

1 sion of law, including but not limited to the Indian Self-
2 Determination Act of 1975, as amended, not to exceed
3 \$115,229,000 shall be available for payments to tribes and
4 tribal organizations for contract support costs associated
5 with ongoing contracts, grants, compacts, or annual fund-
6 ing agreements entered into with the Bureau prior to or
7 during fiscal year 2000, as authorized by such Act, except
8 that tribes and tribal organizations may use their tribal
9 priority allocations for unmet indirect costs of ongoing
10 contracts, grants, or compacts, or annual funding agree-
11 ments and for unmet welfare assistance costs; and of
12 which not to exceed \$402,010,000 for school operations
13 costs of Bureau-funded schools and other education pro-
14 grams shall become available on July 1, 2000, and shall
15 remain available until September 30, 2001; and of which
16 not to exceed \$51,991,000 shall remain available until ex-
17 pended for housing improvement, road maintenance, at-
18 torney fees, litigation support, self-governance grants, the
19 Indian Self-Determination Fund, land records improve-
20 ment, and the Navajo-Hopi Settlement Program: *Pro-*
21 *vided*, That notwithstanding any other provision of law,
22 including but not limited to the Indian Self-Determination
23 Act of 1975, as amended, and 25 U.S.C. 2008, not to ex-
24 ceed \$44,160,000 within and only from such amounts
25 made available for school operations shall be available to

1 tribes and tribal organizations for administrative cost
2 grants associated with the operation of Bureau-funded
3 schools: *Provided further*, That any forestry funds allo-
4 cated to a tribe which remain unobligated as of September
5 30, 2001, may be transferred during fiscal year 2002 to
6 an Indian forest land assistance account established for
7 the benefit of such tribe within the tribe's trust fund ac-
8 count: *Provided further*, That any such unobligated bal-
9 ances not so transferred shall expire on September 30,
10 2002.

11 CONSTRUCTION

12 For construction, repair, improvement, and mainte-
13 nance of irrigation and power systems, buildings, utilities,
14 and other facilities, including architectural and engineer-
15 ing services by contract; acquisition of lands, and interests
16 in lands; and preparation of lands for farming, and for
17 construction of the Navajo Indian Irrigation Project pur-
18 suant to Public Law 87-483, \$146,884,000, to remain
19 available until expended: *Provided*, That such amounts as
20 may be available for the construction of the Navajo Indian
21 Irrigation Project may be transferred to the Bureau of
22 Reclamation: *Provided further*, That not to exceed 6 per-
23 cent of contract authority available to the Bureau of In-
24 dian Affairs from the Federal Highway Trust Fund may
25 be used to cover the road program management costs of
26 the Bureau: *Provided further*, That any funds provided for

1 the Safety of Dams program pursuant to 25 U.S.C. 13
2 shall be made available on a nonreimbursable basis: *Pro-*
3 *vided further*, That for fiscal year 2000, in implementing
4 new construction or facilities improvement and repair
5 project grants in excess of \$100,000 that are provided to
6 tribally controlled grant schools under Public Law 100–
7 297, as amended, the Secretary of the Interior shall use
8 the Administrative and Audit Requirements and Cost
9 Principles for Assistance Programs contained in 43 CFR
10 part 12 as the regulatory requirements: *Provided further*,
11 That such grants shall not be subject to section 12.61 of
12 43 CFR; the Secretary and the grantee shall negotiate and
13 determine a schedule of payments for the work to be per-
14 formed: *Provided further*, That in considering applications,
15 the Secretary shall consider whether the Indian tribe or
16 tribal organization would be deficient in assuring that the
17 construction projects conform to applicable building stand-
18 ards and codes and Federal, tribal, or State health and
19 safety standards as required by 25 U.S.C. 2005(a), with
20 respect to organizational and financial management capa-
21 bilities: *Provided further*, That if the Secretary declines an
22 application, the Secretary shall follow the requirements
23 contained in 25 U.S.C. 2505(f): *Provided further*, That
24 any disputes between the Secretary and any grantee con-
25 cerning a grant shall be subject to the disputes provision

1 in 25 U.S.C. 2508(e): *Provided further*, That notwith-
 2 standing any other provision of law, collections from the
 3 settlements between the United States and the Puyallup
 4 tribe concerning Chief Leschi school are made available
 5 for school construction in fiscal year 2000 and hereafter.

6 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
 7 MISCELLANEOUS PAYMENTS TO INDIANS

8 For miscellaneous payments to Indian tribes and in-
 9 dividuals and for necessary administrative expenses,
 10 \$27,131,000, to remain available until expended; of which
 11 \$25,260,000 shall be available for implementation of en-
 12 acted Indian land and water claim settlements pursuant
 13 to Public Laws 101–618 and 102–575, and for implemen-
 14 tation of other enacted water rights settlements; and of
 15 which \$1,871,000 shall be available pursuant to Public
 16 Laws 99–264, 100–383, 103–402 and 100–580.

17 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

18 For the cost of guaranteed loans, \$4,500,000, as au-
 19 thorized by the Indian Financing Act of 1974, as amend-
 20 ed: *Provided*, That such costs, including the cost of modi-
 21 fying such loans, shall be as defined in section 502 of the
 22 Congressional Budget Act of 1974: *Provided further*, That
 23 these funds are available to subsidize total loan principal,
 24 any part of which is to be guaranteed, not to exceed
 25 \$59,682,000.

1 In addition, for administrative expenses to carry out
2 the guaranteed loan programs, \$504,000.

3 ADMINISTRATIVE PROVISIONS

4 The Bureau of Indian Affairs may carry out the oper-
5 ation of Indian programs by direct expenditure, contracts,
6 cooperative agreements, compacts and grants, either di-
7 rectly or in cooperation with States and other organiza-
8 tions.

9 Appropriations for the Bureau of Indian Affairs (ex-
10 cept the revolving fund for loans, the Indian loan guar-
11 antee and insurance fund, and the Indian Guaranteed
12 Loan Program account) shall be available for expenses of
13 exhibits, and purchase of not to exceed 229 passenger
14 motor vehicles, of which not to exceed 187 shall be for
15 replacement only.

16 Notwithstanding any other provision of law, no funds
17 available to the Bureau of Indian Affairs for central office
18 operations or pooled overhead general administration (ex-
19 cept facilities operations and maintenance) shall be avail-
20 able for tribal contracts, grants, compacts, or cooperative
21 agreements with the Bureau of Indian Affairs under the
22 provisions of the Indian Self-Determination Act or the
23 Tribal Self-Governance Act of 1994 (Public Law 103–
24 413).

25 In the event any tribe returns appropriations made
26 available by this Act to the Bureau of Indian Affairs for

1 distribution to other tribes, this action shall not diminish
2 the Federal government's trust responsibility to that tribe,
3 or the government-to-government relationship between the
4 United States and that tribe, or that tribe's ability to ac-
5 cess future appropriations.

6 Notwithstanding any other provision of law, no funds
7 available to the Bureau, other than the amounts provided
8 herein for assistance to public schools under 25 U.S.C.
9 452 et seq., shall be available to support the operation of
10 any elementary or secondary school in the State of Alaska.

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

19 The Tate Topa Tribal School, the Black Mesa Com-
20 munity School, the Alamo Navajo School, and other BIA-
21 funded schools, subject to the approval of the Secretary
22 of the Interior, may use prior year school operations funds
23 for the replacement or repair of BIA education facilities
24 which are in compliance with 25 U.S.C. 2005(a) and
25 which shall be eligible for operation and maintenance sup-

1 port to the same extent as other BIA education facilities:
 2 *Provided*, That any additional construction costs for re-
 3 placement or repair of such facilities begun with prior year
 4 funds shall be completed exclusively with non-Federal
 5 funds.

6 DEPARTMENT OFFICES

7 INSULAR AFFAIRS

8 ASSISTANCE TO TERRITORIES

9 For expenses necessary for assistance to territories
 10 under the jurisdiction of the Department of the Interior,
 11 \$67,325,000, of which: (1) \$63,076,000 shall be available
 12 until expended for technical assistance, including mainte-
 13 nance assistance, disaster assistance, insular management
 14 controls, coral reef initiative activities, and brown tree
 15 snake control and research; grants to the judiciary in
 16 American Samoa for compensation and expenses, as au-
 17 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-
 18 ment of American Samoa, in addition to current local rev-
 19 enues, for construction and support of governmental func-
 20 tions; grants to the Government of the Virgin Islands as
 21 authorized by law; grants to the Government of Guam,
 22 as authorized by law; and grants to the Government of
 23 the Northern Mariana Islands as authorized by law (Pub-
 24 lic Law 94-241; 90 Stat. 272); and (2) \$4,249,000 shall
 25 be available for salaries and expenses of the Office of Insu-

1 lar Affairs: *Provided*, That all financial transactions of the
 2 territorial and local governments herein provided for, in-
 3 cluding such transactions of all agencies or instrumental-
 4 ities established or used by such governments, may be au-
 5 dited by the General Accounting Office, at its discretion,
 6 in accordance with chapter 35 of title 31, United States
 7 Code: *Provided further*, That Northern Mariana Islands
 8 Covenant grant funding shall be provided according to
 9 those terms of the Agreement of the Special Representa-
 10 tives on Future United States Financial Assistance for the
 11 Northern Mariana Islands approved by Public Law 104–
 12 134: *Provided further*, That Public Law 94–241, as
 13 amended, is further amended (1) in section 4(b) by delet-
 14 ing “2002” and inserting “1999” and by deleting the
 15 comma after the words “\$11,000,000 annually” and in-
 16 serting in lieu thereof the following: “and for fiscal year
 17 2000, payments to the Commonwealth of the Northern
 18 Mariana Islands shall be \$5,580,000, but shall return to
 19 the level of \$11,000,000 annually for fiscal years 2001
 20 and 2002. In fiscal year 2003, the payment to the Com-
 21 monwealth of the Northern Mariana Islands shall be
 22 \$5,420,000. Such payments shall be”; and (2) in section
 23 (4)(c) by adding a new subsection as follows: “(4) for fis-
 24 cal year 2000, \$5,420,000 shall be provided to the Virgin
 25 Islands for correctional facilities and other projects man-

1 dated by Federal law.”: *Provided further*, That of the
2 amounts provided for technical assistance, sufficient fund-
3 ing shall be made available for a grant to the Close Up
4 Foundation: *Provided further*, That the funds for the pro-
5 gram of operations and maintenance improvement are ap-
6 propriated to institutionalize routine operations and main-
7 tenance improvement of capital infrastructure in Amer-
8 ican Samoa, Guam, the Virgin Islands, the Commonwealth
9 of the Northern Mariana Islands, the Republic of Palau,
10 the Republic of the Marshall Islands, and the Federated
11 States of Micronesia through assessments of long-range
12 operations maintenance needs, improved capability of local
13 operations and maintenance institutions and agencies (in-
14 cluding management and vocational education training),
15 and project-specific maintenance (with territorial partici-
16 pation and cost sharing to be determined by the Secretary
17 based on the individual territory’s commitment to timely
18 maintenance of its capital assets): *Provided further*, That
19 any appropriation for disaster assistance under this head-
20 ing in this Act or previous appropriations Acts may be
21 used as non-Federal matching funds for the purpose of
22 hazard mitigation grants provided pursuant to section 404
23 of the Robert T. Stafford Disaster Relief and Emergency
24 Assistance Act (42 U.S.C. 5170c).

1 COMPACT OF FREE ASSOCIATION

2 For economic assistance and necessary expenses for
3 the Federated States of Micronesia and the Republic of
4 the Marshall Islands as provided for in sections 122, 221,
5 223, 232, and 233 of the Compact of Free Association,
6 and for economic assistance and necessary expenses for
7 the Republic of Palau as provided for in sections 122, 221,
8 223, 232, and 233 of the Compact of Free Association,
9 \$20,545,000, to remain available until expended, as au-
10 thorized by Public Law 99–239 and Public Law 99–658.

11 DEPARTMENTAL MANAGEMENT

12 SALARIES AND EXPENSES

13 For necessary expenses for management of the De-
14 partment of the Interior, \$62,203,000, of which not to ex-
15 ceed \$8,500 may be for official reception and representa-
16 tion expenses and up to \$1,000,000 shall be available for
17 workers compensation payments and unemployment com-
18 pensation payments associated with the orderly closure of
19 the United States Bureau of Mines.

20 OFFICE OF THE SOLICITOR

21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of the Solicitor,
23 \$36,784,000.

1 OFFICE OF INSPECTOR GENERAL

2 SALARIES AND EXPENSES

3 OFFICE OF INSPECTOR GENERAL

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

6 OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

7 FEDERAL TRUST PROGRAMS

8 For operation of trust programs for Indians by direct
9 expenditure, contracts, cooperative agreements, compacts,
10 and grants, \$73,836,000, to remain available until ex-
11 pended: *Provided*, That funds for trust management im-
12 provements may be transferred to the Bureau of Indian
13 Affairs and Departmental Management: *Provided further*,
14 That funds made available to Tribes and Tribal organiza-
15 tions through contracts or grants obligated during fiscal
16 year 2000, as authorized by the Indian Self-Determination
17 Act of 1975 (25 U.S.C. 450 et seq.), shall remain available
18 until expended by the contractor or grantee: *Provided fur-*
19 *ther*, That notwithstanding any other provision of law, the
20 statute of limitations shall not commence to run on any
21 claim, including any claim in litigation pending on the date
22 of the enactment of this Act, concerning losses to or mis-
23 management of trust funds, until the affected tribe or in-
24 dividual Indian has been furnished with an accounting of
25 such funds from which the beneficiary can determine
26 whether there has been a loss: *Provided further*, That not-

1 withstanding any other provision of law, the Secretary
 2 shall not be required to provide a quarterly statement of
 3 performance for any Indian trust account that has not had
 4 activity for at least eighteen months and has a balance
 5 of \$1.00 or less: *Provided further*, That the Secretary shall
 6 issue an annual account statement and maintain a record
 7 of any such accounts and shall permit the balance in each
 8 such account to be withdrawn upon the express written
 9 request of the account holder.

10 INDIAN LAND CONSOLIDATION PILOT

11 For implementation of a pilot program for consolida-
 12 tion of fractional interests in Indian lands by direct ex-
 13 penditure or cooperative agreement, \$5,000,000 to remain
 14 available until expended, of which not to exceed \$500,000
 15 shall be available for administrative expenses: *Provided*,
 16 That the Secretary may enter into a cooperative agree-
 17 ment, which shall not be subject to Public Law 93-638,
 18 as amended, with a tribe having jurisdiction over the pilot
 19 reservation to implement the program to acquire fractional
 20 interests on behalf of such tribe: *Provided further*, That
 21 the Secretary may develop a reservation-wide system for
 22 establishing the fair market value of various types of lands
 23 and improvements to govern the amounts offered for ac-
 24 quisition of fractional interests: *Provided further*, That ac-
 25 quisitions shall be limited to one or more pilot reservations
 26 as determined by the Secretary: *Provided further*, That

17 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

S 1292 PCS

1 Public Law 101–337; \$4,621,000, to remain available
2 until expended.

3 ADMINISTRATIVE PROVISIONS

4 There is hereby authorized for acquisition from avail-
5 able resources within the Working Capital Fund, 15 air-
6 craft, 10 of which shall be for replacement and which may
7 be obtained by donation, purchase or through available ex-
8 cess surplus property: *Provided*, That notwithstanding any
9 other provision of law, existing aircraft being replaced may
10 be sold, with proceeds derived or trade-in value used to
11 offset the purchase price for the replacement aircraft: *Pro-*
12 *vided further*, That no programs funded with appropriated
13 funds in the “Departmental Management”, “Office of the
14 Solicitor”, and “Office of Inspector General” may be aug-
15 mented through the Working Capital Fund or the Consoli-
16 dated Working Fund.

17 GENERAL PROVISIONS, DEPARTMENT OF THE
18 INTERIOR

19 SEC. 101. Appropriations made in this title shall be
20 available for expenditure or transfer (within each bureau
21 or office), with the approval of the Secretary, for the emer-
22 gency reconstruction, replacement, or repair of aircraft,
23 buildings, utilities, or other facilities or equipment dam-
24 aged or destroyed by fire, flood, storm, or other unavoid-
25 able causes: *Provided*, That no funds shall be made avail-
26 able under this authority until funds specifically made

1 available to the Department of the Interior for emer-
2 gencies shall have been exhausted: *Provided further*, That
3 all funds used pursuant to this section are hereby des-
4 ignated by Congress to be “emergency requirements” pur-
5 suant to section 251(b)(2)(A) of the Balanced Budget and
6 Emergency Deficit Control Act of 1985, and must be re-
7 plenished by a supplemental appropriation which must be
8 requested as promptly as possible.

9 SEC. 102. The Secretary may authorize the expendi-
10 ture or transfer of any no year appropriation in this title,
11 in addition to the amounts included in the budget pro-
12 grams of the several agencies, for the suppression or emer-
13 gency prevention of forest or range fires on or threatening
14 lands under the jurisdiction of the Department of the Inte-
15 rior; for the emergency rehabilitation of burned-over lands
16 under its jurisdiction; for emergency actions related to po-
17 tential or actual earthquakes, floods, volcanoes, storms, or
18 other unavoidable causes; for contingency planning subse-
19 quent to actual oil spills; for response and natural resource
20 damage assessment activities related to actual oil spills;
21 for the prevention, suppression, and control of actual or
22 potential grasshopper and Mormon cricket outbreaks on
23 lands under the jurisdiction of the Secretary, pursuant to
24 the authority in section 1773(b) of Public Law 99–198
25 (99 Stat. 1658); for emergency reclamation projects under

1 section 410 of Public Law 95–87; and shall transfer, from
2 any no year funds available to the Office of Surface Min-
3 ing Reclamation and Enforcement, such funds as may be
4 necessary to permit assumption of regulatory authority in
5 the event a primacy State is not carrying out the regu-
6 latory provisions of the Surface Mining Act: *Provided*,
7 That appropriations made in this title for fire suppression
8 purposes shall be available for the payment of obligations
9 incurred during the preceding fiscal year, and for reim-
10 bursement to other Federal agencies for destruction of ve-
11 hicles, aircraft, or other equipment in connection with
12 their use for fire suppression purposes, such reimburse-
13 ment to be credited to appropriations currently available
14 at the time of receipt thereof: *Provided further*, That for
15 emergency rehabilitation and wildfire suppression activi-
16 ties, no funds shall be made available under this authority
17 until funds appropriated to “Wildland Fire Management”
18 shall have been exhausted: *Provided further*, That all funds
19 used pursuant to this section are hereby designated by
20 Congress to be “emergency requirements” pursuant to
21 section 251(b)(2)(A) of the Balanced Budget and Emer-
22 gency Deficit Control Act of 1985, and must be replen-
23 ished by a supplemental appropriation which must be re-
24 quested as promptly as possible: *Provided further*, That
25 such replenishment funds shall be used to reimburse, on

1 a pro rata basis, accounts from which emergency funds
2 were transferred.

3 SEC. 103. Appropriations made in this title shall be
4 available for operation of warehouses, garages, shops, and
5 similar facilities, wherever consolidation of activities will
6 contribute to efficiency or economy, and said appropria-
7 tions shall be reimbursed for services rendered to any
8 other activity in the same manner as authorized by sec-
9 tions 1535 and 1536 of title 31, United States Code: *Pro-*
10 *vided*, That reimbursements for costs and supplies, mate-
11 rials, equipment, and for services rendered may be cred-
12 ited to the appropriation current at the time such reim-
13 bursements are received.

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

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

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

9 SEC. 107. No funds provided in this title may be ex-
10 pended by the Department of the Interior for the conduct
11 of offshore leasing and related activities placed under re-
12 striction in the President’s moratorium statement of June
13 26, 1990, in the areas of northern, central, and southern
14 California; the North Atlantic; Washington and Oregon;
15 and the eastern Gulf of Mexico south of 26 degrees north
16 latitude and east of 86 degrees west longitude.

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

22 SEC. 109. No funds provided in this title may be ex-
23 pended by the Department of the Interior to conduct off-
24 shore oil and natural gas preleasing, leasing and related
25 activities in the eastern Gulf of Mexico planning area for

1 any lands located outside Sale 181, as identified in the
2 final Outer Continental Shelf 5-Year Oil and Gas Leasing
3 Program, 1997–2002.

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

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

17 (1) invested by the Indian tribe, tribal organiza-
18 tion, or consortium only in obligations of the United
19 States, or in obligations or securities that are guar-
20 anteed or insured by the United States, or mutual
21 (or other) funds registered with the Securities and
22 Exchange Commission and which only invest in obli-
23 gations of the United States or securities that are
24 guaranteed or insured by the United States; or

1 (2) deposited only into accounts that are in-
2 sured by an agency or instrumentality of the United
3 States, or are fully collateralized to ensure protec-
4 tion of the funds, even in the event of a bank failure.

5 SEC. 112. (a) Employees of Helium Operations, Bu-
6 reau of Land Management, entitled to severance pay
7 under 5 U.S.C. 5595, may apply for, and the Secretary
8 of the Interior may pay, the total amount of the severance
9 pay to the employee in a lump sum. Employees paid sever-
10 ance pay in a lump sum and subsequently reemployed by
11 the Federal Government shall be subject to the repayment
12 provisions of 5 U.S.C. 5595(i)(2) and (3), except that any
13 repayment shall be made to the Helium Fund.

14 (b) Helium Operations employees who elect to con-
15 tinue health benefits after separation shall be liable for
16 not more than the required employee contribution under
17 5 U.S.C. 8905a(d)(1)(A). The Helium Fund shall pay for
18 18 months the remaining portion of required contribu-
19 tions.

20 (c) The Secretary of the Interior may provide for
21 training to assist Helium Operations employees in the
22 transition to other Federal or private sector jobs during
23 the facility shut-down and disposition process and for up
24 to 12 months following separation from Federal employ-
25 ment, including retraining and relocation incentives on the

1 same terms and conditions as authorized for employees of
2 the Department of Defense in section 348 of the National
3 Defense Authorization Act for Fiscal Year 1995.

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

18 (e) Benefits under this section shall be paid from the
19 Helium Fund in accordance with section 4(c)(4) of the
20 Helium Privatization Act of 1996. Funds may be made
21 available to Helium Program employees who are or will
22 be separated before October 1, 2002 because of the ces-
23 sation of helium production and sales and other related
24 activities. Retraining benefits, including retraining and re-

1 location incentives, may be paid for retraining com-
2 mencing on or before September 30, 2002.

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

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

19 SEC. 114. Notwithstanding any other provisions of
20 law, the National Park Service shall not develop or imple-
21 ment a reduced entrance fee program to accommodate
22 non-local travel through a unit. The Secretary may provide
23 for and regulate local non-recreational passage through
24 units of the National Park System, allowing each unit to

1 develop guidelines and permits for such activity appro-
2 priate to that unit.

3 SEC. 115. Notwithstanding any other provision of
4 law, in fiscal year 2000 and thereafter, the Secretary is
5 authorized to permit persons, firms or organizations en-
6 gaged in commercial, cultural, educational, or recreational
7 activities (as defined in section 612a of title 40, United
8 States Code) not currently occupying such space to use
9 courtyards, auditoriums, meeting rooms, and other space
10 of the main and south Interior building complex, Wash-
11 ington, D.C., the maintenance, operation, and protection
12 of which has been delegated to the Secretary from the Ad-
13 ministrator of General Services pursuant to the Federal
14 Property and Administrative Services Act of 1949, and to
15 assess reasonable charges therefore, subject to such proce-
16 dures as the Secretary deems appropriate for such uses.
17 Charges may be for the space, utilities, maintenance, re-
18 pair, and other services. Charges for such space and serv-
19 ices may be at rates equivalent to the prevailing commer-
20 cial rate for comparable space and services devoted to a
21 similar purpose in the vicinity of the main and south Inte-
22 rior building complex, Washington, D.C. for which charges
23 are being assessed. The Secretary may without further ap-
24 propriation hold, administer, and use such proceeds within
25 the Departmental Management Working Capital Fund to

1 offset the operation of the buildings under his jurisdiction,
2 whether delegated or otherwise, and for related purposes,
3 until expended.

4 SEC. 116. (a) In this section—

5 (1) the term “Huron Cemetery” means the
6 lands that form the cemetery that is popularly
7 known as the Huron Cemetery, located in Kansas
8 City, Kansas, as described in subsection (b)(3); and

9 (2) the term “Secretary” means the Secretary
10 of the Interior.

11 (b)(1) The Secretary shall take such action as may
12 be necessary to ensure that the lands comprising the
13 Huron Cemetery (as described in paragraph (3)) are used
14 only in accordance with this subsection.

15 (2) The lands of the Huron Cemetery shall be used
16 only—

17 (A) for religious and cultural uses that are com-
18 patible with the use of the lands as a cemetery; and

19 (B) as a burial ground.

20 (3) The description of the lands of the Huron Ceme-
21 tery is as follows:

22 The tract of land in the NW quarter of sec. 10, T.
23 11 S., R. 25 E., of the sixth principal meridian, in Wyan-
24 dotte County, Kansas (as surveyed and marked on the

1 ground on August 15, 1888, by William Millor, Civil Engi-
2 neer and Surveyor), described as follows:

3 “Commencing on the Northwest corner of the
4 Northwest Quarter of the Northwest Quarter of said
5 Section 10;

6 “Thence South 28 poles to the ‘true point of
7 beginning’;

8 “Thence South 71 degrees East 10 poles and
9 18 links;

10 “Thence South 18 degrees and 30 minutes
11 West 28 poles;

12 “Thence West 11 and one-half poles;

13 “Thence North 19 degrees 15 minutes East 31
14 poles and 15 feet to the ‘true point of beginning’,
15 containing 2 acres or more.”.

16 SEC. 117. Grazing permits and leases which expire
17 or are transferred, in this or any fiscal year, shall be re-
18 newed under the same terms and conditions as contained
19 in the expiring permit or lease until such time as the Sec-
20 retary of the Interior completes the process of renewing
21 the permits or leases in compliance with all applicable
22 laws. Nothing in this language shall be deemed to affect
23 the Secretary’s statutory authority or the rights of the
24 permittee or lessee.

1 SEC. 118. Refunds or rebates received on an on-going
2 basis from a credit card services provider under the De-
3 partment of the Interior's charge card programs may be
4 deposited to and retained without fiscal year limitation in
5 the Departmental Working Capital Fund established
6 under 43 U.S.C. 1467 and used to fund management ini-
7 tiatives of general benefit to the Department of the Inte-
8 rior's bureaus and offices as determined by the Secretary
9 or his designee.

10 SEC. 119. Appropriations made in this title under the
11 headings Bureau of Indian Affairs and Office of Special
12 Trustee for American Indians and any available unobli-
13 gated balances from prior appropriations Acts made under
14 the same headings, shall be available for expenditure or
15 transfer for Indian trust management activities pursuant
16 to the Trust Management Improvement Project High
17 Level Implementation Plan.

18 SEC. 120. All properties administered by the National
19 Park Service at Fort Baker, Golden Gate National Recre-
20 ation Area, and leases, concessions, permits and other
21 agreements associated with those properties, shall be ex-
22 empt from all taxes and special assessments, except sales
23 tax, by the State of California and its political subdivi-
24 sions, including the County of Marin and the City of

1 Sausalito. Such areas of Fort Baker shall remain under
2 exclusive federal jurisdiction.

3 SEC. 121. Notwithstanding any provision of law, the
4 Secretary of the Interior is authorized to negotiate and
5 enter into agreements and leases, without regard to sec-
6 tion 321 of chapter 314 of the Act of June 30, 1932 (40
7 U.S.C. 303b), with any person, firm, association, organi-
8 zation, corporation, or governmental entity for all or part
9 of the property within Fort Baker administered by the
10 Secretary as part of Golden Gate National Recreation
11 Area. The proceeds of the agreements or leases shall be
12 retained by the Secretary and such proceeds shall be avail-
13 able, without future appropriation, for the preservation,
14 restoration, operation, maintenance and interpretation
15 and related expenses incurred with respect to Fort Baker
16 properties.

17 SEC. 122. None of the funds provided in this or any
18 other Act may be used for pre-design, design or engineer-
19 ing for the removal of the Elwha or Glines Canyon Dams,
20 or for the actual removal of either dam, until such time
21 as both dams are acquired by the Federal government not-
22 withstanding the proviso in section 3(a) of Public Law
23 102–495, as amended.

1 SEC. 123. (a) SHORT TITLE.—This section may be
2 cited as the “Battle of Midway National Memorial Study
3 Act”.

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

6 (1) September 2, 1997, marked the 52nd anni-
7 versary of the United States victory over Japan in
8 World War II.

9 (2) The Battle of Midway proved to be the
10 turning point in the war in the Pacific, as United
11 States Navy forces inflicted such severe losses on the
12 Imperial Japanese Navy during the battle that the
13 Imperial Japanese Navy never again took the offen-
14 sive against the United States or the allied forces.

15 (3) During the Battle of Midway on June 4,
16 1942, an outnumbered force of the United States
17 Navy, consisting of 29 ships and other units of the
18 Armed Forces under the command of Admiral Nim-
19 itz and Admiral Spruance, out-maneuvered and out-
20 fought 350 ships of the Imperial Japanese Navy.

21 (4) It is in the public interest to study whether
22 Midway Atoll should be established as a national
23 memorial to the Battle of Midway to express the en-
24 during gratitude of the American people for victory
25 in the battle and to inspire future generations of

1 Americans with the heroism and sacrifice of the
2 members of the Armed Forces who achieved that
3 victory.

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

6 (c) PURPOSE.—The purpose of this Act is to require
7 a study of the feasibility and suitability of designating the
8 Midway Atoll as a National Memorial to the Battle of Mid-
9 way within the boundaries of the Midway Atoll National
10 Wildlife Refuge. The study of the Midway Atoll and its
11 environs shall include, but not be limited to, identification
12 of interpretative opportunities for the educational and in-
13 spirational benefit of present and future generations, and
14 of the unique and significant circumstances involving the
15 defense of the island by the United States in World War
16 II and the Battle of Midway.

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

20 (1) IN GENERAL.—Not later than six months
21 after the date of enactment of this Act, the Sec-
22 retary of the Interior shall, acting through the Di-
23 rector of the National Park Service and in consulta-
24 tion with the Director of the United States Fish and
25 Wildlife Service, the International Midway Memorial

1 Foundation, Inc. (hereafter referred to as the
2 “Foundation”), and Midway Phoenix Corporation,
3 carry out a study of the suitability and feasibility of
4 establishing Midway Atoll as a national memorial to
5 the Battle of Midway.

6 (2) CONSIDERATIONS.—In studying the estab-
7 lishment of Midway Atoll as a national memorial to
8 the Battle of Midway under paragraph (1), the Sec-
9 retary shall address the following:

10 (A) The appropriate federal agency to
11 manage such a memorial, and whether and
12 under what conditions, to lease or otherwise
13 allow the Foundation or another appropriate
14 entity to administer, maintain, and fully utilize
15 the lands (including any equipment, facilities,
16 infrastructure, and other improvements) and
17 waters of Midway Atoll if designated as a na-
18 tional memorial.

19 (B) Whether designation as a national me-
20 morial would conflict with current management
21 of Midway Atoll as a wildlife refuge and wheth-
22 er, and under what circumstances, the needs
23 and requirements of the wildlife refuge should
24 take precedence over the needs and require-
25 ments of a national memorial on Midway Atoll.

1 (C) Whether, and under what conditions,
2 to permit the use of the facilities on Sand Is-
3 land for purposes other than a wildlife refuge or
4 a national memorial.

5 (D) Whether to impose conditions on pub-
6 lic access to Midway Atoll as a national memo-
7 rial.

8 (3) REPORT.—Upon completion of the study re-
9 quired under paragraph (1), the Secretary shall sub-
10 mit, to the Committee on Energy and Natural Re-
11 sources of the United States Senate and the Com-
12 mittee on Resources of the House of Representa-
13 tives, a report on the study, which shall include any
14 recommendations for further legislative action. The
15 report shall also include an inventory of all known
16 past and present facilities and structures of histor-
17 ical significance on Midway Atoll and its environs.
18 The report shall include a description of each his-
19 toric facility and structure and a discussion of how
20 each will contribute to the designation and interpre-
21 tation of the proposed national memorial.

22 (e) CONTINUING DISCUSSIONS.—Nothing in this Act
23 shall be construed to delay or prohibit discussions between
24 the Foundation and the United States Fish and Wildlife

1 Service or any other government entity regarding the fu-
2 ture role of the Foundation on Midway Atoll.

3 SEC. 124. Where any Federal lands included within
4 the boundary of Lake Roosevelt National Recreation Area
5 as designated by the Secretary of the Interior on April
6 5, 1990 (Lake Roosevelt Cooperative Management Agree-
7 ment) were utilized as of March 31, 1997, for grazing pur-
8 poses pursuant to a permit issued by the National Park
9 Service, the person or persons so utilizing such lands shall
10 be entitled to renew said permit under such terms and
11 conditions as the Secretary may prescribe, for the lifetime
12 of the permittee or 20 years, whichever is less.

13 SEC. 125. Notwithstanding any other provision of
14 law, the Secretary of the Interior is authorized to redis-
15 tribute any Tribal Priority Allocation funds, including
16 tribal base funds, to alleviate tribal funding inequities by
17 transferring funds on the basis of identified, unmet needs.
18 No tribe shall receive a reduction in Tribal Priority Alloca-
19 tion funds of more than ten percent in fiscal year 2000.

20 SEC. 126. None of the Funds provided in this Act
21 shall be available to the Bureau of Indian Affairs or the
22 Department of the Interior to transfer land into trust sta-
23 tus for the Shoalwater Bay Indian Tribe in Clark County,
24 Washington, unless and until the tribe and the county
25 reach a legally enforceable agreement that addresses the

1 financial impact of new development on the county, school
2 district, fire district, and other local governments and the
3 impact on zoning and development.

4 SEC. 127. None of the funds provided in this Act
5 shall be available to the Department of the Interior or
6 agencies of the Department of the Interior to implement
7 Secretarial Order 3206, issued June 5, 1997.

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

20 SEC. 129. Funds sufficient to cover the cost of prepa-
21 ration of an Environmental Impact Statement are hereby
22 redirected from the funds appropriated in the fiscal year
23 1999 Department of Interior Appropriations Bill, Bureau
24 of Indian Affairs, Safety of Dams Construction Account,
25 Weber Dam. These funds are directed to be used for com-

1 pletion of an environmental impact statement to facilitate
2 resolution of fish passage issues associated with the recon-
3 struction of the Weber Dam and Reservoir on the Walker
4 River Paiute Reservation in Nevada. The analysis shall
5 include, but not be limited to: (1) an evaluation of whether
6 any reservoir, and if so what capacity reservoir, is needed
7 to assure that the water rights of the Walker River Paiute
8 Tribe can be adequately served with surface water; (2) an
9 evaluation of the feasibility and cost of constructing a new
10 off stream reservoir as a replacement for Weber Reservoir;
11 (3) an evaluation of the feasibility and cost of converting
12 Weber Reservoir into an off stream reservoir; and (4) an
13 evaluation of the feasibility and cost of serving the water
14 rights of the Walker River Paiute Tribe with groundwater.
15 The BIA is directed to work through the Bureau of Rec-
16 lamation, either via contract or memorandum of under-
17 standing, to complete this environmental impact statement
18 within 18 months of enactment of this act. No contract
19 for construction or reconstruction of the Weber Dam shall
20 be awarded until such Environmental Impact Statement
21 is completed. In addition, \$125,000 of the funds appro-
22 priated in fiscal year 1999 to the Bureau of Indian Af-
23 fairs, Safety of Dams Construction Account, Weber Dam,
24 shall be directed to assist the Walker River Paiute Tribe
25 in exploring the feasibility of establishing a Tribal-oper-

1 ated Lahontan cutthroat trout hatchery on the Walker
 2 River, in recognition of the negative impacts on the tribe
 3 associated with delay in reconstruction of Weber Dam.

4 TITLE II—RELATED AGENCIES

5 DEPARTMENT OF AGRICULTURE

6 FOREST SERVICE

7 FOREST AND RANGELAND RESEARCH

8 For necessary expenses of forest and rangeland re-
 9 search as authorized by law, \$187,444,000, to remain
 10 available until expended.

11 STATE AND PRIVATE FORESTRY

12 For necessary expenses of cooperating with and pro-
 13 viding technical and financial assistance to States, terri-
 14 tories, possessions, and others, and for forest health man-
 15 agement, cooperative forestry, and education and land
 16 conservation activities, \$190,793,000, to remain available
 17 until expended, as authorized by law.

18 NATIONAL FOREST SYSTEM

19 For necessary expenses of the Forest Service, not
 20 otherwise provided for, for management, protection, im-
 21 provement, and utilization of the National Forest System,
 22 and for administrative expenses associated with the man-
 23 agement of funds provided under the headings “Forest
 24 and Rangeland Research”, “State and Private Forestry”,
 25 “National Forest System”, “Wildland Fire Management”,
 26 “Reconstruction and Construction”, and “Land Acquisi-

tion”, \$1,239,051,000, to remain available until expended,
 which shall include 50 percent of all moneys received dur-
 ing prior fiscal years as fees collected under the Land and
 Water Conservation Fund Act of 1965, as amended, in
 accordance with section 4 of the Act (16 U.S.C. 460l-
 6a(i)).

WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire presuppression
 activities on National Forest System lands, for emergency
 fire suppression on or adjacent to such lands or other
 lands under fire protection agreement, and for emergency
 rehabilitation of burned-over National Forest System
 lands and water, \$560,980,000, to remain available until
 expended: *Provided*, That such funds are available for re-
 payment of advances from other appropriations accounts
 previously transferred for such purposes: *Provided further*,
 That notwithstanding any other provision of law, up to
 \$4,000,000 of funds appropriated under this appropria-
 tion may be used for Fire Science Research in support
 of the Joint Fire Science Program: *Provided further*, That
 all authorities for the use of funds, including the use of
 contracts, grants, and cooperative agreements, available to
 execute the Forest Service and Rangeland Research ap-
 propriation, are also available in the utilization of these
 funds for Fire Science Research.

1 For an additional amount to cover necessary expenses
2 for emergency rehabilitation, presuppression due to emer-
3 gencies, and wildfire suppression activities of the Forest
4 Service, \$90,000,000, to remain available until expended:
5 *Provided*, That the entire amount is designated by Con-
6 gress as an emergency requirement pursuant to section
7 251(b)(2)(A) of the Balanced Budget and Emergency
8 Deficit Control Act of 1985, as amended: *Provided further*,
9 That these funds shall be available only to the extent an
10 official budget request for a specific dollar amount, that
11 includes designation of the entire amount of the request
12 as an emergency requirement as defined in the Balanced
13 Budget and Emergency Deficit Control Act of 1985, as
14 amended, is transmitted by the President to the Congress.

15 RECONSTRUCTION AND MAINTENANCE

16 For necessary expenses of the Forest Service, not
17 otherwise provided for, \$362,095,000, to remain available
18 until expended for construction, reconstruction, mainte-
19 nance and acquisition of buildings and other facilities, and
20 for construction, reconstruction, repair and maintenance
21 of forest roads and trails by the Forest Service as author-
22 ized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205:
23 *Provided*, That up to \$15,000,000 of the funds provided
24 herein for road maintenance shall be available for the de-
25 commissioning of roads, including unauthorized roads not
26 part of the transportation system, which are no longer

1 needed: *Provided further*, That no funds shall be expended
 2 to decommission any system road until notice and an op-
 3 portunity for public comment has been provided on each
 4 decommissioning project: *Provided further*, That any unex-
 5 pended balances of amounts previously appropriated for
 6 Forest Service Reconstruction and Construction as well as
 7 any unobligated balances remaining in the National For-
 8 est System appropriation in the facility maintenance and
 9 trail maintenance extended budget line items at the end
 10 of fiscal year 1999 may be transferred to and made a part
 11 of this appropriation.

12 LAND ACQUISITION

13 For expenses necessary to carry out the provisions
 14 of the Land and Water Conservation Fund Act of 1965,
 15 as amended (16 U.S.C. 460l–4 through 11), including ad-
 16 ministrative expenses, and for acquisition of land or wa-
 17 ters, or interest therein, in accordance with statutory au-
 18 thority applicable to the Forest Service, \$37,170,000, to
 19 be derived from the Land and Water Conservation Fund,
 20 to remain available until expended: *Provided*, That subject
 21 to valid existing rights, all Federally owned lands and in-
 22 terests in lands within the New World Mining District
 23 comprising approximately 26,223 acres, more or less,
 24 which are described in a Federal Register notice dated Au-
 25 gust 19, 1997 (62 F.R. 44136–44137), are hereby with-
 26 drawn from all forms of entry, appropriation, and disposal

1 under the public land laws, and from location, entry and
 2 patent under the mining laws, and from disposition under
 3 all mineral and geothermal leasing laws.

4 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
 5 ACTS

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

12 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

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

19 RANGE BETTERMENT FUND

20 For necessary expenses of range rehabilitation, pro-
 21 tection, and improvement, 50 percent of all moneys re-
 22 ceived during the prior fiscal year, as fees for grazing do-
 23 mestic livestock on lands in National Forests in the six-
 24 teen Western States, pursuant to section 401(b)(1) of
 25 Public Law 94–579, as amended, to remain available until
 26 expended, of which not to exceed 6 percent shall be avail-

1 able for administrative expenses associated with on-the-
2 ground range rehabilitation, protection, and improve-
3 ments.

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 110 passenger motor vehicles of which 15 will be
13 used primarily for law enforcement purposes and of which
14 109 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 three for replacement only, and acquisi-
18 tion of sufficient aircraft from excess sources to maintain
19 the operable fleet at 213 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
26 5 U.S.C. 3109; (3) purchase, erection, and alteration of

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

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

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

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

1 resource activities outside the United States and its terri-
2 tories and possessions, including technical assistance, edu-
3 cation and training, and cooperation with United States
4 and international organizations.

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

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

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

22 Funds available to the Forest Service shall be avail-
23 able to conduct a program of not less than \$1,000,000
24 for high priority projects within the scope of the approved
25 budget which shall be carried out by the Youth Conserva-

tion Corps as authorized by the Act of August 13, 1970,
as amended by Public Law 93–408.

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

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

Pursuant to sections 405(b) and 410(b) of Public
Law 101–593, of the funds available to the Forest Service,
up to \$2,250,000 may be advanced in a lump sum as Fed-
eral financial assistance to the National Forest Founda-
tion, without regard to when the Foundation incurs ex-
penses, for administrative expenses or projects on or bene-
fitting National Forest System lands or related to Forest
Service programs: *Provided*, That of the Federal funds
made available to the Foundation, no more than \$400,000
shall be available for administrative expenses: *Provided*
further, That the Foundation shall obtain, by the end of
the period of Federal financial assistance, private con-
tributions to match on at least one-for-one basis funds
made available by the Forest Service: *Provided further*,

1 That the Foundation may transfer Federal funds to a
2 non-Federal recipient for a project at the same rate that
3 the recipient has obtained the non-Federal matching
4 funds: *Provided further*, That hereafter, the National For-
5 est Foundation may hold Federal funds made available
6 but not immediately disbursed and may use any interest
7 or other investment income earned (before, on, or after
8 the date of enactment of this Act) on Federal funds to
9 carry out the purposes of Public Law 101–593: *Provided*
10 *further*, That such investments may be made only in inter-
11 est-bearing obligations of the United States or in obliga-
12 tions guaranteed as to both principal and interest by the
13 United States.

14 Pursuant to section 2(b)(2) of Public Law 98–244,
15 up to \$2,650,000 of the funds available to the Forest
16 Service shall be available for matching funds to the Na-
17 tional Fish and Wildlife Foundation, as authorized by 16
18 U.S.C. 3701–3709, and may be advanced in a lump sum
19 as Federal financial assistance, without regard to when
20 expenses are incurred, for projects on or benefitting Na-
21 tional Forest System lands or related to Forest Service
22 programs: *Provided*, That the Foundation shall obtain, by
23 the end of the period of Federal financial assistance, pri-
24 vate contributions to match on at least one-for-one basis
25 funds advanced by the Forest Service: *Provided further*,

1 That the Foundation may transfer Federal funds to a
2 non-Federal recipient for a project at the same rate that
3 the recipient has obtained the non-Federal matching
4 funds.

5 Funds appropriated to the Forest Service shall be
6 available for interactions with and providing technical as-
7 sistance to rural communities for sustainable rural devel-
8 opment purposes.

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

23 Funds appropriated to the Forest Service shall be
24 available for payments to counties within the Columbia
25 River Gorge National Scenic Area, pursuant to sections

1 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–
2 663.

3 The Secretary of Agriculture is authorized to enter
4 into grants, contracts, and cooperative agreements as ap-
5 propriate with the Pinchot Institute for Conservation, as
6 well as with public and other private agencies, organiza-
7 tions, institutions, and individuals, to provide for the de-
8 velopment, administration, maintenance, or restoration of
9 land, facilities, or Forest Service programs, at the Grey
10 Towers National Historic Landmark: *Provided*, That, sub-
11 ject to such terms and conditions as the Secretary of Agri-
12 culture may prescribe, any such public or private agency,
13 organization, institution, or individual may solicit, accept,
14 and administer private gifts of money and real or personal
15 property for the benefit of, or in connection with, the ac-
16 tivities and services at the Grey Towers National Historic
17 Landmark: *Provided further*, That such gifts may be ac-
18 cepted notwithstanding the fact that a donor conducts
19 business with the Department of Agriculture in any capac-
20 ity.

21 Funds appropriated to the Forest Service shall be
22 available, as determined by the Secretary, for payments
23 to Del Norte County, California, pursuant to sections
24 13(e) and 14 of the Smith River National Recreation Area
25 Act (Public Law 101–612).

1 For purposes of the Southeast Alaska Economic Dis-
2 aster Fund as set forth in section 101(c) of Public Law
3 104–134, the direct grants provided in subsection (c) shall
4 be considered direct payments for purposes of all applica-
5 ble law except that these direct grants may not be used
6 for lobbying activities.

7 No employee of the Department of Agriculture may
8 be detailed or assigned from an agency or office funded
9 by this Act to any other agency or office of the Depart-
10 ment for more than 30 days unless the individual’s em-
11 ploying agency or office is fully reimbursed by the receiv-
12 ing agency or office for the salary and expenses of the
13 employee for the period of assignment.

14 The Forest Service shall fund overhead, national
15 commitments, indirect expenses, and any other category
16 for use of funds which are expended at any units, that
17 are not directly related to the accomplishment of specific
18 work on-the-ground (referred to as “indirect expendi-
19 tures”), from funds available to the Forest Service, unless
20 otherwise prohibited by law: *Provided*, That the Forest
21 Service shall implement and adhere to the definitions of
22 indirect expenditures established pursuant to Public Law
23 105–277 on a nationwide basis without flexibility for
24 modification by any organizational level except the Wash-
25 ington Office, and when changed by the Washington Of-

1 fice, such changes in definition shall be reported in budget
2 requests submitted by the Forest Service: *Provided fur-*
3 *ther*, That the Forest Service shall provide in all future
4 budget justifications, planned indirect expenditures in ac-
5 cordance with the definitions, summarized and displayed
6 to the Regional, Station, Area, and detached unit office
7 level. The justification shall display the estimated source
8 and amount of indirect expenditures, by expanded budget
9 line item, of funds in the agency's annual budget justifica-
10 tion. The display shall include appropriated funds and the
11 Knutson-Vandenberg, Brush Disposal, Cooperative Work-
12 Other, and Salvage Sale funds. Changes between esti-
13 mated and actual indirect expenditures shall be reported
14 in subsequent budget justifications: *Provided further*, That
15 during fiscal year 2000 the Secretary shall limit total an-
16 nual indirect obligations from the Brush Disposal, Cooper-
17 ative Work-Other, Knutson-Vandenberg, Reforestation,
18 Salvage Sale, and Roads and Trails funds to 20 percent
19 of the total obligations from each fund.

20 Notwithstanding any other provision of law, any appro-
21 priations or funds available to the Forest Service may be
22 used to reimburse the Office of the General Counsel
23 (OGC), Department of Agriculture, for travel and related
24 expenses incurred as a result of OGC assistance or partici-
25 pation requested by the Forest Service at meetings, train-

1 ing sessions, management reviews, land purchase negotia-
 2 tions and similar non-litigation related matters: *Provided*,
 3 That no more than \$500,000 is transferred: *Provided fur-*
 4 *ther*, That future budget justifications for both the Forest
 5 Service and the Department of Agriculture clearly display
 6 the sums previously transferred and request future fund-
 7 ing levels.

8 Any appropriations or funds available to the Forest
 9 Service may be used for necessary expenses in the event
 10 of law enforcement emergencies as necessary to protect
 11 natural resources and public or employee safety.

12 Of any funds available to Region 10 of the Forest
 13 Service, exclusive of funds for timber sales management
 14 or road reconstruction/construction, \$7,000,000 shall be
 15 used in fiscal year 2000 to support implementation of the
 16 recent amendments to the Pacific Salmon Treaty with
 17 Canada which require fisheries enhancements on the
 18 Tongass National Forest.

19 DEPARTMENT OF ENERGY

20 CLEAN COAL TECHNOLOGY

21 (DEFERRAL)

22 Of the funds made available under this heading for
 23 obligation in prior years, \$156,000,000 shall not be avail-
 24 able until October 1, 2000: *Provided*, That funds made
 25 available in previous appropriations Acts shall be available

- 1 for any ongoing project regardless of the separate request
- 2 for proposal under which the project was selected.

3 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

4 For necessary expenses in carrying out fossil energy
5 research and development activities, under the authority
6 of the Department of Energy Organization Act (Public
7 Law 95–91), including the acquisition of interest, includ-
8 ing defeasible and equitable interests in any real property
9 or any facility or for plant or facility acquisition or expan-
10 sion, and for conducting inquiries, technological investiga-
11 tions and research concerning the extraction, processing,
12 use, and disposal of mineral substances without objection-
13 able social and environmental costs (30 U.S.C. 3, 1602,
14 and 1603), performed under the minerals and materials
15 science programs at the Albany Research Center in Or-
16 egon, \$390,975,000, to remain available until expended,
17 of which \$24,000,000 shall be derived by transfer from
18 unobligated balances in the Biomass Energy Development
19 account: *Provided*, That no part of the sum herein made
20 available shall be used for the field testing of nuclear ex-
21 plosives in the recovery of oil and gas.

22 ALTERNATIVE FUELS PRODUCTION

23 (INCLUDING TRANSFER OF FUNDS)

24 Moneys received as investment income on the prin-
25 cipal amount in the Great Plains Project Trust at the

1 Norwest Bank of North Dakota, in such sums as are
 2 earned as of October 1, 1999, shall be deposited in this
 3 account and immediately transferred to the general fund
 4 of the Treasury. Moneys received as revenue sharing from
 5 operation of the Great Plains Gasification Plant and set-
 6 tlement payments shall be immediately transferred to the
 7 general fund of the Treasury.

8 NAVAL PETROLEUM AND OIL SHALE RESERVES

9 The requirements of 10 U.S.C. 7430(b)(2)(B) shall
 10 not apply to fiscal year 2000: *Provided*, That, notwith-
 11 standing any other provision of law, unobligated funds re-
 12 maining from prior years shall be available for all naval
 13 petroleum and oil shale reserve activities.

14 ENERGY CONSERVATION

15 For necessary expenses in carrying out energy con-
 16 servation activities, \$682,817,000, to remain available
 17 until expended, of which \$25,000,000 shall be derived by
 18 transfer from unobligated balances in the Biomass Energy
 19 Development account: *Provided*, That \$166,000,000 shall
 20 be for use in energy conservation programs as defined in
 21 section 3008(3) of Public Law 99-509 (15 U.S.C. 4507):
 22 *Provided further*, That notwithstanding section 3003(d)(2)
 23 of Public Law 99-509, such sums shall be allocated to
 24 the eligible programs as follows: \$133,000,000 for weath-

1 erization assistance grants and \$33,000,000 for State en-
2 ergy conservation grants.

3 ECONOMIC REGULATION

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

7 STRATEGIC PETROLEUM RESERVE

8 For necessary expenses for Strategic Petroleum Re-
9 serve facility development and operations and program
10 management activities pursuant to the Energy Policy and
11 Conservation Act of 1975, as amended (42 U.S.C. 6201
12 et seq.), \$159,000,000, to remain available until expended:
13 *Provided*, That the Secretary of Energy hereafter may
14 transfer to the SPR Petroleum Account such funds as may
15 be necessary to carry out drawdown and sale operations
16 of the Strategic Petroleum Reserve initiated under section
17 161 of the Energy Policy and Conservation Act (42 U.S.C.
18 6241) from any funds available to the Department of En-
19 ergy under this Act or previous appropriations Acts. All
20 funds transferred pursuant to this authority must be re-
21 plenished as promptly as possible from oil sale receipts
22 pursuant to the drawdown and sale.

1 ENERGY INFORMATION ADMINISTRATION

2 For necessary expenses in carrying out the activities
3 of the Energy Information Administration, \$70,500,000,
4 to remain available until expended.

5 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

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

21 The Secretary is authorized to accept lands, build-
22 ings, equipment, and other contributions from public and
23 private sources and to prosecute projects in cooperation
24 with other agencies, Federal, State, private or foreign:
25 *Provided*, That revenues and other moneys received by or
26 for the account of the Department of Energy or otherwise

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

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

24 In addition to other authorities set forth in this Act,
25 the Secretary may accept fees and contributions from pub-

1 lie and private sources, to be deposited in a contributed
 2 funds account, and prosecute projects using such fees and
 3 contributions in cooperation with other Federal, State or
 4 private agencies or concerns.

5 DEPARTMENT OF HEALTH AND HUMAN
 6 SERVICES

7 INDIAN HEALTH SERVICE

8 INDIAN HEALTH SERVICES

9 For expenses necessary to carry out the Act of Au-
 10 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
 11 tion Act, the Indian Health Care Improvement Act, and
 12 titles II and III of the Public Health Service Act with re-
 13 spect to the Indian Health Service, \$2,135,561,000, to-
 14 gether with payments received during the fiscal year pur-
 15 suant to 42 U.S.C. 238(b) for services furnished by the
 16 Indian Health Service: *Provided*, That funds made avail-
 17 able to tribes and tribal organizations through contracts,
 18 grant agreements, or any other agreements or compacts
 19 authorized by the Indian Self-Determination and Edu-
 20 cation Assistance Act of 1975 (25 U.S.C. 450), shall be
 21 deemed to be obligated at the time of the grant or contract
 22 award and thereafter shall remain available to the tribe
 23 or tribal organization without fiscal year limitation: *Pro-*
 24 *vided further*, That \$12,000,000 shall remain available
 25 until expended, for the Indian Catastrophic Health Emer-

1 gency Fund: *Provided further*, That \$384,442,000 for con-
2 tract medical care shall remain available for obligation
3 until September 30, 2001: *Provided further*, That of the
4 funds provided, up to \$17,000,000 shall be used to carry
5 out the loan repayment program under section 108 of the
6 Indian Health Care Improvement Act: *Provided further*,
7 That funds provided in this Act may be used for one-year
8 contracts and grants which are to be performed in two
9 fiscal years, so long as the total obligation is recorded in
10 the year for which the funds are appropriated: *Provided*
11 *further*, That the amounts collected by the Secretary of
12 Health and Human Services under the authority of title
13 IV of the Indian Health Care Improvement Act shall re-
14 main available until expended for the purpose of achieving
15 compliance with the applicable conditions and require-
16 ments of titles XVIII and XIX of the Social Security Act
17 (exclusive of planning, design, or construction of new fa-
18 cilities): *Provided further*, That funding contained herein,
19 and in any earlier appropriations Acts for scholarship pro-
20 grams under the Indian Health Care Improvement Act
21 (25 U.S.C. 1613) shall remain available for obligation
22 until September 30, 2001: *Provided further*, That amounts
23 received by tribes and tribal organizations under title IV
24 of the Indian Health Care Improvement Act shall be re-
25 ported and accounted for and available to the receiving

1 tribes and tribal organizations until expended: *Provided*
 2 *further*, That, notwithstanding any other provision of law,
 3 of the amounts provided herein, not to exceed
 4 \$203,781,000 shall be for payments to tribes and tribal
 5 organizations for contract or grant support costs associ-
 6 ated with contracts, grants, self-governance compacts or
 7 annual funding agreements between the Indian Health
 8 Service and a tribe or tribal organization pursuant to the
 9 Indian Self-Determination Act of 1975, as amended, prior
 10 to or during fiscal year 2000.

11 INDIAN HEALTH FACILITIES

12 For construction, repair, maintenance, improvement,
 13 and equipment of health and related auxiliary facilities,
 14 including quarters for personnel; preparation of plans,
 15 specifications, and drawings; acquisition of sites, purchase
 16 and erection of modular buildings, and purchases of trail-
 17 ers; and for provision of domestic and community sanita-
 18 tion facilities for Indians, as authorized by section 7 of
 19 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
 20 Self-Determination Act, and the Indian Health Care Im-
 21 provement Act, and for expenses necessary to carry out
 22 such Acts and titles II and III of the Public Health Serv-
 23 ice Act with respect to environmental health and facilities
 24 support activities of the Indian Health Service,
 25 \$189,252,000, to remain available until expended: *Pro-*
 26 *vided*, That notwithstanding any other provision of law,

1 funds appropriated for the planning, design, construction
2 or renovation of health facilities for the benefit of an In-
3 dian tribe or tribes may be used to purchase land for sites
4 to construct, improve, or enlarge health or related facili-
5 ties.

6 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

7 Appropriations in this Act to the Indian Health Serv-
8 ice shall be available for services as authorized by 5 U.S.C.
9 3109 but at rates not to exceed the per diem rate equiva-
10 lent to the maximum rate payable for senior-level positions
11 under 5 U.S.C. 5376; hire of passenger motor vehicles and
12 aircraft; purchase of medical equipment; purchase of re-
13 prints; purchase, renovation and erection of modular
14 buildings and renovation of existing facilities; payments
15 for telephone service in private residences in the field,
16 when authorized under regulations approved by the Sec-
17 retary; and for uniforms or allowances therefore as au-
18 thorized by 5 U.S.C. 5901–5902; and for expenses of at-
19 tendance at meetings which are concerned with the func-
20 tions or activities for which the appropriation is made or
21 which will contribute to improved conduct, supervision, or
22 management of those functions or activities: *Provided*,
23 That in accordance with the provisions of the Indian
24 Health Care Improvement Act, non-Indian patients may
25 be extended health care at all tribally administered or In-

1 dian Health Service facilities, subject to charges, and the
2 proceeds along with funds recovered under the Federal
3 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
4 be credited to the account of the facility providing the
5 service and shall be available without fiscal year limitation:
6 *Provided further*, That notwithstanding any other law or
7 regulation, funds transferred from the Department of
8 Housing and Urban Development to the Indian Health
9 Service shall be administered under Public Law 86–121
10 (the Indian Sanitation Facilities Act) and Public Law 93–
11 638, as amended: *Provided further*, That funds appro-
12 priated to the Indian Health Service in this Act, except
13 those used for administrative and program direction pur-
14 poses, shall not be subject to limitations directed at cur-
15 tailing Federal travel and transportation: *Provided further*,
16 That notwithstanding any other provision of law, funds
17 previously or herein made available to a tribe or tribal or-
18 ganization through a contract, grant, or agreement au-
19 thorized by title I or title III of the Indian Self-Determina-
20 tion and Education Assistance Act of 1975 (25 U.S.C.
21 450), may be deobligated and reobligated to a self-deter-
22 mination contract under title I, or a self-governance agree-
23 ment under title III of such Act and thereafter shall re-
24 main available to the tribe or tribal organization without
25 fiscal year limitation: *Provided further*, That none of the

1 funds made available to the Indian Health Service in this
2 Act shall be used to implement the final rule published
3 in the Federal Register on September 16, 1987, by the
4 Department of Health and Human Services, relating to
5 the eligibility for the health care services of the Indian
6 Health Service until the Indian Health Service has sub-
7 mitted a budget request reflecting the increased costs as-
8 sociated with the proposed final rule, and such request has
9 been included in an appropriations Act and enacted into
10 law: *Provided further*, That funds made available in this
11 Act are to be apportioned to the Indian Health Service
12 as appropriated in this Act, and accounted for in the ap-
13 propriation structure set forth in this Act: *Provided fur-*
14 *ther*, That with respect to functions transferred by the In-
15 dian Health Service to tribes or tribal organizations, the
16 Indian Health Service is authorized to provide goods and
17 services to those entities, on a reimbursable basis, includ-
18 ing payment in advance with subsequent adjustment, and
19 the reimbursements received therefrom, along with the
20 funds received from those entities pursuant to the Indian
21 Self-Determination Act, may be credited to the same or
22 subsequent appropriation account which provided the
23 funding, said amounts to remain available until expended:
24 *Provided further*, That reimbursements for training, tech-
25 nical assistance, or services provided by the Indian Health

1 Service will contain total costs, including direct, adminis-
 2 trative, and overhead associated with the provision of
 3 goods, services, or technical assistance: *Provided further*,
 4 That the appropriation structure for the Indian Health
 5 Service may not be altered without advance approval of
 6 the House and Senate Committees on Appropriations.

7 OTHER RELATED AGENCIES

8 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of Navajo and
 11 Hopi Indian Relocation as authorized by Public Law 93–
 12 531, \$8,000,000, to remain available until expended: *Pro-*
 13 *vided*, That funds provided in this or any other appropria-
 14 tions Act are to be used to relocate eligible individuals and
 15 groups including evictees from District 6, Hopi-partitioned
 16 lands residents, those in significantly substandard hous-
 17 ing, and all others certified as eligible and not included
 18 in the preceding categories: *Provided further*, That none
 19 of the funds contained in this or any other Act may be
 20 used by the Office of Navajo and Hopi Indian Relocation
 21 to evict any single Navajo or Navajo family who, as of
 22 November 30, 1985, was physically domiciled on the lands
 23 partitioned to the Hopi Tribe unless a new or replacement
 24 home is provided for such household: *Provided further*,
 25 That no relocatee will be provided with more than one new

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

7 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
 8 CULTURE AND ARTS DEVELOPMENT
 9 PAYMENT TO THE INSTITUTE

10 For payment to the Institute of American Indian and
 11 Alaska Native Culture and Arts Development, as author-
 12 ized by title XV of Public Law 99-498, as amended (20
 13 U.S.C. 56 part A), \$4,250,000.

14 SMITHSONIAN INSTITUTION
 15 SALARIES AND EXPENSES

16 For necessary expenses of the Smithsonian Institu-
 17 tion, as authorized by law, including research in the fields
 18 of art, science, and history; development, preservation, and
 19 documentation of the National Collections; presentation of
 20 public exhibits and performances; collection, preparation,
 21 dissemination, and exchange of information and publica-
 22 tions; conduct of education, training, and museum assist-
 23 ance programs; maintenance, alteration, operation, lease
 24 (for terms not to exceed 30 years), and protection of build-
 25 ings, facilities, and approaches; not to exceed \$100,000

1 for services as authorized by 5 U.S.C. 3109; up to 5 re-
 2 placement passenger vehicles; purchase, rental, repair, and
 3 cleaning of uniforms for employees; \$364,562,000, of
 4 which not to exceed \$40,704,000 for the instrumentation
 5 program, collections acquisition, Museum Support Center
 6 equipment and move, exhibition reinstallation, the Na-
 7 tional Museum of the American Indian, the repatriation
 8 of skeletal remains program, research equipment, informa-
 9 tion management, and Latino programming shall remain
 10 available until expended, and including such funds as may
 11 be necessary to support American overseas research cen-
 12 ters and a total of \$125,000 for the Council of American
 13 Overseas Research Centers: *Provided*, That funds appro-
 14 priated herein are available for advance payments to inde-
 15 pendent contractors performing research services or par-
 16 ticipating in official Smithsonian presentations.

17 CONSTRUCTION AND IMPROVEMENTS, NATIONAL
 18 ZOOLOGICAL PARK

19 For necessary expenses of planning, construction, re-
 20 modeling, and equipping of buildings and facilities at the
 21 National Zoological Park, by contract or otherwise,
 22 \$4,400,000, to remain available until expended.

23 REPAIR AND RESTORATION OF BUILDINGS

24 For necessary expenses of repair and restoration of
 25 buildings owned or occupied by the Smithsonian Institu-
 26 tion, by contract or otherwise, as authorized by section

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

9 CONSTRUCTION

10 For necessary expenses for construction,
 11 \$19,000,000, to remain available until expended.

12 ADMINISTRATIVE PROVISIONS, SMITHSONIAN

13 INSTITUTION

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

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

22 NATIONAL GALLERY OF ART

23 SALARIES AND EXPENSES

24 For the upkeep and operations of the National Gal-
 25 lery of Art, the protection and care of the works of art
 26 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, \$61,438,000, of which not to exceed \$3,026,000 for
21 the special exhibition program shall remain available until
22 expended.

23 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

24 For necessary expenses of repair, restoration and
25 renovation of buildings, grounds and facilities owned or
26 occupied by the National Gallery of Art, by contract or

1 otherwise, as authorized, \$6,311,000, to remain available
 2 until expended: *Provided*, That contracts awarded for envi-
 3 ronmental systems, protection systems, and exterior repair
 4 or renovation of buildings of the National Gallery of Art
 5 may be negotiated with selected contractors and awarded
 6 on the basis of contractor qualifications as well as price.

7 JOHN F. KENNEDY CENTER FOR THE PERFORMING
 8 ARTS

9 OPERATIONS AND MAINTENANCE

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

13 CONSTRUCTION

14 For necessary expenses for capital repair and reha-
 15 bilitation of the existing features of the building and site
 16 of the John F. Kennedy Center for the Performing Arts,
 17 \$20,000,000, to remain available until expended.

18 WOODROW WILSON INTERNATIONAL CENTER FOR
 19 SCHOLARS

20 SALARIES AND EXPENSES

21 For expenses necessary in carrying out the provisions
 22 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
 23 1356) including hire of passenger vehicles and services as
 24 authorized by 5 U.S.C. 3109, \$6,040,000.

14 MATCHING GRANTS

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1 NATIONAL ENDOWMENT FOR THE HUMANITIES

2 GRANTS AND ADMINISTRATION

3 For necessary expenses to carry out the National
4 Foundation on the Arts and the Humanities Act of 1965,
5 as amended, \$97,550,000, shall be available to the Na-
6 tional Endowment for the Humanities for support of ac-
7 tivities in the humanities, pursuant to section 7(c) of the
8 Act, and for administering the functions of the Act, to
9 remain available until expended.

10 MATCHING GRANTS

11 To carry out the provisions of section 10(a)(2) of the
12 National Foundation on the Arts and the Humanities Act
13 of 1965, as amended, \$14,150,000, to remain available
14 until expended, of which \$10,150,000 shall be available
15 to the National Endowment for the Humanities for the
16 purposes of section 7(h): *Provided*, That this appropria-
17 tion shall be available for obligation only in such amounts
18 as may be equal to the total amounts of gifts, bequests,
19 and devises of money, and other property accepted by the
20 chairman or by grantees of the Endowment under the pro-
21 visions of subsections 11(a)(2)(B) and 11(a)(3)(B) during
22 the current and preceding fiscal years for which equal
23 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, \$23,905,000, 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), \$1,078,000:
22 *Provided*, That beginning in fiscal year 2000 and there-
23 after, the Commission is authorized to charge fees to cover
24 the full costs of its publications, and such fees shall be
25 credited to this account as an offsetting collection, to re-

1 main available until expended without further appropria-
 2 tion.

3 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

4 For necessary expenses as authorized by Public Law
 5 99–190 (20 U.S.C. 956(a)), as amended, \$7,000,000.

6 ADVISORY COUNCIL ON HISTORIC PRESERVATION

7 SALARIES AND EXPENSES

8 For necessary expenses of the Advisory Council on
 9 Historic Preservation (Public Law 89–665, as amended),
 10 \$2,906,000: *Provided*, That none of these funds shall be
 11 available for compensation of level V of the Executive
 12 Schedule or higher positions.

13 NATIONAL CAPITAL PLANNING COMMISSION

14 SALARIES AND EXPENSES

15 For necessary expenses, as authorized by the Na-
 16 tional Capital Planning Act of 1952 (40 U.S.C. 71–71i),
 17 including services as authorized by 5 U.S.C. 3109,
 18 \$6,312,000: *Provided*, That all appointed members will be
 19 compensated at a rate not to exceed the rate for level IV
 20 of the Executive Schedule.

21 UNITED STATES HOLOCAUST MEMORIAL COUNCIL

22 HOLOCAUST MEMORIAL COUNCIL

23 For expenses of the Holocaust Memorial Council, as
 24 authorized by Public Law 96–388 (36 U.S.C. 1401), as
 25 amended, \$33,286,000, of which \$1,575,000 for the muse-

1 um's repair and rehabilitation program and \$1,264,000
 2 for the museum's exhibitions program shall remain avail-
 3 able until expended.

4 PRESIDIO TRUST

5 PRESIDIO TRUST FUND

6 For necessary expenses to carry out title I of the Om-
 7 nibus Parks and Public Lands Management Act of 1996,
 8 \$24,400,000 shall be available to the Presidio Trust, to
 9 remain available until expended, of which up to
 10 \$1,040,000 may be for the cost of guaranteed loans, as
 11 authorized by section 104(d) of the Act: *Provided*, That
 12 such costs, including the cost of modifying such loans,
 13 shall be as defined in section 502 of the Congressional
 14 Budget Act of 1974: *Provided further*, That these funds
 15 are available to subsidize total loan principal, any part of
 16 which is to be guaranteed, not to exceed \$200,000,000.
 17 The Trust is authorized to issue obligations to the Sec-
 18 retary of the Treasury pursuant to section 104(d)(3) of
 19 the Act, in an amount not to exceed \$20,000,000.

20 TITLE III—GENERAL PROVISIONS

21 SEC. 301. The expenditure of any appropriation
 22 under this Act for any consulting service through procure-
 23 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
 24 to those contracts where such expenditures are a matter
 25 of public record and available for public inspection, except

1 where otherwise provided under existing law, or under ex-
2 isting Executive Order issued pursuant to existing law.

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

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

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

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

24 SEC. 306. No assessments may be levied against any
25 program, budget activity, subactivity, or project funded by

1 this Act unless advance notice of such assessments and
2 the basis therefor are presented to the Committees on Ap-
3 propriations and are approved by such Committees.

4 SEC. 307. (a) COMPLIANCE WITH BUY AMERICAN
5 ACT.—None of the funds made available in this Act may
6 be expended by an entity unless the entity agrees that in
7 expending the funds the entity will comply with sections
8 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–
9 10c; popularly known as the “Buy American Act”).

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

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

20 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—
21 In providing financial assistance using funds made
22 available in this Act, the head of each Federal agen-
23 cy shall provide to each recipient of the assistance
24 a notice describing the statement made in paragraph
25 (1) by the Congress.

1 (c) PROHIBITION OF CONTRACTS WITH PERSONS
2 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—

3 If it has been finally determined by a court or Federal
4 agency that any person intentionally affixed a label bear-
5 ing a “Made in America” inscription, or any inscription
6 with the same meaning, to any product sold in or shipped
7 to the United States that is not made in the United
8 States, the person shall be ineligible to receive any con-
9 tract or subcontract made with funds made available in
10 this Act, pursuant to the debarment, suspension, and ineli-
11 gibility procedures described in sections 9.400 through
12 9.409 of title 48, Code of Federal Regulations.

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

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

24 SEC. 310. None of the funds appropriated or other-
25 wise made available by this Act may be used for the

1 AmeriCorps program, unless the relevant agencies of the
2 Department of the Interior and/or Agriculture follow ap-
3 propriate reprogramming guidelines: *Provided*, That if no
4 funds are provided for the AmeriCorps program by the
5 Departments of Veterans Affairs and Housing and Urban
6 Development, and Independent Agencies Appropriations
7 Act, 1999, then none of the funds appropriated or other-
8 wise made available by this Act may be used for the
9 AmeriCorps programs.

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

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

22 (b) EXCEPTIONS.—The provisions of subsection (a)
23 shall not apply if the Secretary of the Interior determines
24 that, for the claim concerned: (1) a patent application was
25 filed with the Secretary on or before September 30, 1994;

1 and (2) all requirements established under sections 2325
2 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30)
3 for vein or lode claims and sections 2329, 2330, 2331,
4 and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and
5 37) for placer claims, and section 2337 of the Revised
6 Statutes (30 U.S.C. 42) for mill site claims, as the case
7 may be, were fully complied with by the applicant by that
8 date.

9 (c) REPORT.—On September 30, 2000, the Secretary
10 of the Interior shall file with the House and Senate Com-
11 mittees on Appropriations and the Committee on Re-
12 sources of the House of Representatives and the Com-
13 mittee on Energy and Natural Resources of the Senate
14 a report on actions taken by the Department under the
15 plan submitted pursuant to section 314(c) of the Depart-
16 ment of the Interior and Related Agencies Appropriations
17 Act, 1997 (Public Law 104–208).

18 (d) MINERAL EXAMINATIONS.—In order to process
19 patent applications in a timely and responsible manner,
20 upon the request of a patent applicant, the Secretary of
21 the Interior shall allow the applicant to fund a qualified
22 third-party contractor to be selected by the Bureau of
23 Land Management to conduct a mineral examination of
24 the mining claims or mill sites contained in a patent appli-
25 cation as set forth in subsection (b). The Bureau of Land

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

5 SEC. 313. Notwithstanding any other provision of
6 law, amounts appropriated to or earmarked in committee
7 reports for the Bureau of Indian Affairs and the Indian
8 Health Service by Public Laws 103–138, 103–332, 104–
9 134, 104–208, 105–83, and 105–277 for payments to
10 tribes and tribal organizations for contract support costs
11 associated with self-determination or self-governance con-
12 tracts, grants, compacts, or annual funding agreements
13 with the Bureau of Indian Affairs or the Indian Health
14 Service as funded by such Acts, are the total amounts
15 available for fiscal years 1994 through 1999 for such pur-
16 poses, except that, for the Bureau of Indian Affairs, tribes
17 and tribal organizations may use their tribal priority allo-
18 cations for unmet indirect costs of ongoing contracts,
19 grants, self-governance compacts or annual funding agree-
20 ments.

21 SEC. 314. Notwithstanding any other provision of
22 law, for fiscal year 2000 the Secretaries of Agriculture and
23 the Interior are authorized to limit competition for water-
24 shed restoration project contracts as part of the “Jobs in
25 the Woods” component of the President’s Forest Plan for

1 the Pacific Northwest or the Jobs in the Woods Program
2 established in Region 10 of the Forest Service to individ-
3 uals and entities in historically timber-dependent areas in
4 the States of Washington, Oregon, northern California
5 and Alaska that have been affected by reduced timber har-
6 vesting on Federal lands.

7 SEC. 315. None of the funds collected under the Rec-
8 reational Fee Demonstration program may be used to
9 plan, design, or construct a visitor center or any other per-
10 manent structure without prior approval of the House and
11 the Senate Committees on Appropriations if the estimated
12 total cost of the facility exceeds \$500,000.

13 SEC. 316. (a) None of the funds made available in
14 this Act or any other Act providing appropriations for the
15 Department of the Interior, the Forest Service or the
16 Smithsonian Institution may be used to submit nomina-
17 tions for the designation of Biosphere Reserves pursuant
18 to the Man and Biosphere program administered by the
19 United Nations Educational, Scientific, and Cultural Or-
20 ganization.

21 (b) The provisions of this section shall be repealed
22 upon enactment of subsequent legislation specifically au-
23 thorizing United States participation in the Man and Bio-
24 sphere program.

1 SEC. 317. None of the funds made available in this
2 or any other Act for any fiscal year may be used to des-
3 ignate, or to post any sign designating, any portion of Ca-
4 naval National Seashore in Brevard County, Florida, as
5 a clothing-optional area or as an area in which public nu-
6 dity is permitted, if such designation would be contrary
7 to county ordinance.

8 SEC. 318. Of the funds provided to the National En-
9 dowment for the Arts—

10 (1) The Chairperson shall only award a grant
11 to an individual if such grant is awarded to such in-
12 dividual for a literature fellowship, National Herit-
13 age Fellowship, or American Jazz Masters Fellow-
14 ship.

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

23 (3) No grant shall be used for seasonal support
24 to a group, unless the application is specific to the

1 contents of the season, including identified programs
2 and/or projects.

3 SEC. 319. The National Endowment for the Arts and
4 the National Endowment for the Humanities are author-
5 ized to solicit, accept, receive, and invest in the name of
6 the United States, gifts, bequests, or devises of money and
7 other property or services and to use such in furtherance
8 of the functions of the National Endowment for the Arts
9 and the National Endowment for the Humanities. Any
10 proceeds from such gifts, bequests, or devises, after ac-
11 ceptance by the National Endowment for the Arts or the
12 National Endowment for the Humanities, shall be paid by
13 the donor or the representative of the donor to the Chair-
14 man. The Chairman shall enter the proceeds in a special
15 interest-bearing account to the credit of the appropriate
16 endowment for the purposes specified in each case.

17 SEC. 320. No part of any appropriation contained in
18 this Act shall be expended or obligated to fund new revi-
19 sions of national forest land management plans until new
20 final or interim final rules for forest land management
21 planning are published in the Federal Register. Those na-
22 tional forests which are currently in a revision process,
23 having formally published a Notice of Intent to revise
24 prior to October 1, 1997; those national forests having
25 been court-ordered to revise; those national forests where

1 plans reach the fifteen year legally mandated date to re-
2 vise before or during calendar year 2000; national forests
3 within the Interior Columbia Basin Ecosystem study area;
4 and the White Mountain National Forest are exempt from
5 this section and may use funds in this Act and proceed
6 to complete the forest plan revision in accordance with
7 current forest planning regulations.

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

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

20 (b) In this section:

21 (1) The term “underserved population” means
22 a population of individuals who have historically
23 been outside the purview of arts and humanities pro-
24 grams due to factors such as a high incidence of in-

1 come below the poverty line or to geographic isola-
2 tion.

3 (2) The term “poverty line” means the poverty
4 line (as defined by the Office of Management and
5 Budget, and revised annually in accordance with sec-
6 tion 673(2) of the Community Services Block Grant
7 Act (42 U.S.C. 9902(2)) applicable to a family of
8 the size involved.

9 (c) In providing services and awarding financial as-
10 sistance under the National Foundation on the Arts and
11 Humanities Act of 1965 with funds appropriated by this
12 Act, the Chairperson of the National Endowment for the
13 Arts shall ensure that priority is given to providing serv-
14 ices or awarding financial assistance for projects, produc-
15 tions, workshops, or programs that will encourage public
16 knowledge, education, understanding, and appreciation of
17 the arts.

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

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

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

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

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

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

17 SEC. 324. Notwithstanding any other provision of
18 law, none of the funds provided in this Act to the Indian
19 Health Service or Bureau of Indian Affairs may be used
20 to enter into any new or expanded self-determination con-
21 tract or grant or self-governance compact pursuant to the
22 Indian Self-Determination Act of 1975, as amended, for
23 any activities not previously covered by such contracts,
24 compacts or grants. Nothing in this section precludes the
25 continuation of those specific activities for which self-de-

1 termination and self-governance contracts, compacts and
2 grants currently exist or the renewal of contracts, com-
3 pacts and grants for those activities; implementation of
4 section 325 of Public Law 105–83 (111 Stat. 1597); or
5 compliance with 25 U.S.C. 2005.

6 SEC. 325. Amounts deposited during fiscal year 1999
7 in the roads and trails fund provided for in the fourteenth
8 paragraph under the heading “FOREST SERVICE” of
9 the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501),
10 shall be used by the Secretary of Agriculture, without re-
11 gard to the State in which the amounts were derived, to
12 repair or reconstruct roads, bridges, and trails on National
13 Forest System lands or to carry out and administer
14 projects to improve forest health conditions, which may
15 include the repair or reconstruction of roads, bridges, and
16 trails on National Forest System lands in the wildland-
17 community interface where there is an abnormally high
18 risk of fire. The projects shall emphasize reducing risks
19 to human safety and public health and property and en-
20 hancing ecological functions, long-term forest productivity,
21 and biological integrity. The Secretary shall commence the
22 projects during fiscal year 2000, but the projects may be
23 completed in a subsequent fiscal year. Funds shall not be
24 expended under this section to replace funds which would
25 otherwise appropriately be expended from the timber sal-

1 vage sale fund. Nothing in this section shall be construed
2 to exempt any project from any environmental law.

3 SEC. 326. HARDWOOD TECHNOLOGY TRANSFER AND
4 APPLIED RESEARCH. (a) The Secretary of Agriculture
5 (hereinafter the “Secretary”) is hereby and hereafter au-
6 thorized to conduct technology transfer and development,
7 training, dissemination of information and applied re-
8 search in the management, processing and utilization of
9 the hardwood forest resource. This authority is in addition
10 to any other authorities which may be available to the Sec-
11 retary including, but not limited to, the Cooperative For-
12 estry Assistance Act of 1978, as amended (16 U.S.C.
13 2101 et. seq.), and the Forest and Rangeland Renewable
14 Resources Act of 1978, as amended (16 U.S.C. 1600–
15 1614).

16 (b) In carrying out this authority, the Secretary may
17 enter into grants, contracts, and cooperative agreements
18 with public and private agencies, organizations, corpora-
19 tions, institutions and individuals. The Secretary may ac-
20 cept gifts and donations pursuant to the Act of October
21 10, 1978 (7 U.S.C. 2269) including gifts and donations
22 from a donor that conducts business with any agency of
23 the Department of Agriculture or is regulated by the Sec-
24 retary of Agriculture.

1 (c) The Secretary is hereby and hereafter authorized
2 to operate and utilize the assets of the Wood Education
3 and Resource Center (previously named the Robert C.
4 Byrd Hardwood Technology Center in West Virginia) as
5 part of a newly formed “Institute of Hardwood Tech-
6 nology Transfer and Applied Research” (hereinafter the
7 “Institute”). The Institute, in addition to the Wood Edu-
8 cation and Resource Center, will consist of a Director,
9 technology transfer specialists from State and Private
10 Forestry, the Forestry Sciences Laboratory in Princeton,
11 West Virginia, and any other organizational unit of the
12 Department of Agriculture as the Secretary deems appro-
13 priate. The overall management of the Institute will be
14 the responsibility of the USDA Forest Service, State and
15 Private Forestry.

16 (d) The Secretary is hereby and hereafter authorized
17 to generate revenue using the authorities provided herein.
18 Any revenue received as part of the operation of the Insti-
19 tute shall be deposited into a special fund in the Treasury
20 of the United States, known as the “Hardwood Tech-
21 nology Transfer and Applied Research Fund”, which shall
22 be available to the Secretary until expended, without fur-
23 ther appropriation, in furtherance of the purposes of this
24 section, including upkeep, management, and operation of
25 the Institute and the payment of salaries and expenses.

1 (e) There are hereby and hereafter authorized to be
2 appropriated such sums as necessary to carry out the pro-
3 visions of this section.

4 SEC. 327. No timber in Region 10 of the Forest Serv-
5 ice shall be advertised for sale which, when using domestic
6 Alaska western red cedar selling values and manufac-
7 turing costs, fails to provide at least 60 percent of normal
8 profit and risk of the appraised timber, except at the writ-
9 ten request by a prospective bidder. Program accomplish-
10 ments shall be based on volume sold. Should Region 10
11 sell, in fiscal year 2000, the annual average portion of the
12 decadal allowable sale quantity called for in the current
13 Tongass Land Management Plan which provides greater
14 than 60 percent of normal profit and risk at the time of
15 the sale advertisement, all of the western red cedar timber
16 from those sales which is surplus to the needs of domestic
17 processors in Alaska, shall be made available to domestic
18 processors in the contiguous 48 United States based on
19 values in the Pacific Northwest as determined by the For-
20 est Service and stated in the timber sale contract. Should
21 Region 10 sell, in fiscal year 2000, less than the annual
22 average portion of the decadal allowable sale quantity
23 called for in the current Tongass Land Management Plan
24 meeting the 60 percent of normal profit and risk standard
25 at the time of sale advertisement, the volume of western

1 red cedar timber available to domestic processors at rates
2 specified in the timber sale contract in the contiguous 48
3 states shall be that volume: (i) which is surplus to the
4 needs of domestic processors in Alaska; and (ii) is that
5 percent of the surplus western red cedar volume deter-
6 mined by calculating the ratio of the total timber volume
7 which has been sold on the Tongass to the annual average
8 portion of the decadal allowable sale quantity called for
9 in the current Tongass Land Management Plan. The per-
10 centage shall be calculated by Region 10 on a rolling basis
11 as each sale is sold. (For purposes of this amendment,
12 a “rolling basis” shall mean that the determination of how
13 much western red cedar is eligible for sale to various mar-
14 kets shall be made at the time each sale is awarded.)
15 Western red cedar shall be deemed “surplus to the needs
16 of domestic processors in Alaska” when the timber sale
17 holder has presented to the Forest Service documentation
18 of the inability to sell western red cedar logs from a given
19 sale to domestic Alaska processors at a price equal to or
20 greater than the log selling value stated in the contract.
21 All additional western red cedar volume not sold to Alaska
22 or contiguous 48 United States domestic processors may
23 be exported to foreign markets at the election of the tim-
24 ber sale holder. All Alaska yellow cedar may be sold at

1 prevailing export prices at the election of the timber sale
2 holder.

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

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

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

24 (a) prepare the report required of them by sec-
25 tion 323(a) of the Fiscal Year 1998 Interior and Re-

1 lated Agencies Appropriations Act (Public Law 105–
2 83; 111 Stat. 1543, 1596–7);

3 (b) make the report available for public com-
4 ment for a period of not less than 120 days; and

5 (c) include the information contained in the re-
6 port and a detailed response or responses to any
7 such public comment in any final environmental im-
8 pact statement associated with the Interior Colum-
9 bia Basin Ecosystem Project.

10 SEC. 331. Section 7 of the Service Contract Act
11 (SCA), 41 U.S.C. section 356 is amended by adding the
12 following paragraph:

13 “(8) any concession contract with Federal land
14 management agencies, the principal purpose of
15 which is the provision of recreational services to the
16 general public, including lodging, campgrounds,
17 food, stores, guiding, recreational equipment, fuel,
18 transportation, and skiing, provided that this exemp-
19 tion shall not affect the applicability of the Davis-
20 Bacon Act, 40 U.S.C. section 276a et seq., to con-
21 struction contracts associated with these concession
22 contracts.”.

23 SEC. 332. TIMBER AND SPECIAL FOREST PRODUCTS.

24 (a) DEFINITION OF SPECIAL FOREST PRODUCT.—For
25 purposes of this section, the term “special forest product”

1 means any vegetation or other life forms, such as mush-
2 rooms and fungi that grows on National Forest System
3 lands, excluding trees, animals, insects, or fish except as
4 provided in regulations issued under this section by the
5 Secretary of Agriculture.

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

16 (c) FEES.—

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

24 (2) SECURITY.—The Secretary of Agriculture
25 may require a person that is assessed a fee under

1 this subsection to provide security to ensure that the
2 Secretary of Agriculture receives fees authorized
3 under this subsection from such person.

4 (d) WAIVER.—The Secretary of Agriculture may
5 waive the application of subsection (b) or subsection (c)
6 pursuant to such regulations as the Secretary of Agri-
7 culture may prescribe.

8 (e) COLLECTION AND USE OF FUNDS.—

9 (1) Funds collected in accordance with sub-
10 section (b) and subsection (c) shall be deposited into
11 a special account in the Treasury of the United
12 States.

13 (2) Funds deposited into the special account in
14 the Treasury in accordance with this section in ex-
15 cess of the amounts collected for special forest prod-
16 ucts during fiscal year 1999 shall be available for
17 expenditure by the Secretary of Agriculture on Octo-
18 ber 1, 2000 without further appropriation, and shall
19 remain available until expended to pay for—

20 (A) in the case of funds collected pursuant
21 to subsection (b), the costs of conducting inven-
22 tories of special forest products, monitoring and
23 assessing the impacts of harvest levels and
24 methods, and for restoration activities, includ-
25 ing any necessary vegetation; and

1 (B) in the case of fees collected pursuant
2 to subsection (c), the costs for which the fees
3 were collected.

4 (3) Amounts collected in accordance with sub-
5 section (b) and subsection (c) shall not be taken into
6 account for the purposes of the sixth paragraph
7 under the heading of “Forest Service” of the Act of
8 May 23, 1908 (16 U.S.C. § 500); section 13 of the
9 Act of March 1, 1911 (16 U.S.C. § 500); the Act
10 of March 4, 1913 (16 U.S.C. § 501); the Act of July
11 22, 1937 (7 U.S.C. § 1012); the Acts of August 8,
12 1937 and of May 24, 1939 (43 U.S.C. §§ 1181 et.
13 seq.); the Act of June 14, 1926 (43 U.S.C. § 869–
14 4); chapter 69 of title 31 United States Code; sec-
15 tion 401 of the Act of June 15, 1935 (16 U.S.C. §
16 715s); the Land and Water Conservation Fund Act
17 of 1965 (16 U.S.C. § 460l–6a); and any other provi-
18 sion of law relating to revenue allocation.

19 SEC. 333. Title III, section 3001 of Public Law 106–
20 31 is amended by inserting after the word “Alabama,” the
21 following phrase “in fiscal year 1999 or 2000”.

22 SEC. 334. The authority to enter into stewardship
23 and end result contracts provided to the Forest Service
24 in accordance with Section 347 of Title III of Section
25 101(e) of Division A of Public Law 105–825 is hereby

1 expanded to authorize the Forest Service to enter into an
2 additional 9 contracts in Region One.

3 SEC. 335. LOCAL EXEMPTIONS FROM FOREST SERV-
4 ICE DEMONSTRATION PROGRAM FEES. Section 6906 of
5 Title 31, United States Code, is amended—

6 (1) by inserting “(a) IN GENERAL.—” before
7 “Necessary”; and

8 (2) by adding at the end the following:

9 “(b) LOCAL EXEMPTIONS FROM DEMONSTRATION
10 PROGRAM FEES.—

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

20 “(2) ADMINISTRATION.—The Secretary of Agri-
21 culture shall establish a method of identifying per-
22 sons who are exempt from paying user fees under
23 paragraph (1). This method may include valid form
24 of identification including a drivers license.”.

1 SEC. 336. MILLSITES OPINION. PROHIBITION ON
2 MILLSITE LIMITATIONS.—Notwithstanding the opinion
3 dated November 7, 1997, by the Solicitor of the Depart-
4 ment of the Interior concerning millsites under the general
5 mining law (referred to in this section as the “opinion”),
6 in accordance with the millsite provisions of the Bureau
7 of Land Management’s Manual Sec. 3864.1.B (dated
8 1991), the Bureau of Land Management Handbook for
9 Mineral Examiners H–3890–1, page III–8 (dated 1989),
10 and section 2811.33 of the Forest Service Manual (dated
11 1990), the Department of the Interior and the Depart-
12 ment of Agriculture shall not limit the number or acreage
13 of millsites based on the ratio between the number or acre-
14 age of millsites and the number or acreage of associated
15 lode or placer claims for any fiscal year.

16 SEC. 337. Notwithstanding section 343 of Public Law
17 105–83, increases in recreation residence fees may be im-
18 plemented in fiscal year 2000: *Provided*, That such an in-
19 crease would not result in a fee that exceeds 125 percent
20 of the fiscal year 1998 fee.

21 SEC. 338. No federal monies appropriated for the
22 purchase of land by the Forest Service in the Columbia
23 River Gorge National Scenic Area (“CRGNSA”) may be
24 used unless the Forest Service complies with the acquisi-
25 tion protocol set out in this section:

1 (a) PURCHASE OPTION REQUIREMENT.—Upon
2 the Forest Service making a determination that the
3 agency intends to pursue purchase of land or an in-
4 terest in land located within the boundaries of the
5 CRGNSA, the Forest Service and the owner of the
6 land or interest in land to be purchased shall enter
7 into a written purchase option agreement in which
8 the landowner agrees to retain ownership of the in-
9 terest in land to be acquired for a period not to ex-
10 ceed one year. In return, the Forest Service shall
11 agree to abide by the bargaining and arbitration
12 process set out in this section.

13 (b) OPT OUT.—After the Forest Service and
14 landowner have entered into the purchase option
15 agreement, the landowner may at any time prior to
16 federal acquisition voluntarily opt out of the pur-
17 chase option agreement.

18 (c) SELECTION OF APPRAISERS.—Once the
19 landowner and Forest Service both have executed
20 the required purchase option, the landowner and
21 Forest Service each shall select an appraiser to ap-
22 praise the land or interest in land described in the
23 purchase option. The landowner and Forest Service
24 both shall instruct their appraiser to estimate the
25 fair market value of the land or interest in land to

1 be acquired. The landowner and Forest Service both
2 shall instruct their appraiser to comply with the
3 Uniform Appraisal Standards for Federal Land Ac-
4 quisitions (Interagency Land Acquisition Conference
5 1992) and Public Law 91–646 as amended. Both
6 appraisers shall possess qualifications consistent
7 with state regulatory requirements that meet the in-
8 tent of Title XI, Financial Institutions Reform, Re-
9 covery, and Enforcement Act of 1989.

10 (d) PERIOD TO COMPLETE APPRAISALS.—The
11 landowner and Forest Service each shall be allowed
12 a period of 180 days to provide to the other an ap-
13 praisal of the land or interest in land described in
14 the purchase option. This 180-day period shall com-
15 mence upon execution of a purchase option by the
16 landowner and the Forest Service.

17 (e) BARGAINING PERIOD.—Once the landowner
18 and Forest Service each have provided to the other
19 a completed appraisal, a 45-day period of good faith
20 bargaining and negotiation shall commence. If the
21 landowner and Forest Service cannot agree within
22 this period on the proper purchase price to be paid
23 by the United States for the land or interest in land
24 described in the purchase option, the landowner may

1 request arbitration under subsection (f) of this sec-
2 tion.

3 (f) ARBITRATION PROCESS.—If a landowner
4 and the Forest Service are unable to reach a nego-
5 tiated settlement on value within the 45-day period
6 of good faith bargaining and negotiation, during the
7 10 days following this period of good faith bar-
8 gaining and negotiation the landowner may request
9 arbitration. The process for arbitration shall com-
10 mence with each party submitting its appraisal and
11 a copy of this legislation, and only its appraisal and
12 a copy of this legislation, to the arbitration panel
13 within 10 days following the receipt by the Forest
14 Service of the request for arbitration. The arbitra-
15 tion panel shall render a written advisory decision on
16 value within 45 days of receipt of both appraisals.
17 This advisory decision shall be forwarded to the Sec-
18 retary of Agriculture by the arbitration panel with a
19 recommendation to the Secretary that if the land or
20 interest in land at issue is to be purchased that the
21 United States pay a sum certain for the land or in-
22 terest in land. This sum certain shall fall within the
23 value range established by the two appraisals. Costs
24 of employing the arbitration panel shall be divided
25 equally between the Forest Service and the land-

1 owner, unless the arbitration panel recommends ei-
2 ther the landowner or the Forest Service bear the
3 entire cost of employing the arbitration panel. The
4 arbitration panel shall not make such a rec-
5 ommendation unless the panel finds that one of the
6 appraisals submitted fails to conform to the Uniform
7 Appraisal Standard for Federal Land Acquisition
8 (Interagency Land Acquisition Conference 1992). In
9 no event, shall the cost of employing the arbitration
10 panel exceed \$10,000.

11 (g) ARBITRATION PANEL.—The arbitration
12 panel shall consist of one appraiser and two lawyers
13 who have substantial experience working with the
14 purchase of land and interests in land by the United
15 States. The Secretary is directed to ask the Federal
16 Center for Dispute Resolution at the American Arbi-
17 tration Association to develop lists of no less than
18 ten appraisers and twenty lawyers who possess sub-
19 stantial experience working with federal land pur-
20 chases to serve as third-party neutrals in the event
21 arbitration is requested by a landowner. Selection of
22 the arbitration panel shall be made by mutual agree-
23 ment of the Forest Service and landowner. If mutual
24 agreement cannot be reached on one or more panel
25 members, selection of the remaining panel members

1 shall be by blind draw once each party has been al-
2 lowed the opportunity to strike up to 25 percent of
3 the third-party neutrals named on either list. Of the
4 funds available to the Forest Service, up to \$15,000
5 shall be available to the Federal Center for Dispute
6 Resolution to cover the initial cost of establishing
7 this program. Once established, costs of admin-
8 istering the program shall be borne by the Forest
9 Service, but shall not exceed \$5,000 a year.

10 (h) QUALIFICATIONS OF THIRD-PARTY
11 NEUTRALS.—Each appraiser selected by the Federal
12 Dispute Resolution Center, in addition to possessing
13 substantial experience working with federal land
14 purchases, shall possess qualifications consistent
15 with state regulatory requirements that meet the in-
16 tent of Title XI, Financial Institutions Reform, Re-
17 covery & Enforcement Act of 1989. Each lawyer se-
18 lected by the Federal Dispute Resolution Center, in
19 addition to possessing substantial experience work-
20 ing with federal land purchases, shall be an active
21 member in good standing of the bar of one of the
22 50 states or the District of Columbia.

23 (i) DECISION REQUIRED BY THE SECRETARY
24 OF AGRICULTURE.—Upon receipt of a recommenda-
25 tion by an arbitration panel appointed under sub-

1 section (g), the Secretary of Agriculture shall notify
2 the landowner and the CRGNSA of the day the rec-
3 ommendation was received. The Secretary shall
4 make a determination to adopt or reject the arbitra-
5 tion panel's advisory decision and notify the land-
6 owner and the CRGNSA of this determination with-
7 in 45 days of receipt of the advisory decision.

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

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

14 SEC. 339. A project undertaken by the Forest Service
15 under the Recreation Fee Demonstration Program as au-
16 thorized by Section 315 of the Department of the Interior
17 and Related Agencies Appropriations Act for Fiscal Year
18 1996, as amended, shall not result in—

19 (1) displacement of the holder of an authoriza-
20 tion to provide commercial recreation services on
21 Federal lands. Prior to initiating any project, the
22 Secretary shall consult with potentially affected
23 holders to determine what impacts the project may
24 have on the holders. Any modifications to the au-
25 thorization shall be made within the terms and con-

1 ditions of the authorization and authorities of the
2 impacted agency.

3 (2) the return of a commercial recreation serv-
4 ice to the Secretary for operation when such services
5 have been provided in the past by a private sector
6 provider, except when—

7 (A) the private sector provider fails to bid
8 on such opportunities,

9 (B) the private sector provider terminates
10 its relationship with the agency, or,

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

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

18 SEC. 340. HARDROCK MINERAL PROSPECTING,
19 LEASING, AND DEVELOPMENT ON THE MARK TWAIN NA-
20 TIONAL FOREST. (a) PROHIBITION ON ISSUANCE OF
21 PROSPECTING PERMITS FOR EXPLORATORY DRILLING.—
22 Before June 1, 2001, the Secretary of the Interior shall
23 not issue a prospecting permit for hardrock mineral explo-
24 ration on Mark Twain National Forest land in the Current
25 River/Jack's Fork River—Eleven Point Watershed (not

1 including Mark Twain National Forest land in Townships
2 31N and 32N, Range 2 and Range 3 West, on which min-
3 ing activities are taking place as of the date of enactment
4 of this Act).

5 (b) PROHIBITION ON SEGREGATION AND WITH-
6 DRAWAL.—Before June 1, 2001, none of the funds made
7 available to the Department of the Interior by this Act
8 may be used to segregate or withdraw land in the Mark
9 Twain National Forest, Missouri, under section 204 of the
10 Federal Land Policy and Management Act of 1976 (43
11 U.S.C. 1714), from—

- 12 (1) the operation of the public land laws;
13 (2) entry, appropriation, or disposal under the
14 public land laws;
15 (3) location, entry, prospecting, or leasing
16 under the mining laws;
17 (4) disposition under laws pertaining to mineral
18 and geothermal leasing or mineral materials; or
19 (5) mining as a congressionally recognized mul-
20 tiple use.

21 (c) STUDIES.—

22 (1) ENVIRONMENTAL ANALYSIS OF EXPLOR-
23 ATORY DRILLING.—The heads of the National For-
24 est Service, Bureau of Land Management, United
25 States Geological Service, and National Park Serv-

1 ice, in conjunction with the University of Missouri at
2 Rolla, shall conduct a study of exploratory drilling
3 operations on Mark Twain National Forest land in
4 the Current River/Jack's Fork River—Eleven Point
5 Watershed.

6 (2) CESSATION OF LEAD MINING.—

7 (A) IN GENERAL.—The Comptroller Gen-
8 eral of the United States shall conduct a study
9 of—

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

12 (ii) the impact on the strategic avail-
13 ability of lead in the United States; and

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

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

20 (B) CONSULTATION.—The study under
21 subparagraph (A) shall be prepared in consulta-
22 tion with the Department of Commerce, the De-
23 partment of Defense, the National Park Serv-
24 ice, the Bureau of Land Management, the For-
25 est Service, the United States Geological Sur-

1 vey, the State of Missouri, any existing or po-
2 tential lessee for the affected lands, and inter-
3 ested members of the public.

4 (3) SUBMISSION TO CONGRESS.—Not later than
5 March 1, 2001, the agency heads and the Comp-
6 troller General shall submit to the Committee on
7 Energy and Natural Resources of the Senate and
8 the Committee on Resources of the House of Rep-
9 resentatives reports on the studies under paragraphs
10 (1) and (2).

11 SEC. 341. No funds shall be used to study, develop,
12 or implement procedures or policies to establish energy ef-
13 ficiency, energy use or energy acquisition rules or guide-
14 lines other than those based upon the provisions of the
15 Energy Conservation Policy Act (ECPA) of 1975.

16 SEC. 342. VALUATION OF CRUDE OIL FOR ROYALTY
17 PURPOSES. Section 130 of the Department of the Interior
18 and Related Agencies Appropriations Act, 1999 (112 Stat.
19 2681–263), is amended by striking “June 1, 1999” and
20 inserting “June 30, 2001”.

21 This Act may be cited as the “Department of the In-
22 terior and Related Agencies Appropriations Act, 2000”.

Calendar No. 183

106TH CONGRESS
1ST Session

S. 1292

[Report No. 106-99]

A BILL

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

JUNE 28, 1999

Read twice and placed on the calendar