

***In the Senate of the United States,***

*July 12, 2001.*

*Resolved*, That the bill from the House of Representatives (H.R. 2217) entitled “An Act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 *That the following sums are appropriated, out of any*  
2 *money in the Treasury not otherwise appropriated, for the*  
3 *Department of the Interior and related agencies for the fis-*  
4 *cal year ending September 30, 2002, and for other purposes,*  
5 *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, classifica-*  
6 *tion, acquisition of easements and other interests in lands,*  
7 *and performance of other functions, including maintenance*  
8 *of facilities, as authorized by law, in the management of*  
9 *lands and their resources under the jurisdiction of the Bu-*  
10 *reau of Land Management, including the general adminis-*  
11 *tration of the Bureau, and assessment of mineral potential*  
12 *of public lands pursuant to Public Law 96–487 (16 U.S.C.*  
13 *3150(a)), \$775,962,000, to remain available until expended,*  
14 *of which \$700,000 is for riparian management projects in*  
15 *the Rio Puerco watershed, New Mexico, and of which*  
16 *\$1,000,000 is for high priority projects which shall be car-*  
17 *ried out by the Youth Conservation Corps, defined in section*  
18 *250(c)(4)(E)(xii) of the Balanced Budget and Emergency*  
19 *Deficit Control Act of 1985, as amended, for the purposes*  
20 *of such Act; of which \$4,000,000 shall be available for as-*  
21 *essment of the mineral potential of public lands in Alaska*  
22 *pursuant to section 1010 of Public Law 96–487 (16 U.S.C.*  
23 *3150); and of which not to exceed \$1,000,000 shall be de-*  
24 *rived from the special receipt account established by the*  
25 *Land and Water Conservation Act of 1965, as amended (16*

1 *U.S.C. 460l–6a(i)); and of which \$3,000,000 shall be avail-*  
2 *able in fiscal year 2002 subject to a match by at least an*  
3 *equal amount by the National Fish and Wildlife Founda-*  
4 *tion, to such Foundation for cost-shared projects supporting*  
5 *conservation of Bureau lands and such funds shall be ad-*  
6 *vanced to the Foundation as a lump sum grant without*  
7 *regard to when expenses are incurred; in addition,*  
8 *\$32,298,000 for Mining Law Administration program oper-*  
9 *ations, including the cost of administering the mining*  
10 *claim fee program; to remain available until expended, to*  
11 *be reduced by amounts collected by the Bureau and credited*  
12 *to this appropriation from annual mining claim fees so as*  
13 *to result in a final appropriation estimated at not more*  
14 *than \$775,962,000, and \$2,000,000, to remain available*  
15 *until expended, from communication site rental fees estab-*  
16 *lished by the Bureau for the cost of administering commu-*  
17 *nication site activities: Provided, That appropriations here-*  
18 *in made shall not be available for the destruction of healthy,*  
19 *unadopted, wild horses and burros in the care of the Bureau*  
20 *or its contractors: Provided further, That of the amount*  
21 *provided, \$28,000,000 is for the conservation activities de-*  
22 *finied in section 250(c)(4)(E) of the Balanced Budget and*  
23 *Emergency Deficit Control Act of 1985, as amended, for the*  
24 *purposes of such Act: Provided further, That balances in*  
25 *the Federal Infrastructure Improvement account shall be*

1 transferred to and merged with this appropriation, and  
 2 shall remain available until expended.

3 WILDLAND FIRE MANAGEMENT

4 For necessary expenses for fire preparedness, suppres-  
 5 sion operations, fire science and research, emergency reha-  
 6 bilitation, hazardous fuels reduction, and rural fire assist-  
 7 ance by the Department of the Interior, \$589,421,000, to  
 8 remain available until expended, of which not to exceed  
 9 \$19,774,000 shall be for the renovation or construction of  
 10 fire facilities: Provided, That not less than \$111,255,000 of  
 11 the funds available for hazardous fuels reduction under this  
 12 heading shall be for alleviating immediate emergency  
 13 threats to urban wildland interface areas as defined by the  
 14 Secretary of the Interior: Provided further, That such funds  
 15 are also available for repayment of advances to other appro-  
 16 priation accounts from which funds were previously trans-  
 17 ferred for such purposes: Provided further, That unobligated  
 18 balances of amounts previously appropriated to the “Fire  
 19 Protection” and “Emergency Department of the Interior  
 20 Firefighting Fund” may be transferred and merged with  
 21 this appropriation: Provided further, That persons hired  
 22 pursuant to 43 U.S.C. 1469 may be furnished subsistence  
 23 and lodging without cost from funds available from this ap-  
 24 propriation: Provided further, That notwithstanding 42  
 25 U.S.C. 1856d, sums received by a bureau or office of the  
 26 Department of the Interior for fire protection rendered pur-

1 *suant to 42 U.S.C. 1856 et seq., protection of United States*  
2 *property, may be credited to the appropriation from which*  
3 *funds were expended to provide that protection, and are*  
4 *available without fiscal year limitation: Provided further,*  
5 *That using the amounts designated under this title of this*  
6 *Act, the Secretary of the Interior may enter into procure-*  
7 *ment contracts, grants, or cooperative agreements, for haz-*  
8 *ardous fuels reduction activities, and for training and mon-*  
9 *itoring associated with such hazardous fuels reduction ac-*  
10 *tivities, on Federal land, or on adjacent non-Federal land*  
11 *for activities that benefit resources on Federal land: Pro-*  
12 *vided further, That the costs of implementing any coopera-*  
13 *tive agreement between the Federal government and any*  
14 *non-Federal entity may be shared, as mutually agreed on*  
15 *by the affected parties: Provided further, That in entering*  
16 *into such grants or cooperative agreements, the Secretary*  
17 *may consider the enhancement of local and small business*  
18 *employment opportunities for rural communities, and that*  
19 *in entering into procurement contracts under this section*  
20 *on a best value basis, the Secretary may take into account*  
21 *the ability of an entity to enhance local and small business*  
22 *employment opportunities in rural communities, and that*  
23 *the Secretary may award procurement contracts, grants, or*  
24 *cooperative agreements under this section to entities that*  
25 *include local non-profit entities, Youth Conservation Corps*

1 or related partnerships, or small or disadvantaged busi-  
2 nesses: Provided further, That funds appropriated under  
3 this head may be used to reimburse the United States Fish  
4 and Wildlife Service and the National Marine Fisheries  
5 Service for the costs of carrying out their responsibilities  
6 under the Endangered Species Act of 1973 (16 U.S.C. 1531  
7 et seq.) to consult and conference, as required by section  
8 7 of such Act in connection with wildland fire management  
9 activities.

10 For an additional amount to cover necessary expenses  
11 for burned areas rehabilitation and fire suppression by the  
12 Department of the Interior, \$70,000,000, to remain avail-  
13 able until expended, of which \$50,000,000 is for wildfire  
14 suppression and \$20,000,000 is for burned areas rehabilita-  
15 tion: Provided, That the entire amount appropriated in this  
16 paragraph is designated by the Congress as an emergency  
17 requirement pursuant to section 251(b)(2)(A) of the Bal-  
18 anced Budget and Emergency Deficit Control Act of 1985,  
19 as amended: Provided further, That these funds shall be  
20 available only to the extent an official budget request for  
21 a specific dollar amount, that includes designation of the  
22 entire amount of the request as an emergency requirement  
23 as defined in the Balanced Budget and Emergency Deficit  
24 Control Act of 1985, as amended, is transmitted by the  
25 President to the Congress.

## 1                   CENTRAL HAZARDOUS MATERIALS FUND

2           *For necessary expenses of the Department of the Inte-*  
3 *rior and any of its component offices and bureaus for the*  
4 *remedial action, including associated activities, of haz-*  
5 *ardous waste substances, pollutants, or contaminants pur-*  
6 *suant to the Comprehensive Environmental Response, Com-*  
7 *pensation, and Liability Act, as amended (42 U.S.C. 9601*  
8 *et seq.), \$9,978,000, to remain available until expended:*  
9 *Provided, That notwithstanding 31 U.S.C. 3302, sums re-*  
10 *covered from or paid by a party in advance of or as reim-*  
11 *bursement for remedial action or response activities con-*  
12 *ducted by the Department pursuant to section 107 or 113(f)*  
13 *of such Act, shall be credited to this account to be available*  
14 *until expended without further appropriation: Provided*  
15 *further, That such sums recovered from or paid by any*  
16 *party are not limited to monetary payments and may in-*  
17 *clude stocks, bonds or other personal or real property, which*  
18 *may be retained, liquidated, or otherwise disposed of by the*  
19 *Secretary and which shall be credited to this account.*

## 20                   CONSTRUCTION

21           *For construction of buildings, recreation facilities,*  
22 *roads, trails, and appurtenant facilities, \$12,976,000, to re-*  
23 *main available until expended.*

## 24                   PAYMENTS IN LIEU OF TAXES

25           *For expenses necessary to implement the Act of October*  
26 *20, 1976, as amended (31 U.S.C. 6901–6907),*

1 \$220,000,000, of which not to exceed \$400,000 shall be  
 2 available for administrative expenses and of which  
 3 \$50,000,000 is for the conservation activities defined in sec-  
 4 tion 250(c)(4)(E)(xiii) of the Balanced Budget and Emer-  
 5 gency Deficit Control Act of 1985, as amended, for the pur-  
 6 poses of such Act: Provided, That no payment shall be made  
 7 to otherwise eligible units of local government if the com-  
 8 puted amount of the payment is less than \$100.

9 *LAND ACQUISITION*

10 *For expenses necessary to carry out sections 205, 206,*  
 11 *and 318(d) of Public Law 94–579, including administra-*  
 12 *tive expenses and acquisition of lands or waters, or interests*  
 13 *therein, \$45,686,000, to be derived from the Land and*  
 14 *Water Conservation Fund, to remain available until ex-*  
 15 *pended, and to be for the conservation activities defined in*  
 16 *section 250(c)(4)(E)(i) of the Balanced Budget and Emer-*  
 17 *gency Deficit Control Act of 1985, as amended, for the pur-*  
 18 *poses of such Act.*

19 *OREGON AND CALIFORNIA GRANT LANDS*

20 *For expenses necessary for management, protection,*  
 21 *and development of resources and for construction, oper-*  
 22 *ation, and maintenance of access roads, reforestation, and*  
 23 *other improvements on the revested Oregon and California*  
 24 *Railroad grant lands, on other Federal lands in the Oregon*  
 25 *and California land-grant counties of Oregon, and on adja-*  
 26 *cent rights-of-way; and acquisition of lands or interests*



1 *therein including existing connecting roads on or adjacent*  
 2 *to such grant lands; \$106,061,000, to remain available until*  
 3 *expended: Provided, That 25 percent of the aggregate of all*  
 4 *receipts during the current fiscal year from the revested Or-*  
 5 *egon and California Railroad grant lands is hereby made*  
 6 *a charge against the Oregon and California land-grant*  
 7 *fund and shall be transferred to the General Fund in the*  
 8 *Treasury in accordance with the second paragraph of sub-*  
 9 *section (b) of title II of the Act of August 28, 1937 (50 Stat.*  
 10 *876).*

11 *FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND*  
 12 *(REVOLVING FUND, SPECIAL ACCOUNT)*

13 *In addition to the purposes authorized in Public Law*  
 14 *102–381, funds made available in the Forest Ecosystem*  
 15 *Health and Recovery Fund can be used for the purpose of*  
 16 *planning, preparing, and monitoring salvage timber sales*  
 17 *and forest ecosystem health and recovery activities such as*  
 18 *release from competing vegetation and density control treat-*  
 19 *ments. The Federal share of receipts (defined as the portion*  
 20 *of salvage timber receipts not paid to the counties under*  
 21 *43 U.S.C. 1181f and 43 U.S.C. 1181–1 et seq., and Public*  
 22 *Law 103–66) derived from treatments funded by this ac-*  
 23 *count shall be deposited into the Forest Ecosystem Health*  
 24 *and Recovery Fund.*

## RANGE IMPROVEMENTS

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

## SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: Provided, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any

1 moneys that have been or will be received pursuant to that  
2 section, whether as a result of forfeiture, compromise, or set-  
3 tlement, if not appropriate for refund pursuant to section  
4 305(c) of that Act (43 U.S.C. 1735(c)), shall be available  
5 and may be expended under the authority of this Act by  
6 the Secretary to improve, protect, or rehabilitate any public  
7 lands administered through the Bureau of Land Manage-  
8 ment which have been damaged by the action of a resource  
9 developer, purchaser, permittee, or any unauthorized per-  
10 son, without regard to whether all moneys collected from  
11 each such action are used on the exact lands damaged which  
12 led to the action: Provided further, That any such moneys  
13 that are in excess of amounts needed to repair damage to  
14 the exact land for which funds were collected may be used  
15 to repair other damaged public lands.

16 MISCELLANEOUS TRUST FUNDS

17 In addition to amounts authorized to be expended  
18 under existing laws, there is hereby appropriated such  
19 amounts as may be contributed under section 307 of the  
20 Act of October 21, 1976 (43 U.S.C. 1701), and such  
21 amounts as may be advanced for administrative costs, sur-  
22 veys, appraisals, and costs of making conveyances of omit-  
23 ted lands under section 211(b) of that Act, to remain avail-  
24 able until expended.

## ADMINISTRATIVE PROVISIONS

1  
2       *Appropriations for the Bureau of Land Management*  
3 *shall be available for purchase, erection, and dismantlement*  
4 *of temporary structures, and alteration and maintenance*  
5 *of necessary buildings and appurtenant facilities to which*  
6 *the United States has title; up to \$100,000 for payments,*  
7 *at the discretion of the Secretary, for information or evi-*  
8 *dence concerning violations of laws administered by the Bu-*  
9 *reau; miscellaneous and emergency expenses of enforcement*  
10 *activities authorized or approved by the Secretary and to*  
11 *be accounted for solely on her certificate, not to exceed*  
12 *\$10,000: Provided, That notwithstanding 44 U.S.C. 501,*  
13 *the Bureau may, under cooperative cost-sharing and part-*  
14 *nership arrangements authorized by law, procure printing*  
15 *services from cooperators in connection with jointly pro-*  
16 *duced publications for which the cooperators share the cost*  
17 *of printing either in cash or in services, and the Bureau*  
18 *determines the cooperator is capable of meeting accepted*  
19 *quality standards: Provided further, That section 28f(a) of*  
20 *title 30, United States Code, is amended:*

21           *(1) In section 28f(a), by striking the first sen-*  
22       *tence and inserting, “The holder of each unpatented*  
23       *mining claim, mill, or tunnel site, located pursuant*  
24       *to the mining laws of the United States, whether lo-*  
25       *cated before, on or after the enactment of this Act,*

1        *shall pay to the Secretary of the Interior, on or before*  
 2        *September 1 of each year for years 2002 through*  
 3        *2006, a claim maintenance fee of \$100 per claim or*  
 4        *site”; and*

5                *(2) In section 28g, by striking “and before Sep-*  
 6        *tember 30, 2001” and inserting in lieu thereof “and*  
 7        *before September 30, 2006”.*

8                *UNITED STATES FISH AND WILDLIFE SERVICE*  
 9                                *RESOURCE MANAGEMENT*

10        *For necessary expenses of the United States Fish and*  
 11        *Wildlife Service, for scientific and economic studies, con-*  
 12        *servation, management, investigations, protection, and uti-*  
 13        *lization of fishery and wildlife resources, except whales,*  
 14        *seals, and sea lions, maintenance of the herd of long-horned*  
 15        *cattle on the Wichita Mountains Wildlife Refuge, general*  
 16        *administration, and for the performance of other authorized*  
 17        *functions related to such resources by direct expenditure,*  
 18        *contracts, grants, cooperative agreements and reimbursable*  
 19        *agreements with public and private entities, \$845,814,000*  
 20        *to remain available until September 30, 2003, except as oth-*  
 21        *erwise provided herein, of which \$100,000 is for the Univer-*  
 22        *sity of Idaho for developing research mechanisms in support*  
 23        *of salmon and trout recovery in the Columbia and Snake*  
 24        *River basins and their tributaries, of which \$140,000 shall*  
 25        *be made available for the preparation of, and not later than*

1 *July 31, 2002, submission to Congress of a report on, a*  
2 *feasibility study and situational appraisal of the Hacken-*  
3 *sack Meadowlands, New Jersey, to identify management ob-*  
4 *jectives and address strategies for preservation efforts, and*  
5 *of which \$31,000,000 is for conservation activities defined*  
6 *in section 250(c)(4)(E) of the Balanced Budget and Emer-*  
7 *gency Deficit Control Act of 1985, as amended, for the pur-*  
8 *poses of such Act: Provided, That balances in the Federal*  
9 *Infrastructure Improvement account shall be transferred to*  
10 *and merged with this appropriation, and shall remain*  
11 *available until expended: Provided further, That not less*  
12 *than \$2,000,000 shall be provided to local governments in*  
13 *southern California for planning associated with the Nat-*  
14 *ural Communities Conservation Planning (NCCP) pro-*  
15 *gram and shall remain available until expended: Provided*  
16 *further, That not less than \$2,000,000 for high priority*  
17 *projects which shall be carried out by the Youth Conserva-*  
18 *tion Corps, defined in section 250(c)(4)(E)(xii) of the Bal-*  
19 *anced Budget and Emergency Deficit Control Act of 1985,*  
20 *as amended, for the purposes of such Act: Provided further,*  
21 *That not to exceed \$9,000,000 shall be used for imple-*  
22 *menting subsections (a), (b), (c), and (e) of section 4 of the*  
23 *Endangered Species Act, as amended, for species that are*  
24 *indigenous to the United States (except for processing peti-*  
25 *tions, developing and issuing proposed and final regula-*

1 tions, and taking any other steps to implement actions de-  
 2 scribed in subsection (c)(2)(A), (c)(2)(B)(i), or  
 3 (c)(2)(B)(ii): Provided further, That of the amount avail-  
 4 able for law enforcement, up to \$400,000 to remain avail-  
 5 able until expended, may at the discretion of the Secretary,  
 6 be used for payment for information, rewards, or evidence  
 7 concerning violations of laws administered by the Service,  
 8 and miscellaneous and emergency expenses of enforcement  
 9 activity, authorized or approved by the Secretary and to  
 10 be accounted for solely on her certificate: Provided further,  
 11 That of the amount provided for environmental contami-  
 12 nants, up to \$1,000,000 may remain available until ex-  
 13 pended for contaminant sample analyses: Provided further,  
 14 That \$1,100,000 shall be made available to the National  
 15 Fish and Wildlife Foundation to carry out a competitively  
 16 awarded grant program for State, local, or other organiza-  
 17 tions in Maine to fund on-the-ground projects to further At-  
 18 lantic salmon conservation and restoration efforts, at least  
 19 \$550,000 of which shall be awarded to projects that will  
 20 also assist industries in Maine affected by the listing of At-  
 21 lantic salmon under the Endangered Species Act.

#### 22 CONSTRUCTION

23 For construction, improvement, acquisition, or re-  
 24 moval of buildings and other facilities required in the con-  
 25 servation, management, investigation, protection, and utili-  
 26 zation of fishery and wildlife resources, and the acquisition

1 of lands and interests therein; \$55,526,000, to remain avail-  
 2 able until expended.

3 *LAND ACQUISITION*

4 *For expenses necessary to carry out the Land and*  
 5 *Water Conservation Fund Act of 1965, as amended (16*  
 6 *U.S.C. 460l-4 through 11), including administrative ex-*  
 7 *penses, and for acquisition of land or waters, or interest*  
 8 *therein, in accordance with statutory authority applicable*  
 9 *to the United States Fish and Wildlife Service,*  
 10 *\$108,401,000, to be derived from the Land and Water Con-*  
 11 *servation Fund, to remain available until expended, and*  
 12 *to be for the conservation activities defined in section*  
 13 *250(c)(4)(E)(ii) of the Balanced Budget and Emergency*  
 14 *Deficit Control Act of 1985, as amended, for the purposes*  
 15 *of such Act, of which \$500,000 shall be available to acquire*  
 16 *land for the Don Edwards National Wildlife Refuge, Cali-*  
 17 *fornia, of which not more than \$500,000 shall be used for*  
 18 *acquisition of 1,750 acres for the Red River National Wild-*  
 19 *life Refuge, and of which \$3,000,000 shall be for the acquisi-*  
 20 *tion of lands in the Cahaba River National Wildlife Refuge,*  
 21 *and of which \$1,500,000 shall be for emergencies and hard-*  
 22 *ships, and of which \$1,500,000 shall be for inholdings.*

23 *LANDOWNER INCENTIVE PROGRAM*

24 *For expenses necessary to carry out the Land and*  
 25 *Water Conservation Fund Act of 1965, as amended (16*  
 26 *U.S.C. 460l-4 through 11), including administrative ex-*



1 *penses, and for private conservation efforts to be carried out*  
 2 *on private lands, \$50,000,000, to be derived from the Land*  
 3 *and Water Conservation Fund, to remain available until*  
 4 *expended, and to be for conservation spending category ac-*  
 5 *tivities pursuant to section 251(c) of the Balanced Budget*  
 6 *and Emergency Deficit Control Act of 1985, as amended,*  
 7 *for the purposes of discretionary spending limits: Provided,*  
 8 *That the amount provided herein is for a Landowner Incen-*  
 9 *tive Program established by the Secretary that provides*  
 10 *matching, competitively awarded grants to States, the Dis-*  
 11 *trict of Columbia, Tribes, Puerto Rico, Guam, the United*  
 12 *States Virgin Islands, the Northern Mariana Islands, and*  
 13 *American Samoa, to establish, or supplement existing,*  
 14 *landowner incentive programs that provide technical and*  
 15 *financial assistance, including habitat protection and res-*  
 16 *toration, to private landowners for the protection and man-*  
 17 *agement of habitat to benefit federally listed, proposed, or*  
 18 *candidate species, or other at-risk species on private lands.*

#### 19 STEWARDSHIP GRANTS

20 *For expenses necessary to carry out the Land and*  
 21 *Water Conservation Fund Act of 1965, as amended (16*  
 22 *U.S.C. 460l-4 through 11), including administrative ex-*  
 23 *penses, and for private conservation efforts to be carried out*  
 24 *on private lands, \$10,000,000, to be derived from the Land*  
 25 *and Water Conservation Fund, to remain available until*  
 26 *expended, and to be for conservation spending category ac-*

1 *tivities pursuant to section 251(c) of the Balanced Budget*  
 2 *and Emergency Deficit Control Act of 1985, as amended,*  
 3 *for the purposes of discretionary spending limits: Provided,*  
 4 *That the amount provided herein is for the Secretary to*  
 5 *establish a Private Stewardship Grants Program to provide*  
 6 *grants and other assistance to individuals and groups en-*  
 7 *gaged in private conservation efforts that benefit federally*  
 8 *listed, proposed, or candidate species, or other at-risk spe-*  
 9 *cies.*

#### 10 COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

11 *For expenses necessary to carry out section 6 of the*  
 12 *Endangered Species Act of 1973 (16 U.S.C. 1531–1543),*  
 13 *as amended, \$91,000,000, to be derived from the Coopera-*  
 14 *tive Endangered Species Conservation Fund, to remain*  
 15 *available until expended, and to be for the conservation ac-*  
 16 *tivities defined in section 250(c)(4)(E)(v) of the Balanced*  
 17 *Budget and Emergency Deficit Control Act of 1985, as*  
 18 *amended, for the purposes of such Act.*

#### 19 NATIONAL WILDLIFE REFUGE FUND

20 *For expenses necessary to implement the Act of October*  
 21 *17, 1978 (16 U.S.C. 715s), \$14,414,000.*

#### 22 NORTH AMERICAN WETLANDS CONSERVATION FUND

23 *For expenses necessary to carry out the provisions of*  
 24 *the North American Wetlands Conservation Act, Public*  
 25 *Law 101–233, as amended, \$42,000,000, to remain avail-*  
 26 *able until expended and to be for the conservation activities*

1 *defined in section 250(c)(4)(E)(vi) of the Balanced Budget*  
 2 *and Emergency Deficit Control Act of 1985, as amended,*  
 3 *for the purposes of such Act.*

4 *MULTINATIONAL SPECIES CONSERVATION FUND*

5 *For expenses necessary to carry out the African Ele-*  
 6 *phant Conservation Act (16 U.S.C. 4201–4203, 4211–4213,*  
 7 *4221–4225, 4241–4245, and 1538), the Asian Elephant*  
 8 *Conservation Act of 1997 (16 U.S.C. 4261–4266), the Rhi-*  
 9 *noceros and Tiger Conservation Act of 1994 (16 U.S.C.*  
 10 *5301–5306), and the Great Ape Conservation Act of 2000*  
 11 *(16 U.S.C. 6301), \$4,000,000, to remain available until ex-*  
 12 *pended: Provided, That funds made available under this*  
 13 *Act, Public Law 106–291, and Public Law 106–554 and*  
 14 *hereafter in annual appropriations acts for rhinoceros,*  
 15 *tiger, Asian elephant, and great ape conservation programs*  
 16 *are exempt from any sanctions imposed against any coun-*  
 17 *try under section 102 of the Arms Export Control Act (22*  
 18 *U.S.C. 2799aa–1).*

19 *STATE WILDLIFE GRANTS*

20 *(INCLUDING RESCISSION)*

21 *For wildlife conservation grants to States and to the*  
 22 *District of Columbia, Puerto Rico, Guam, the U.S. Virgin*  
 23 *Islands, the Northern Mariana Islands, and American*  
 24 *Samoa, under the provisions of the Fish and Wildlife Act*  
 25 *of 1956 and the Fish and Wildlife Coordination Act, for*  
 26 *the development and implementation of programs for the*

1 benefit of wildlife and their habitat, including species that  
2 are not hunted or fished, \$100,000,000, to be derived from  
3 the Land and Water Conservation Fund, to remain avail-  
4 able until expended, and to be for the conservation activities  
5 defined in section 250(c)(4)(E) of the Balanced Budget and  
6 Emergency Deficit Control Act of 1985, as amended, for the  
7 purposes of such Act: Provided, That the Secretary shall,  
8 after deducting administrative expenses, apportion the  
9 amount provided herein in the following manner: (A) to  
10 the District of Columbia and to the Commonwealth of Puer-  
11 to Rico, each a sum equal to not more than one-half of 1  
12 percent thereof: and (B) to Guam, American Samoa, the  
13 U.S. Virgin Islands, and the Commonwealth of the North-  
14 ern Mariana Islands, each a sum equal to not more than  
15 one-fourth of 1 percent thereof: Provided further, That the  
16 Secretary shall apportion the remaining amount in the fol-  
17 lowing manner: (A) one-third of which is based on the ratio  
18 to which the land area of such State bears to the total land  
19 area of all such States; and (B) two-thirds of which is based  
20 on the ratio to which the population of such State bears  
21 to the total population of all such States: Provided further,  
22 That the amounts apportioned under this paragraph shall  
23 be adjusted equitably so that no State shall be apportioned  
24 a sum which is less than 1 percent of the amount available  
25 for apportionment under this paragraph for any fiscal year

1 *or more than 5 percent of such amount: Provided further,*  
2 *That the Federal share of planning grants shall not exceed*  
3 *75 percent of the total costs of such projects and the Federal*  
4 *share of implementation grants shall not exceed 50 percent*  
5 *of the total costs of such projects: Provided further, That*  
6 *the non-Federal share of such projects may not be derived*  
7 *from Federal grant programs: Provided further, That no*  
8 *State, territory, or other jurisdiction shall receive a grant*  
9 *unless it has developed, or committed to develop by October*  
10 *1, 2005, a comprehensive wildlife conservation plan, con-*  
11 *sistent with criteria established by the Secretary of the Inte-*  
12 *rior, that considers the broad range of the State, territory,*  
13 *or other jurisdiction's wildlife and associated habitats, with*  
14 *appropriate priority placed on those species with the great-*  
15 *est conservation need and taking into consideration the rel-*  
16 *ative level of funding available for the conservation of those*  
17 *species: Provided further, That any amount apportioned in*  
18 *2002 to any State, territory, or other jurisdiction that re-*  
19 *mains unobligated as of September 30, 2003, shall be re-*  
20 *apportioned, together with funds appropriated in 2004, in*  
21 *the manner provided herein.*

22 *Of the amounts appropriated in title VIII of Public*  
23 *Law 106–291, \$49,890,000 for State Wildlife Grants are*  
24 *rescinded.*

## 1 ADMINISTRATIVE PROVISIONS

2       *Appropriations and funds available to the United*  
3 *States Fish and Wildlife Service shall be available for pur-*  
4 *chase of not to exceed 74 passenger motor vehicles, of which*  
5 *69 are for replacement only (including 32 for police-type*  
6 *use); repair of damage to public roads within and adjacent*  
7 *to reservation areas caused by operations of the Service; op-*  
8 *tions for the purchase of land at not to exceed \$1 for each*  
9 *option; facilities incident to such public recreational uses*  
10 *on conservation areas as are consistent with their primary*  
11 *purpose; and the maintenance and improvement of aquaria,*  
12 *buildings, and other facilities under the jurisdiction of the*  
13 *Service and to which the United States has title, and which*  
14 *are used pursuant to law in connection with management*  
15 *and investigation of fish and wildlife resources: Provided,*  
16 *That notwithstanding 44 U.S.C. 501, the Service may,*  
17 *under cooperative cost sharing and partnership arrange-*  
18 *ments authorized by law, procure printing services from co-*  
19 *operators in connection with jointly produced publications*  
20 *for which the cooperators share at least one-half the cost*  
21 *of printing either in cash or services and the Service deter-*  
22 *mines the cooperator is capable of meeting accepted quality*  
23 *standards: Provided further, That the Service may accept*  
24 *donated aircraft as replacements for existing aircraft: Pro-*  
25 *vided further, That notwithstanding any other provision of*

1 *law, the Secretary of the Interior may not spend any of*  
 2 *the funds appropriated in this Act for the purchase of lands*  
 3 *or interests in lands to be used in the establishment of any*  
 4 *new unit of the National Wildlife Refuge System unless the*  
 5 *purchase is approved in advance by the House and Senate*  
 6 *Committees on Appropriations in compliance with the re-*  
 7 *programming procedures contained in Senate Report 105-*  
 8 *56.*

## 9 *NATIONAL PARK SERVICE*

### 10 *OPERATION OF THE NATIONAL PARK SYSTEM*

11 *For expenses necessary for the management, operation,*  
 12 *and maintenance of areas and facilities administered by*  
 13 *the National Park Service (including special road mainte-*  
 14 *nance service to trucking permittees on a reimbursable*  
 15 *basis), and for the general administration of the National*  
 16 *Park Service, \$1,473,128,000, of which \$10,881,000 for re-*  
 17 *search, planning and interagency coordination in support*  
 18 *of land acquisition for Everglades restoration shall remain*  
 19 *available until expended; and of which \$72,640,000, to re-*  
 20 *main available until September 30, 2003, is for mainte-*  
 21 *nance repair or rehabilitation projects for constructed as-*  
 22 *sets, operation of the National Park Service automated fa-*  
 23 *cility management software system, and comprehensive fa-*  
 24 *cility condition assessments; and of which \$2,000,000 is for*  
 25 *the Youth Conservation Corps, defined in section*

1 250(c)(4)(E)(xii) of the *Balanced Budget and Emergency*  
 2 *Deficit Control Act of 1985*, as amended, for the purposes  
 3 of such Act, for high priority projects: *Provided, That the*  
 4 *only funds in this account which may be made available*  
 5 *to support United States Park Police are those funds ap-*  
 6 *proved for emergency law and order incidents pursuant to*  
 7 *established National Park Service procedures, those funds*  
 8 *needed to maintain and repair United States Park Police*  
 9 *administrative facilities, and those funds necessary to reim-*  
 10 *burse the United States Park Police account for the*  
 11 *unbudgeted overtime and travel costs associated with special*  
 12 *events for an amount not to exceed \$10,000 per event subject*  
 13 *to the review and concurrence of the Washington head-*  
 14 *quarters office.*

15 UNITED STATES PARK POLICE

16 *For expenses necessary to carry out the programs of*  
 17 *the United States Park Police, \$66,106,000.*

18 CONTRIBUTION FOR ANNUITY BENEFITS

19 *For reimbursement (not heretofore made), pursuant to*  
 20 *provisions of Public Law 85–157, to the District of Colum-*  
 21 *bia on a monthly basis for benefit payments by the District*  
 22 *of Columbia to United States Park Police annuitants under*  
 23 *the provisions of the Policeman and Fireman’s Retirement*  
 24 *and Disability Act (Act), to the extent those payments ex-*  
 25 *ceed contributions made by active Park Police members cov-*  
 26 *ered under the Act, such amounts as hereafter may be nec-*



1 *essary: Provided, That hereafter the appropriations made*  
 2 *to the National Park Service shall not be available for this*  
 3 *purpose.*

4 *NATIONAL RECREATION AND PRESERVATION*

5 *For expenses necessary to carry out recreation pro-*  
 6 *grams, natural programs, cultural programs, heritage part-*  
 7 *nership programs, environmental compliance and review,*  
 8 *international park affairs, statutory or contractual aid for*  
 9 *other activities, and grant administration, not otherwise*  
 10 *provided for, \$66,287,000, of which \$300,000 in heritage*  
 11 *partnership funds are for the Erie Canalway National Her-*  
 12 *itage Corridor, of which \$101,000 in statutory or contrac-*  
 13 *tual aid is for the Brown Foundation for Educational Eq-*  
 14 *uity, and of which \$250,000 is for a cultural program grant*  
 15 *to the Underground Railroad Coalition of Delaware.*

16 *URBAN PARK AND RECREATION FUND*

17 *For expenses necessary to carry out the provisions of*  
 18 *the Urban Park and Recreation Recovery Act of 1978 (16*  
 19 *U.S.C. 2501 et seq.), \$20,000,000, to remain available until*  
 20 *expended and to be for the conservation activities defined*  
 21 *in section 250(c)(4)(E)(x) of the Balanced Budget and*  
 22 *Emergency Deficit Control Act of 1985, as amended, for the*  
 23 *purposes of such Act.*

24 *HISTORIC PRESERVATION FUND*

25 *For expenses necessary in carrying out the Historic*  
 26 *Preservation Act of 1966, as amended (16 U.S.C. 470), and*

1 *the Omnibus Parks and Public Lands Management Act of*  
2 *1996 (Public Law 104–333), \$74,000,000, to be derived*  
3 *from the Historic Preservation Fund, to remain available*  
4 *until September 30, 2003, and to be for the conservation*  
5 *activities defined in section 250(c)(4)(E)(xi) of the Bal-*  
6 *anced Budget and Emergency Deficit Control Act of 1985,*  
7 *as amended, for the purposes of such Act: Provided, That*  
8 *of the amount provided \$30,000,000 shall be for Save Amer-*  
9 *ica’s Treasures for priority preservation projects, including*  
10 *preservation of intellectual and cultural artifacts, preserva-*  
11 *tion of historic structures and sites, and buildings to house*  
12 *cultural and historic resources and to provide educational*  
13 *opportunities: Provided further, That any individual Save*  
14 *America’s Treasures grant shall be matched by non-Federal*  
15 *funds: Provided further, That individual projects shall only*  
16 *be eligible for one grant, and all projects to be funded shall*  
17 *be approved by the House and Senate Committees on Ap-*  
18 *propriations prior to the commitment of grant funds: Pro-*  
19 *vided further, That Save America’s Treasures funds allo-*  
20 *cated for Federal projects shall be available by transfer to*  
21 *appropriate accounts of individual agencies, after approval*  
22 *of such projects by the Secretary of the Interior: Provided*  
23 *further, That none of the funds provided for Save America’s*  
24 *Treasures may be used for administrative expenses, and*

1 *staffing for the program shall be available from the existing*  
2 *staffing levels in the National Park Service.*

3 *CONSTRUCTION*

4 *For construction, improvements, repair or replacement*  
5 *of physical facilities, including the modifications authorized*  
6 *by section 104 of the Everglades National Park Protection*  
7 *and Expansion Act of 1989, \$338,585,000, to remain avail-*  
8 *able until expended, of which \$60,000,000 is for conserva-*  
9 *tion activities defined in section 250(c)(4)(E) of the Bal-*  
10 *anced Budget and Emergency Deficit Control Act of 1985,*  
11 *as amended, for the purposes of such Act.*

12 *LAND AND WATER CONSERVATION FUND*

13 *(RESCISSION)*

14 *The contract authority provided for fiscal year 2002*  
15 *by 16 U.S.C. 460l–10a is rescinded.*

16 *LAND ACQUISITION AND STATE ASSISTANCE*

17 *For expenses necessary to carry out the Land and*  
18 *Water Conservation Act of 1965, as amended (16 U.S.C.*  
19 *460l–4 through 11), including administrative expenses, and*  
20 *for acquisition of lands or waters, or interest therein, in*  
21 *accordance with the statutory authority applicable to the*  
22 *National Park Service, \$287,036,000, to be derived from the*  
23 *Land and Water Conservation Fund, to remain available*  
24 *until expended and to be for the conservation activities de-*  
25 *finied in section 250(c)(4)(E)(iii) of the Balanced Budget*  
26 *and Emergency Deficit Control Act of 1985, as amended,*

1 *for the purposes of such Act, of which \$164,000,000 is for*  
2 *the State assistance program including \$4,000,000 to ad-*  
3 *minister the State assistance program, and of which*  
4 *\$11,000,000 shall be for grants, not covering more than 50*  
5 *percent of the total cost of any acquisition to be made with*  
6 *such funds, to States and local communities for purposes*  
7 *of acquiring lands or interests in lands to preserve and pro-*  
8 *tect Civil War battlefield sites identified in the July 1993*  
9 *Report on the Nation's Civil War Battlefields prepared by*  
10 *the Civil War Sites Advisory Commission: Provided, That*  
11 *lands or interests in land acquired with Civil War battle-*  
12 *field grants shall be subject to the requirements of para-*  
13 *graph 6(f)(3) of the Land and Water Conservation Fund*  
14 *Act of 1965 (16 U.S.C. 460l-8(f)(3)): Provided further,*  
15 *That of the amounts provided under this heading,*  
16 *\$15,000,000 may be for Federal grants to the State of Flor-*  
17 *ida for the acquisition of lands or waters, or interests there-*  
18 *in, within the Everglades watershed (consisting of lands*  
19 *and waters within the boundaries of the South Florida*  
20 *Water Management District, Florida Bay and the Florida*  
21 *Keys, including the areas known as the Frog Pond, the*  
22 *Rocky Glades and the Eight and One-Half Square Mile*  
23 *Area) under terms and conditions deemed necessary by the*  
24 *Secretary to improve and restore the hydrological function*  
25 *of the Everglades watershed; and \$16,000,000 may be for*

1 *project modifications authorized by section 104 of the Ever-*  
 2 *glades National Park Protection and Expansion Act: Pro-*  
 3 *vided further, That funds provided under this heading for*  
 4 *assistance to the State of Florida to acquire lands within*  
 5 *the Everglades watershed are contingent upon new match-*  
 6 *ing non-Federal funds by the State and shall be subject to*  
 7 *an agreement that the lands to be acquired will be managed*  
 8 *in perpetuity for the restoration of the Everglades: Provided*  
 9 *further, That none of the funds provided for the State As-*  
 10 *sistance program may be used to establish a contingency*  
 11 *fund.*

#### 12 ADMINISTRATIVE PROVISIONS

13 *Appropriations for the National Park Service shall be*  
 14 *available for the purchase of not to exceed 315 passenger*  
 15 *motor vehicles, of which 256 shall be for replacement only,*  
 16 *including not to exceed 237 for police-type use, 11 buses,*  
 17 *and 8 ambulances: Provided, That none of the funds appro-*  
 18 *priated to the National Park Service may be used to process*  
 19 *any grant or contract documents which do not include the*  
 20 *text of 18 U.S.C. 1913: Provided further, That none of the*  
 21 *funds appropriated to the National Park Service may be*  
 22 *used to implement an agreement for the redevelopment of*  
 23 *the southern end of Ellis Island until such agreement has*  
 24 *been submitted to the Congress and shall not be imple-*  
 25 *mented prior to the expiration of 30 calendar days (not*  
 26 *including any day in which either House of Congress is*

1 *not in session because of adjournment of more than three*  
 2 *calendar days to a day certain) from the receipt by the*  
 3 *Speaker of the House of Representatives and the President*  
 4 *of the Senate of a full and comprehensive report on the de-*  
 5 *velopment of the southern end of Ellis Island, including the*  
 6 *facts and circumstances relied upon in support of the pro-*  
 7 *posed project.*

8 *None of the funds in this Act may be spent by the Na-*  
 9 *tional Park Service for activities taken in direct response*  
 10 *to the United Nations Biodiversity Convention.*

11 *The National Park Service may distribute to operating*  
 12 *units based on the safety record of each unit the costs of*  
 13 *programs designed to improve workplace and employee safe-*  
 14 *ty, and to encourage employees receiving workers' com-*  
 15 *pensation benefits pursuant to chapter 81 of title 5, United*  
 16 *States Code, to return to appropriate positions for which*  
 17 *they are medically able.*

18 *UNITED STATES GEOLOGICAL SURVEY*  
 19 *SURVEYS, INVESTIGATIONS, AND RESEARCH*

20 *For expenses necessary for the United States Geological*  
 21 *Survey to perform surveys, investigations, and research cov-*  
 22 *ering topography, geology, hydrology, biology, and the min-*  
 23 *eral and water resources of the United States, its territories*  
 24 *and possessions, and other areas as authorized by 43 U.S.C.*  
 25 *31, 1332, and 1340; classify lands as to their mineral and*

1 *water resources; give engineering supervision to power per-*  
2 *mittees and Federal Energy Regulatory Commission licens-*  
3 *ees; administer the minerals exploration program (30*  
4 *U.S.C. 641); and publish and disseminate data relative to*  
5 *the foregoing activities; and to conduct inquiries into the*  
6 *economic conditions affecting mining and materials proc-*  
7 *essing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C.*  
8 *98g(1)) and related purposes as authorized by law and to*  
9 *publish and disseminate data; \$892,474,000, of which*  
10 *\$64,318,000 shall be available only for cooperation with*  
11 *States or municipalities for water resources investigations;*  
12 *and of which \$16,400,000 shall remain available until ex-*  
13 *pended for conducting inquiries into the economic condi-*  
14 *tions affecting mining and materials processing industries;*  
15 *and of which \$8,000,000 shall remain available until ex-*  
16 *pended for satellite operations; and of which \$23,226,000*  
17 *shall be available until September 30, 2003 for the oper-*  
18 *ation and maintenance of facilities and deferred mainte-*  
19 *nance; and of which \$164,424,000 shall be available until*  
20 *September 30, 2003 for the biological research activity and*  
21 *the operation of the Cooperative Research Units: Provided,*  
22 *That none of these funds provided for the biological research*  
23 *activity shall be used to conduct new surveys on private*  
24 *property, unless specifically authorized in writing by the*  
25 *property owner: Provided further, That of the amount pro-*

1 vided herein, \$25,000,000 is for the conservation activities  
 2 defined in section 250(c)(4)(E)(viii) of the Balanced Budget  
 3 and Emergency Deficit Control Act of 1985, as amended,  
 4 for the purposes of such Act: Provided further, That no part  
 5 of this appropriation shall be used to pay more than one-  
 6 half the cost of topographic mapping or water resources  
 7 data collection and investigations carried on in cooperation  
 8 with States and municipalities.

9 ADMINISTRATIVE PROVISIONS

10 The amount appropriated for the United States Geo-  
 11 logical Survey shall be available for the purchase of not to  
 12 exceed 53 passenger motor vehicles, of which 48 are for re-  
 13 placement only; reimbursement to the General Services Ad-  
 14 ministration for security guard services; contracting for the  
 15 furnishing of topographic maps and for the making of geo-  
 16 physical or other specialized surveys when it is administra-  
 17 tively determined that such procedures are in the public in-  
 18 terest; construction and maintenance of necessary buildings  
 19 and appurtenant facilities; acquisition of lands for gauging  
 20 stations and observation wells; expenses of the United States  
 21 National Committee on Geology; and payment of compensa-  
 22 tion and expenses of persons on the rolls of the Survey duly  
 23 appointed to represent the United States in the negotiation  
 24 and administration of interstate compacts: Provided, That  
 25 activities funded by appropriations herein made may be ac-



1 *complished through the use of contracts, grants, or coopera-*  
 2 *tive agreements as defined in 31 U.S.C. 6302 et seq.*

### 3 *MINERALS MANAGEMENT SERVICE*

#### 4 *ROYALTY AND OFFSHORE MINERALS MANAGEMENT*

5 *For expenses necessary for minerals leasing and envi-*  
 6 *ronmental studies, regulation of industry operations, and*  
 7 *collection of royalties, as authorized by law; for enforcing*  
 8 *laws and regulations applicable to oil, gas, and other min-*  
 9 *erals leases, permits, licenses and operating contracts; and*  
 10 *for matching grants or cooperative agreements; including*  
 11 *the purchase of not to exceed eight passenger motor vehicles*  
 12 *for replacement only, \$151,933,000, of which \$84,021,000,*  
 13 *shall be available for royalty management activities; and*  
 14 *an amount not to exceed \$102,730,000, to be credited to this*  
 15 *appropriation and to remain available until expended,*  
 16 *from additions to receipts resulting from increases to rates*  
 17 *in effect on August 5, 1993, from rate increases to fee collec-*  
 18 *tions for Outer Continental Shelf administrative activities*  
 19 *performed by the Minerals Management Service over and*  
 20 *above the rates in effect on September 30, 1993, and from*  
 21 *additional fees for Outer Continental Shelf administrative*  
 22 *activities established after September 30, 1993: Provided,*  
 23 *That to the extent \$102,730,000 in additions to receipts are*  
 24 *not realized from the sources of receipts stated above, the*  
 25 *amount needed to reach \$102,730,000 shall be credited to*

1 *this appropriation from receipts resulting from rental rates*  
2 *for Outer Continental Shelf leases in effect before August*  
3 *5, 1993: Provided further, That \$3,000,000 for computer ac-*  
4 *quisitions shall remain available until September 30, 2003:*  
5 *Provided further, That funds appropriated under this Act*  
6 *shall be available for the payment of interest in accordance*  
7 *with 30 U.S.C. 1721(b) and (d): Provided further, That not*  
8 *to exceed \$3,000 shall be available for reasonable expenses*  
9 *related to promoting volunteer beach and marine cleanup*  
10 *activities: Provided further, That notwithstanding any*  
11 *other provision of law, \$15,000 under this heading shall be*  
12 *available for refunds of overpayments in connection with*  
13 *certain Indian leases in which the Director of the Minerals*  
14 *Management Service (MMS) concurred with the claimed re-*  
15 *fund due, to pay amounts owed to Indian allottees or tribes,*  
16 *or to correct prior unrecoverable erroneous payments: Pro-*  
17 *vided further, That MMS may under the royalty-in-kind*  
18 *pilot program use a portion of the revenues from royalty-*  
19 *in-kind sales, without regard to fiscal year limitation, to*  
20 *pay for transportation to wholesale market centers or up-*  
21 *stream pooling points, and to process or otherwise dispose*  
22 *of royalty production taken in kind: Provided further, That*  
23 *MMS shall analyze and document the expected return in*  
24 *advance of any royalty-in-kind sales to assure to the max-*  
25 *imum extent practicable that royalty income under the*

1 *pilot program is equal to or greater than royalty income*  
 2 *recognized under a comparable royalty-in-value program.*

3 *OIL SPILL RESEARCH*

4 *For necessary expenses to carry out title I, section*  
 5 *1016, title IV, sections 4202 and 4303, title VII, and title*  
 6 *VIII, section 8201 of the Oil Pollution Act of 1990,*  
 7 *\$6,118,000, which shall be derived from the Oil Spill Liabil-*  
 8 *ity Trust Fund, to remain available until expended.*

9 *OFFICE OF SURFACE MINING RECLAMATION AND*

10 *ENFORCEMENT*

11 *REGULATION AND TECHNOLOGY*

12 *For necessary expenses to carry out the provisions of*  
 13 *the Surface Mining Control and Reclamation Act of 1977,*  
 14 *Public Law 95–87, as amended, including the purchase of*  
 15 *not to exceed 10 passenger motor vehicles, for replacement*  
 16 *only; \$102,144,000: Provided, That the Secretary of the In-*  
 17 *terior, pursuant to regulations, may use directly or through*  
 18 *grants to States, moneys collected in fiscal year 2002 for*  
 19 *civil penalties assessed under section 518 of the Surface*  
 20 *Mining Control and Reclamation Act of 1977 (30 U.S.C.*  
 21 *1268), to reclaim lands adversely affected by coal mining*  
 22 *practices after August 3, 1977, to remain available until*  
 23 *expended: Provided further, That appropriations for the Of-*  
 24 *fice of Surface Mining Reclamation and Enforcement may*  
 25 *provide for the travel and per diem expenses of State and*

1 *tribal personnel attending Office of Surface Mining Rec-*  
2 *lamation and Enforcement sponsored training.*

3 *ABANDONED MINE RECLAMATION FUND*

4 *For necessary expenses to carry out title IV of the Sur-*  
5 *face Mining Control and Reclamation Act of 1977, Public*  
6 *Law 95–87, as amended, including the purchase of not more*  
7 *than 10 passenger motor vehicles for replacement only,*  
8 *\$203,171,000, to be derived from receipts of the Abandoned*  
9 *Mine Reclamation Fund and to remain available until ex-*  
10 *pende; of which up to \$10,000,000, to be derived from the*  
11 *Federal Expenses Share of the Fund, shall be for supple-*  
12 *mental grants to States for the reclamation of abandoned*  
13 *sites with acid mine rock drainage from coal mines, and*  
14 *for associated activities, through the Appalachian Clean*  
15 *Streams Initiative: Provided, That grants to minimum pro-*  
16 *gram States will be \$1,600,000 per State in fiscal year*  
17 *2002: Provided further, That of the funds herein provided*  
18 *up to \$18,000,000 may be used for the emergency program*  
19 *authorized by section 410 of Public Law 95–87, as amend-*  
20 *ed, of which no more than 25 percent shall be used for emer-*  
21 *gency reclamation projects in any one State and funds for*  
22 *federally administered emergency reclamation projects*  
23 *under this proviso shall not exceed \$11,000,000: Provided*  
24 *further, That prior year unobligated funds appropriated for*  
25 *the emergency reclamation program shall not be subject to*  
26 *the 25 percent limitation per State and may be used with-*

1 out fiscal year limitation for emergency projects: Provided  
2 further, That pursuant to Public Law 97–365, the Depart-  
3 ment of the Interior is authorized to use up to 20 percent  
4 from the recovery of the delinquent debt owed to the United  
5 States Government to pay for contracts to collect these debts:  
6 Provided further, That funds made available under title IV  
7 of Public Law 95–87 may be used for any required non-  
8 Federal share of the cost of projects funded by the Federal  
9 Government for the purpose of environmental restoration  
10 related to treatment or abatement of acid mine drainage  
11 from abandoned mines: Provided further, That such projects  
12 must be consistent with the purposes and priorities of the  
13 Surface Mining Control and Reclamation Act: Provided  
14 further, That the State of Maryland may set aside the great-  
15 er of \$1,000,000 or 10 percent of the total of the grants  
16 made available to the State under title IV of the Surface  
17 Mining Control and Reclamation Act of 1977, as amended  
18 (30 U.S.C. 1231 et seq.), if the amount set aside is deposited  
19 in an acid mine drainage abatement and treatment fund  
20 established under a State law, pursuant to which law the  
21 amount (together with all interest earned on the amount)  
22 is expended by the State to undertake acid mine drainage  
23 abatement and treatment projects, except that before any  
24 amounts greater than 10 percent of its title IV grants are  
25 deposited in an acid mine drainage abatement and treat-

1 ment fund, the State of Maryland must first complete all  
 2 Surface Mining Control and Reclamation Act priority one  
 3 projects.

4 *BUREAU OF INDIAN AFFAIRS*

5 *OPERATION OF INDIAN PROGRAMS*

6 *For expenses necessary for the operation of Indian pro-*  
 7 *grams, as authorized by law, including the Snyder Act of*  
 8 *November 2, 1921 (25 U.S.C. 13), the Indian Self-Deter-*  
 9 *mination and Education Assistance Act of 1975 (25 U.S.C.*  
 10 *450 et seq.), as amended, the Education Amendments of*  
 11 *1978 (25 U.S.C. 2001–2019), and the Tribally Controlled*  
 12 *Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended,*  
 13 *\$1,804,322,000, to remain available until September 30,*  
 14 *2003 except as otherwise provided herein, of which not to*  
 15 *exceed \$89,864,000 shall be for welfare assistance payments*  
 16 *and notwithstanding any other provision of law, including*  
 17 *but not limited to the Indian Self-Determination Act of*  
 18 *1975, as amended, not to exceed \$130,209,000 shall be*  
 19 *available for payments to tribes and tribal organizations*  
 20 *for contract support costs associated with ongoing contracts,*  
 21 *grants, compacts, or annual funding agreements entered*  
 22 *into with the Bureau prior to or during fiscal year 2002,*  
 23 *as authorized by such Act, except that tribes and tribal or-*  
 24 *ganizations may use their tribal priority allocations for*  
 25 *unmet indirect costs of ongoing contracts, grants, or com-*

1 pacts, or annual funding agreements and for unmet welfare  
2 assistance costs; and up to \$3,000,000 shall be for the In-  
3 dian Self-Determination Fund which shall be available for  
4 the transitional cost of initial or expanded tribal contracts,  
5 grants, compacts or cooperative agreements with the Bureau  
6 under such Act; and of which not to exceed \$436,427,000  
7 for school operations costs of Bureau-funded schools and  
8 other education programs shall become available on July  
9 1, 2002, and shall remain available until September 30,  
10 2003; and of which not to exceed \$58,540,000 shall remain  
11 available until expended for housing improvement, road  
12 maintenance, attorney fees, litigation support, the Indian  
13 Self-Determination Fund, land records improvement, and  
14 the Navajo-Hopi Settlement Program: Provided, That not-  
15 withstanding any other provision of law, including but not  
16 limited to the Indian Self-Determination Act of 1975, as  
17 amended, and 25 U.S.C. 2008, not to exceed \$43,065,000  
18 within and only from such amounts made available for  
19 school operations shall be available to tribes and tribal or-  
20 ganizations for administrative cost grants associated with  
21 the operation of Bureau-funded schools: Provided further,  
22 That any forestry funds allocated to a tribe which remain  
23 unobligated as of September 30, 2003, may be transferred  
24 during fiscal year 2004 to an Indian forest land assistance  
25 account established for the benefit of such tribe within the

1 *tribe's trust fund account: Provided further, That any such*  
 2 *unobligated balances not so transferred shall expire on Sep-*  
 3 *tember 30, 2004.*

#### 4 CONSTRUCTION

5 *For construction, repair, improvement, and mainte-*  
 6 *nance of irrigation and power systems, buildings, utilities,*  
 7 *and other facilities, including architectural and engineering*  
 8 *services by contract; acquisition of lands, and interests in*  
 9 *lands; and preparation of lands for farming, and for con-*  
 10 *struction of the Navajo Indian Irrigation Project pursuant*  
 11 *to Public Law 87-483, \$360,132,000, to remain available*  
 12 *until expended: Provided, That such amounts as may be*  
 13 *available for the construction of the Navajo Indian Irriga-*  
 14 *tion Project may be transferred to the Bureau of Reclama-*  
 15 *tion: Provided further, That not to exceed 6 percent of con-*  
 16 *tract authority available to the Bureau of Indian Affairs*  
 17 *from the Federal Highway Trust Fund may be used to cover*  
 18 *the road program management costs of the Bureau: Pro-*  
 19 *vided further, That any funds provided for the Safety of*  
 20 *Dams program pursuant to 25 U.S.C. 13 shall be made*  
 21 *available on a nonreimbursable basis: Provided further,*  
 22 *That for fiscal year 2002, in implementing new construc-*  
 23 *tion or facilities improvement and repair project grants in*  
 24 *excess of \$100,000 that are provided to tribally controlled*  
 25 *grant schools under Public Law 100-297, as amended, the*  
 26 *Secretary of the Interior shall use the Administrative and*



1 *Audit Requirements and Cost Principles for Assistance Pro-*  
 2 *grams contained in 43 CFR part 12 as the regulatory re-*  
 3 *quirements: Provided further, That such grants shall not*  
 4 *be subject to section 12.61 of 43 CFR; the Secretary and*  
 5 *the grantee shall negotiate and determine a schedule of pay-*  
 6 *ments for the work to be performed: Provided further, That*  
 7 *in considering applications, the Secretary shall consider*  
 8 *whether the Indian tribe or tribal organization would be*  
 9 *deficient in assuring that the construction projects conform*  
 10 *to applicable building standards and codes and Federal,*  
 11 *tribal, or State health and safety standards as required by*  
 12 *25 U.S.C. 2005(a), with respect to organizational and fi-*  
 13 *nancial management capabilities: Provided further, That if*  
 14 *the Secretary declines an application, the Secretary shall*  
 15 *follow the requirements contained in 25 U.S.C. 2505(f):*  
 16 *Provided further, That any disputes between the Secretary*  
 17 *and any grantee concerning a grant shall be subject to the*  
 18 *disputes provision in 25 U.S.C. 2508(e).*

19 *INDIAN LAND AND WATER CLAIM SETTLEMENTS AND*

20 *MISCELLANEOUS PAYMENTS TO INDIANS*

21 *For miscellaneous payments to Indian tribes and indi-*  
 22 *viduals and for necessary administrative expenses,*  
 23 *\$60,949,000, to remain available until expended; of which*  
 24 *\$24,870,000 shall be available for implementation of en-*  
 25 *acted Indian land and water claim settlements pursuant*  
 26 *to Public Laws 101–618 and 102–575, and for implementa-*

tion of other enacted water rights settlements; of which \$7,950,000 shall be available for future water supplies facilities under Public Law 106–163; of which \$21,875,000 shall be available pursuant to Public Laws 99–264, 100–580, 106–263, 106–425, 106–554, and 106–568; and of which \$6,254,000 shall be available for the consent decree entered by the U.S. District Court, Western District of Michigan in *United States v. Michigan*, Case No. 2:73 CV 26.

#### INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans, \$4,500,000, as authorized by the Indian Financing Act of 1974, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$75,000,000.

In addition, for administrative expenses to carry out the guaranteed loan programs, \$486,000.

#### ADMINISTRATIVE PROVISIONS

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

1        *Appropriations for the Bureau of Indian Affairs (ex-*  
2 *cept the revolving fund for loans, the Indian loan guarantee*  
3 *and insurance fund, and the Indian Guaranteed Loan Pro-*  
4 *gram account) shall be available for expenses of exhibits,*  
5 *and purchase of not to exceed 229 passenger motor vehicles,*  
6 *of which not to exceed 187 shall be for replacement only.*

7        *Notwithstanding any other provision of law, no funds*  
8 *available to the Bureau of Indian Affairs for central office*  
9 *operations, pooled overhead general administration (except*  
10 *facilities operations and maintenance), or provided to im-*  
11 *plement the recommendations of the National Academy of*  
12 *Public Administration's August 1999 report shall be avail-*  
13 *able for tribal contracts, grants, compacts, or cooperative*  
14 *agreements with the Bureau of Indian Affairs under the*  
15 *provisions of the Indian Self-Determination Act or the*  
16 *Tribal Self-Governance Act of 1994 (Public Law 103-413).*

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

24        *Notwithstanding any other provision of law, no funds*  
25 *available to the Bureau, other than the amounts provided*

1 *herein for assistance to public schools under 25 U.S.C. 452*  
2 *et seq., shall be available to support the operation of any*  
3 *elementary or secondary school in the State of Alaska.*

4       *Appropriations made available in this or any other*  
5 *Act for schools funded by the Bureau shall be available only*  
6 *to the schools in the Bureau school system as of September*  
7 *1, 1996. No funds available to the Bureau shall be used to*  
8 *support expanded grades for any school or dormitory be-*  
9 *yond the grade structure in place or approved by the Sec-*  
10 *retary of the Interior at each school in the Bureau school*  
11 *system as of October 1, 1995. Funds made available under*  
12 *this Act may not be used to establish a charter school at*  
13 *a Bureau-funded school (as that term is defined in section*  
14 *1146 of the Education Amendments of 1978 (25 U.S.C.*  
15 *2026)), except that a charter school that is in existence on*  
16 *the date of the enactment of this Act and that has operated*  
17 *at a Bureau-funded school before September 1, 1999, may*  
18 *continue to operate during that period, but only if the char-*  
19 *ter school pays to the Bureau a pro rata share of funds*  
20 *to reimburse the Bureau for the use of the real and personal*  
21 *property (including buses and vans), the funds of the char-*  
22 *ter school are kept separate and apart from Bureau funds,*  
23 *and the Bureau does not assume any obligation for charter*  
24 *school programs of the State in which the school is located*  
25 *if the charter school loses such funding. Employees of Bu-*

1 *reau-funded schools sharing a campus with a charter school*  
 2 *and performing functions related to the charter school's op-*  
 3 *eration and employees of a charter school shall not be treat-*  
 4 *ed as Federal employees for purposes of chapter 171 of title*  
 5 *28, United States Code (commonly known as the "Federal*  
 6 *Tort Claims Act").*

7 *DEPARTMENTAL OFFICES*

8 *INSULAR AFFAIRS*

9 *ASSISTANCE TO TERRITORIES*

10 *For expenses necessary for assistance to territories*  
 11 *under the jurisdiction of the Department of the Interior,*  
 12 *\$76,450,000, of which: (1) \$71,922,000 shall be available*  
 13 *until expended for technical assistance, including mainte-*  
 14 *nance assistance, disaster assistance, insular management*  
 15 *controls, coral reef initiative activities, and brown tree*  
 16 *snake control and research; grants to the judiciary in Amer-*  
 17 *ican Samoa for compensation and expenses, as authorized*  
 18 *by law (48 U.S.C. 1661(c)); grants to the Government of*  
 19 *American Samoa, in addition to current local revenues, for*  
 20 *construction and support of governmental functions; grants*  
 21 *to the Government of the Virgin Islands as authorized by*  
 22 *law; grants to the Government of Guam, as authorized by*  
 23 *law; and grants to the Government of the Northern Mariana*  
 24 *Islands as authorized by law (Public Law 94-241; 90 Stat.*  
 25 *272); and (2) \$4,528,000 shall be available for salaries and*

1 *expenses of the Office of Insular Affairs: Provided, That all*  
2 *financial transactions of the territorial and local govern-*  
3 *ments herein provided for, including such transactions of*  
4 *all agencies or instrumentalities established or used by such*  
5 *governments, may be audited by the General Accounting Of-*  
6 *fice, at its discretion, in accordance with chapter 35 of title*  
7 *31, United States Code: Provided further, That Northern*  
8 *Mariana Islands Covenant grant funding shall be provided*  
9 *according to those terms of the Agreement of the Special*  
10 *Representatives on Future United States Financial Assist-*  
11 *ance for the Northern Mariana Islands approved by Public*  
12 *Law 104–134: Provided further, That of the amounts pro-*  
13 *vided for technical assistance, not to exceed \$2,000,000 shall*  
14 *be made available for transfer to the Disaster Assistance*  
15 *Direct Loan Financing Account of the Federal Emergency*  
16 *Management Agency for the purpose of covering the cost of*  
17 *forgiving the repayment obligation of the Government of the*  
18 *Virgin Islands on Community Disaster Loan 841, as re-*  
19 *quired by section 504 of the Congressional Budget Act of*  
20 *1974, as amended (2 U.S.C. 661c): Provided further, That*  
21 *of the amounts provided for technical assistance, sufficient*  
22 *funding shall be made available for a grant to the Close*  
23 *Up Foundation: Provided further, That the funds for the*  
24 *program of operations and maintenance improvement are*  
25 *appropriated to institutionalize routine operations and*

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

19 COMPACT OF FREE ASSOCIATION

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

1 *and 233 of the Compact of Free Association, \$23,245,000,*  
2 *to remain available until expended, as authorized by Public*  
3 *Law 99–239 and Public Law 99–658.*

4 *DEPARTMENTAL MANAGEMENT*

5 *SALARIES AND EXPENSES*

6 *For necessary expenses for management of the Depart-*  
7 *ment of the Interior, \$67,541,000, of which not to exceed*  
8 *\$8,500 may be for official reception and representation ex-*  
9 *penses, and of which up to \$1,000,000 shall be available*  
10 *for workers compensation payments and unemployment*  
11 *compensation payments associated with the orderly closure*  
12 *of the United States Bureau of Mines.*

13 *OFFICE OF THE SOLICITOR*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the Office of the Solicitor,*  
16 *\$44,074,000.*

17 *OFFICE OF INSPECTOR GENERAL*

18 *SALARIES AND EXPENSES*

19 *For necessary expenses of the Office of Inspector Gen-*  
20 *eral, \$34,302,000, of which \$3,812,000 shall be for procure-*  
21 *ment by contract of independent auditing services to audit*  
22 *the consolidated Department of the Interior annual finan-*  
23 *cial statement and the annual financial statement of the*  
24 *Department of the Interior bureaus and offices funded in*  
25 *this Act.*



1     *OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS*  
2                     *FEDERAL TRUST PROGRAMS*

3         *For operation of trust programs for Indians by direct*  
4 *expenditure, contracts, cooperative agreements, compacts,*  
5 *and grants, \$99,224,000, to remain available until ex-*  
6 *pended: Provided, That funds for trust management im-*  
7 *provements may be transferred, as needed, to the Bureau*  
8 *of Indian Affairs "Operation of Indian Programs" account*  
9 *and to the Departmental Management "Salaries and Ex-*  
10 *penses" account: Provided further, That funds made avail-*  
11 *able to Tribes and Tribal organizations through contracts*  
12 *or grants obligated during fiscal year 2002, as authorized*  
13 *by the Indian Self-Determination Act of 1975 (25 U.S.C.*  
14 *450 et seq.), shall remain available until expended by the*  
15 *contractor or grantee: Provided further, That notwith-*  
16 *standing any other provision of law, the statute of limita-*  
17 *tions shall not commence to run on any claim, including*  
18 *any claim in litigation pending on the date of the enact-*  
19 *ment of this Act, concerning losses to or mismanagement*  
20 *of trust funds, until the affected tribe or individual Indian*  
21 *has been furnished with an accounting of such funds from*  
22 *which the beneficiary can determine whether there has been*  
23 *a loss: Provided further, That notwithstanding any other*  
24 *provision of law, the Secretary shall not be required to pro-*  
25 *vide a quarterly statement of performance for any Indian*

1 *trust account that has not had activity for at least 18*  
 2 *months and has a balance of \$1.00 or less: Provided further,*  
 3 *That the Secretary shall issue an annual account statement*  
 4 *and maintain a record of any such accounts and shall per-*  
 5 *mit the balance in each such account to be withdrawn upon*  
 6 *the express written request of the account holder.*

#### 7 *INDIAN LAND CONSOLIDATION*

8 *For consolidation of fractional interests in Indian*  
 9 *lands and expenses associated with redetermining and re-*  
 10 *distributing escheated interests in allotted lands, and for*  
 11 *necessary expenses to carry out the Indian Land Consolida-*  
 12 *tion Act of 1983, as amended, by direct expenditure or coop-*  
 13 *erative agreement, \$10,980,000, to remain available until*  
 14 *expended and which may be transferred to the Bureau of*  
 15 *Indian Affairs and Departmental Management.*

#### 16 *NATURAL RESOURCE DAMAGE ASSESSMENT AND* 17 *RESTORATION*

#### 18 *NATURAL RESOURCE DAMAGE ASSESSMENT FUND*

19 *To conduct natural resource damage assessment activi-*  
 20 *ties by the Department of the Interior necessary to carry*  
 21 *out the provisions of the Comprehensive Environmental Re-*  
 22 *sponse, Compensation, and Liability Act, as amended (42*  
 23 *U.S.C. 9601 et seq.), Federal Water Pollution Control Act,*  
 24 *as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act*  
 25 *of 1990 (Public Law 101–380) (33 U.S.C. 2701 et seq.),*

1 *and Public Law 101–337, as amended (16 U.S.C. 19jj et*  
 2 *seq.), \$5,872,000, to remain available 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 offset*  
 11 *the purchase price for the replacement aircraft: Provided*  
 12 *further, That no programs funded with appropriated funds*  
 13 *in the “Departmental Management”, “Office of the Solic-*  
 14 *itor”, and “Office of Inspector General” may be augmented*  
 15 *through the Working Capital Fund or the Consolidated*  
 16 *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 unavoidable*  
 25 *causes: Provided, That no funds shall be made available*  
 26 *under this authority until funds specifically made available*

1 to the Department of the Interior for emergencies shall have  
2 been exhausted: Provided further, That all funds used pur-  
3 suant to this section are hereby designated by Congress to  
4 be “emergency requirements” pursuant to section  
5 251(b)(2)(A) of the Balanced Budget and Emergency Def-  
6 icit Control Act of 1985, and must be replenished by a sup-  
7 plemental appropriation which must be requested as  
8 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 programs  
12 of the several agencies, for the suppression or emergency  
13 prevention of wildland fires on or threatening lands under  
14 the jurisdiction of the Department of the Interior; for the  
15 emergency rehabilitation of burned-over lands under its ju-  
16 risdiction; for emergency actions related to potential or ac-  
17 tual earthquakes, floods, volcanoes, storms, or other un-  
18 avoidable causes; for contingency planning subsequent to  
19 actual oil spills; for response and natural resource damage  
20 assessment activities related to actual oil spills; for the pre-  
21 vention, suppression, and control of actual or potential  
22 grasshopper and Mormon cricket outbreaks on lands under  
23 the jurisdiction of the Secretary, pursuant to the authority  
24 in section 1773(b) of Public Law 99–198 (99 Stat. 1658);  
25 for emergency reclamation projects under section 410 of

1 *Public Law 95–87; and shall transfer, from any no year*  
2 *funds available to the Office of Surface Mining Reclamation*  
3 *and Enforcement, such funds as may be necessary to permit*  
4 *assumption of regulatory authority in the event a primacy*  
5 *State is not carrying out the regulatory provisions of the*  
6 *Surface Mining Act: Provided, That appropriations made*  
7 *in this title for wildland fire operations shall be available*  
8 *for the payment of obligations incurred during the pre-*  
9 *ceding fiscal year, and for reimbursement to other Federal*  
10 *agencies for destruction of vehicles, aircraft, or other equip-*  
11 *ment in connection with their use for wildland fire oper-*  
12 *ations, such reimbursement to be credited to appropriations*  
13 *currently available at the time of receipt thereof: Provided*  
14 *further, That for wildland fire operations, no funds shall*  
15 *be made available under this authority until the Secretary*  
16 *determines that funds appropriated for “wildland fire oper-*  
17 *ations” shall be exhausted within thirty days: Provided fur-*  
18 *ther, That all funds used pursuant to this section are hereby*  
19 *designated by Congress to be “emergency requirements”*  
20 *pursuant to section 251(b)(2)(A) of the Balanced Budget*  
21 *and Emergency Deficit Control Act of 1985, and must be*  
22 *replenished by a supplemental appropriation which must*  
23 *be requested as promptly as possible: Provided further, That*  
24 *such replenishment funds shall be used to reimburse, on a*

1 *pro rata basis, accounts from which emergency funds were*  
2 *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 other*  
8 *activity in the same manner as authorized by sections 1535*  
9 *and 1536 of title 31, United States Code: Provided, That*  
10 *reimbursements for costs and supplies, materials, equip-*  
11 *ment, and for services rendered may be credited to the ap-*  
12 *propriation current at the time such reimbursements are*  
13 *received.*

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

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

5       *SEC. 106. Annual appropriations made in this title*  
6   *shall be available for obligation in connection with con-*  
7   *tracts issued for services or rentals for periods not in excess*  
8   *of 12 months beginning at any time during the fiscal year.*

9       *SEC. 107. No funds provided in this title may be ex-*  
10   *pende by the Department of the Interior for the conduct*  
11   *of offshore preleasing, leasing and related activities placed*  
12   *under restriction in the President’s moratorium statement*  
13   *of June 12, 1998, in the areas of northern, central, and*  
14   *southern California; the North Atlantic; Washington and*  
15   *Oregon; and the eastern Gulf of Mexico south of 26 degrees*  
16   *north latitude and east of 86 degrees west longitude.*

17       *SEC. 108. No funds provided in this title may be ex-*  
18   *pende 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   *pende by the Department of the Interior to conduct offshore*  
24   *oil and natural gas preleasing, leasing and related activi-*  
25   *ties in the eastern Gulf of Mexico planning area for any*

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

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

8 *SEC. 111. Advance payments made under this title to*  
9 *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 Con-*  
12 *trolled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may*  
13 *be invested by the Indian tribe, tribal organization, or con-*  
14 *sortium before such funds are expended for the purposes of*  
15 *the grant, compact, or annual funding agreement so long*  
16 *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 guaran-*  
20 *teed or insured by the United States, or mutual (or*  
21 *other) funds registered with the Securities and Ex-*  
22 *change Commission and which only invest in obliga-*  
23 *tions of the United States or securities that are guar-*  
24 *anteed or insured by the United States; or*



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

5           SEC. 112. Appropriations made in this Act under the  
6           headings Bureau of Indian Affairs and Office of Special  
7           Trustee for American Indians and any available unobli-  
8           gated balances from prior appropriations Acts made under  
9           the same headings, shall be available for expenditure or  
10          transfer for Indian trust management activities pursuant  
11          to the Trust Management Improvement Project High Level  
12          Implementation Plan.

13          SEC. 113. A grazing permit or lease that expires (or  
14          is transferred) during fiscal year 2002 shall be renewed  
15          under section 402 of the Federal Land Policy and Manage-  
16          ment Act of 1976, as amended (43 U.S.C. 1752) or if appli-  
17          cable, section 510 of the California Desert Protection Act  
18          (16 U.S.C. 410aaa–50). The terms and conditions con-  
19          tained in the expiring permit or lease shall continue in ef-  
20          fect under the new permit or lease until such time as the  
21          Secretary of the Interior completes processing of such per-  
22          mit or lease in compliance with all applicable laws and  
23          regulations, at which time such permit or lease may be can-  
24          celed, suspended or modified, in whole or in part, to meet  
25          the requirements of such applicable laws and regulations.

1 *Nothing in this section shall be deemed to alter the Sec-*  
2 *retary's statutory authority.*

3       *SEC. 114. Notwithstanding any other provision of law,*  
4 *for the purpose of reducing the backlog of Indian probate*  
5 *cases in the Department of the Interior, the hearing require-*  
6 *ments of chapter 10 of title 25, United States Code, are*  
7 *deemed satisfied by a proceeding conducted by an Indian*  
8 *probate judge, appointed by the Secretary without regard*  
9 *to the provisions of title 5, United States Code, governing*  
10 *the appointments in the competitive service, for such period*  
11 *of time as the Secretary determines necessary: Provided,*  
12 *That the basic pay of an Indian probate judge so appointed*  
13 *may be fixed by the Secretary without regard to the provi-*  
14 *sions of chapter 51, and subchapter III of chapter 53 of*  
15 *title 5, United States Code, governing the classification and*  
16 *pay of General Schedule employees, except that no such In-*  
17 *dian probate judge may be paid at a level which exceeds*  
18 *the maximum rate payable for the highest grade of the Gen-*  
19 *eral Schedule, including locality pay.*

20       *SEC. 115. Notwithstanding any other provision of law,*  
21 *the Secretary of the Interior is authorized to redistribute*  
22 *any Tribal Priority Allocation funds, including tribal base*  
23 *funds, to alleviate tribal funding inequities by transferring*  
24 *funds to address identified, unmet needs, dual enrollment,*  
25 *overlapping service areas or inaccurate distribution meth-*

1 odologies. No tribe shall receive a reduction in Tribal Pri-  
2 ority Allocation funds of more than 10 percent in fiscal  
3 year 2002. Under circumstances of dual enrollment, over-  
4 lapping service areas or inaccurate distribution methodolo-  
5 gies, the 10 percent limitation does not apply.

6       SEC. 116. Funds appropriated for the Bureau of In-  
7 dian Affairs for postsecondary schools for fiscal year 2002  
8 shall be allocated among the schools proportionate to the  
9 unmet need of the schools as determined by the Postsec-  
10 ondary Funding Formula adopted by the Office of Indian  
11 Education Programs.

12       SEC. 117. (a) The Secretary of the Interior shall take  
13 such action as may be necessary to ensure that the lands  
14 comprising the Huron Cemetery in Kansas City, Kansas  
15 (as described in section 123 of Public Law 106–291) are  
16 used only in accordance with this section.

17       (b) The lands of the Huron Cemetery shall be used only  
18 (1) for religious and cultural uses that are compatible with  
19 the use of the lands as a cemetery, and (2) as a burial  
20 ground.

21       SEC. 118. Notwithstanding any other provision of law,  
22 in conveying the Twin Cities Research Center under the au-  
23 thority provided by Public Law 104–134, as amended by  
24 Public Law 104–208, the Secretary may accept and retain  
25 land and other forms of reimbursement: Provided, That the

1 *Secretary may retain and use any such reimbursement*  
 2 *until expended and without further appropriation: (1) for*  
 3 *the benefit of the National Wildlife Refuge System within*  
 4 *the State of Minnesota; and (2) for all activities authorized*  
 5 *by Public Law 100–696; 16 U.S.C. 460zz.*

6 *SEC. 119. Section 412(b) of the National Parks Omni-*  
 7 *bus Management Act of 1998, as amended (16 U.S.C. 5961)*  
 8 *is amended by striking “2001” and inserting “2002”.*

9 *SEC. 120. Notwithstanding other provisions of law, the*  
 10 *National Park Service may authorize, through cooperative*  
 11 *agreement, the Golden Gate National Parks Association to*  
 12 *provide fee-based education, interpretive and visitor service*  
 13 *functions within the Crissy Field and Fort Point areas of*  
 14 *the Presidio.*

15 *SEC. 121. Notwithstanding 31 U.S.C. 3302(b), sums*  
 16 *received by the Bureau of Land Management for the sale*  
 17 *of seeds or seedlings including those collected in fiscal year*  
 18 *2001, may be credited to the appropriation from which*  
 19 *funds were expended to acquire or grow the seeds or seed-*  
 20 *lings and are available without fiscal year limitation.*

21 *SEC. 122. TRIBAL SCHOOL CONSTRUCTION DEM-*  
 22 *ONSTRATION PROGRAM. (a) DEFINITIONS.—In this section:*  
 23 *(1) CONSTRUCTION.—The term “construction”,*  
 24 *with respect to a tribally controlled school, includes*  
 25 *the construction or renovation of that school.*

1           (2) *INDIAN TRIBE*.—The term “Indian tribe” has  
2           the meaning given that term in section 4(e) of the In-  
3           dian Self-Determination and Education Assistance  
4           Act (25 U.S.C. 450b(e)).

5           (3) *SECRETARY*.—The term “secretary” means  
6           the Secretary of the Interior.

7           (4) *TRIBALLY CONTROLLED SCHOOL*.—The term  
8           “tribally controlled school” has the meaning given  
9           that term in section 5212 of the Tribally Controlled  
10          Schools Act of 1988 (25 U.S.C. 2511).

11          (5) *DEPARTMENT*.—The term “Department”  
12          means the Department of the Interior.

13          (6) *DEMONSTRATION PROGRAM*.—The term  
14          “demonstration program” means the Tribal School  
15          Construction Demonstration Program.

16          (b) *IN GENERAL*.—The Secretary shall carry out a  
17          demonstration program to provide grants to Indian tribes  
18          for the construction of tribally controlled schools.

19               (1) *IN GENERAL*.—Subject to the availability of  
20               appropriations, in carrying out the demonstration  
21               program under subsection (b), the Secretary shall  
22               award a grant to each Indian tribe that submits an  
23               application that is approved by the Secretary under  
24               paragraph (2). The Secretary shall ensure that an eli-  
25               gible Indian tribe currently on the Department’s pri-

1        *ority list for constructing of replacement educational*  
2        *facilities receives the highest priority for a grant*  
3        *under this section.*

4                (2) *GRANT APPLICATIONS.—An application for a*  
5        *grant under the section shall—*

6                        (A) *include a proposal for the construction*  
7                        *of a tribally controlled school of the Indian tribe*  
8                        *that submits the application; and*

9                        (B) *be in such form as the Secretary deter-*  
10                        *mines appropriate.*

11                (3) *GRANT AGREEMENT.—As a condition to re-*  
12        *ceiving a grant under this section, the Indian tribe*  
13        *shall enter into an agreement with the Secretary that*  
14        *specifies—*

15                        (A) *the costs of construction under the*  
16        *grant;*

17                        (B) *that the Indian tribe shall be required*  
18        *to contribute towards the cost of the construction*  
19        *a tribal share equal to 50 percent of the costs;*  
20        *and*

21                        (C) *any other term or condition that the*  
22        *Secretary determines to be appropriate.*

23                (4) *ELIGIBILITY.—Grants awarded under the*  
24        *demonstration program shall only be for construction*  
25        *on replacement tribally controlled schools.*

1       (c) *EFFECT OF GRANT.*—A grant received under this  
 2 section shall be in addition to any other funds received by  
 3 an Indian tribe under any other provision of law. The re-  
 4 ceipt of a grant under this section shall not affect the eligi-  
 5 bility of an Indian tribe receiving funding, or the amount  
 6 of funding received by the Indian tribe, under the Tribally  
 7 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) or  
 8 the Indian Self-Determination and Education Assistance  
 9 Act (25 U.S.C. 450 et seq.).

10       *SEC. 123. WHITE RIVER OIL SHALE MINE, UTAH.* (a)  
 11 *SALE.*—The Administrator of General Services (referred to  
 12 in this section as the “Administrator”) shall sell all right,  
 13 title, and interest of the United States in and to the im-  
 14 provements and equipment described in subsection (b) that  
 15 are situated on the land described in subsection (c) (referred  
 16 to in this section as the “Mine”).

17       (b) *DESCRIPTION OF IMPROVEMENTS AND EQUIP-*  
 18 *MENT.*— The improvements and equipment referred to in  
 19 subsection (a) are the following improvements and equip-  
 20 ment associated with the Mine:

- 21               (1) *Mine Service Building.*
- 22               (2) *Sewage Treatment Building.*
- 23               (3) *Electrical Switchgear Building.*
- 24               (4) *Water Treatment Building/Plant.*
- 25               (5) *Ventilation/Fan Building.*

1           (6) *Water Storage Tanks.*

2           (7) *Mine Hoist Cage and Headframe.*

3           (8) *Miscellaneous Mine-related equipment.*

4           (c) *DESCRIPTION OF LAND.*—*The land referred to in*  
 5 *subsection (a) is the land located in Uintah County, Utah,*  
 6 *known as the “White River Oil Shale Mine” and described*  
 7 *as follows:*

8           (1) *T. 10 S., R. 24 E., Salt Lake Meridian, sec-*  
 9 *tions 12 through 14, 19 through 30, 33, and 34.*

10          (2) *T. 10 S., R. 25 E., Salt Lake Meridian, sec-*  
 11 *tions 18 and 19.*

12          (d) *USE OF PROCEEDS.*—*The proceeds of the sale*  
 13 *under subsection (a)—*

14           (1) *shall be deposited in a special account in the*  
 15 *Treasury of the United States; and*

16           (2) *shall be available until expended, without*  
 17 *further Act of appropriation—*

18           (A) *first, to reimburse the Administrator for*  
 19 *the direct costs of the sale; and*

20           (B) *second, to reimburse the Bureau of*  
 21 *Land Management Utah State Office for the*  
 22 *costs of closing and rehabilitating the Mine.*

23          (e) *MINE CLOSURE AND REHABILITATION.*—*The clos-*  
 24 *ing and rehabilitation of the Mine (including closing of the*



1 mine shafts, site grading, and surface revegetation) shall  
2 be conducted in accordance with—

3 (1) the regulatory requirements of the State of  
4 Utah, the Mine Safety and Health Administration,  
5 and the Occupational Safety and Health Administra-  
6 tion; and

7 (2) other applicable law.

8 *SEC. 124. The Secretary of the Interior may use or*  
9 *contract for the use of helicopters or motor vehicles on the*  
10 *Sheldon and Hart National Wildlife Refuges for the purpose*  
11 *of capturing and transporting horses and burros. The provi-*  
12 *sions of subsection (a) of the Act of September 8, 1959 (73*  
13 *Stat. 470; 18 U.S.C. 47(a)) shall not be applicable to such*  
14 *use. Such use shall be in accordance with humane proce-*  
15 *dures prescribed by the Secretary.*

16 *SEC. 125. Upon application of the Governor of a State,*  
17 *the Secretary of the Interior shall (1) transfer not to exceed*  
18 *25 percent of that State's formula allocation under the*  
19 *heading "National Park Service, Land Acquisition and*  
20 *State Assistance" to increase the State's allocation under*  
21 *the heading "United States Fish and Wildlife Service, State*  
22 *Wildlife Grants" or (2) transfer not to exceed 25 percent*  
23 *of the State's formula allocation under the heading "United*  
24 *States Fish and Wildlife Service, State Wildlife Grants" to*  
25 *increase the State's formula allocation under the heading*

1 “National Park Service, Land Acquisition and State Assist-  
2 ance”.

3 SEC. 126. Section 819 of Public Law 106–568 is here-  
4 by repealed.

5 SEC. 127. Moore’s Landing at the Cape Romain Na-  
6 tional Wildlife Refuge in South Carolina is hereby named  
7 for George Garriss and shall hereafter be referred to in any  
8 law, document, or records of the United States as “Garriss  
9 Landing”.

10 SEC. 128. PRELEASING, LEASING, AND RELATED AC-  
11 TIVITIES. None of the funds made available by this Act shall  
12 be used to conduct any preleasing, leasing, or other related  
13 activity under the Mineral Leasing Act (30 U.S.C. 181 et  
14 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.  
15 1331 et seq.) within the boundary (in effect as of January  
16 20, 2001) of a national monument established under the  
17 Act of June 8, 1906 (16 U.S.C. 431 et seq.), except to the  
18 extent that such a preleasing, leasing, or other related activ-  
19 ity is allowed under the Presidential proclamation estab-  
20 lishing the monument.

21 SEC. 129. (a) The National Park Service shall make  
22 further evaluations of national significance, suitability and  
23 feasibility for the Glenwood locality and each of the twelve  
24 Special Landscape Areas (including combinations of such  
25 areas) as identified by the National Park Service in the

1 course of undertaking the Special Resource Study of the  
2 Loess Hills Landform Region of Western Iowa.

3 (b) The National Park Service shall provide the results  
4 of these evaluations no later than January 15, 2002, to the  
5 Committees on Appropriations of the Senate and the House  
6 of Representatives, the Committee on Energy and Natural  
7 Resources of the Senate, and the Committee on Resources  
8 of the House of Representatives.

9 SEC. 130. From within available funds the National  
10 Park Service shall conduct an Environmental Impact  
11 Statement on vessel entries into such park taking into ac-  
12 count possible impacts on whale populations: Provided,  
13 That none of the funds available under this Act shall be  
14 used to reduce or increase the number of permits and vessel  
15 entries into the park below or above the levels established  
16 by the National Park Service effective for the 2001 season  
17 until the Environmental Impact Statement required by law  
18 is completed notwithstanding any other provision of law:  
19 Provided further, That nothing in this section shall preclude  
20 the Secretary from adjusting the number of permits or vessel  
21 entries if the Secretary determines that it is necessary to  
22 protect park resources.

23 SEC. 131. No funds contained in this Act shall be used  
24 to approve the transfer of lands on South Fox Island,  
25 Michigan until Congress has authorized such transfer.

1        *SEC. 132. (a) FINDINGS.—Congress makes the fol-*  
2 *lowing findings:*

3            *(1) The land described in subsection (b) is—*

4                    *(A) the site of cultural, ceremonial, spir-*  
5 *itual, archaeological, and traditional gathering*  
6 *sites of significance to the Pechanga Band of*  
7 *Luiseno Mission Indians;*

8                    *(B) the site of what is considered to be the*  
9 *oldest living coastal live oak; and*

10                  *(C) the site of the historic Erle Stanley*  
11 *Gardner Ranch.*

12            *(2) Based on the finding described in paragraph*  
13 *(1), local and county officials have expressed their*  
14 *support for the efforts of the Pechanga Band of*  
15 *Luiseno Mission Indians to have the land described in*  
16 *subsection (b) held in trust by the United States for*  
17 *purposes of preservation.*

18        *(b) DECLARATION OF LAND HELD IN TRUST.—Not-*  
19 *withstanding any other provision of law, the land held in*  
20 *fee by the Pechanga Band of Luiseno Mission Indians, as*  
21 *described in Document No. 211130 of the Riverside County,*  
22 *California Office of the Recorder and recorded on May 15,*  
23 *2001, located within the boundaries of the county of River-*  
24 *side within the State of California, is hereby declared to*  
25 *be held by the United States in trust for the benefit of the*

1 *Pechanga Band of Luiseno Mission Indians and shall be*  
2 *part of the Pechanga Indian Reservation.*

3 *SEC. 133. SENSE OF CONGRESS CONCERNING COASTAL*  
4 *IMPACT ASSISTANCE. (a) FINDINGS.—Congress finds that—*

5 *(1) the United States continues to be reliant on*  
6 *fossil fuels (including crude oil and natural gas) as*  
7 *a source of most of the energy consumed in the coun-*  
8 *try;*

9 *(2) this reliance is likely to continue for the fore-*  
10 *seeable future;*

11 *(3) about 65 percent of the energy needs of the*  
12 *United States are supplied by oil and natural gas;*

13 *(4) the United States is becoming increasingly*  
14 *reliant on clean-burning natural gas for electricity*  
15 *generation, home heating and air conditioning, agri-*  
16 *cultural needs, and essential chemical processes;*

17 *(5) a large portion of the remaining crude oil*  
18 *and natural gas resources of the country are on Fed-*  
19 *eral land located in the western United States, in*  
20 *Alaska, and off the coastline of the United States;*

21 *(6) the Gulf of Mexico has proven to be a signifi-*  
22 *cant source of oil and natural gas and is predicted*  
23 *to remain a significant source in the immediate fu-*  
24 *ture;*

1           (7) *many States and counties oppose the develop-*  
2           *ment of Federal crude oil and natural gas resources*  
3           *within or near the coastline, which opposition results*  
4           *in congressional, Executive, State, or local policies to*  
5           *prevent the development of those resources;*

6           (8) *actions that prevent the development of cer-*  
7           *tain Federal crude oil and natural gas resources do*  
8           *not lessen the energy needs of the United States or of*  
9           *those States and counties that object to exploration*  
10          *and development for fossil fuels;*

11          (9) *actions to prevent the development of certain*  
12          *Federal crude oil and natural gas resources focus de-*  
13          *velopment pressure on the remaining areas of Federal*  
14          *crude oil and natural gas resources, such as onshore*  
15          *and offshore Alaska, certain onshore areas in the*  
16          *western United States, and the central Gulf of Mexico*  
17          *off the coasts of Alabama, Alaska, Louisiana, Mis-*  
18          *issippi, and Texas;*

19          (10) *the development of Federal crude oil and*  
20          *natural gas resources is accompanied by adverse ef-*  
21          *fects on the infrastructure services, public services,*  
22          *and the environment of States, counties, and local*  
23          *communities that host the development of those Fed-*  
24          *eral resources;*

1           (11) *States, counties, and local communities do*  
2           *not have the power to tax adequately the development*  
3           *of Federal crude oil and natural gas resources, par-*  
4           *ticularly when those development activities occur off*  
5           *the coastline of States that serve as platforms for that*  
6           *development, such as Alabama, Alaska, Louisiana,*  
7           *Mississippi, and Texas;*

8           (12) *the Mineral Leasing Act (30 U.S.C. 181 et*  
9           *seq.), which governs the development of Federal crude*  
10          *oil and natural gas resources located onshore, pro-*  
11          *vides, outside the budget and appropriations processes*  
12          *of the Federal Government, payments to States in*  
13          *which Federal crude oil and natural gas resources are*  
14          *located in the amount of 50 percent of the direct reve-*  
15          *nues received from the Federal Government for those*  
16          *resources; and*

17          (13) *there is no permanent provision in the*  
18          *Outer Continental Shelf Lands Act (43 U.S.C. 1331*  
19          *et seq.), which governs the development of Federal*  
20          *crude oil and natural gas resources located offshore,*  
21          *that authorizes the sharing of a portion of the annual*  
22          *revenues generated from Federal offshore crude oil*  
23          *and natural gas resources with adjacent coastal*  
24          *States that—*

1                   (A) serve as the platform for that develop-  
2                   ment; and

3                   (B) suffer adverse effects on the environment  
4                   and infrastructure of the States.

5           (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
6 *that Congress should provide a significant portion of the*  
7 *Federal offshore mineral revenues to coastal States that per-*  
8 *mit the development of Federal mineral resources off the*  
9 *coastline, including the States of Alabama, Alaska, Lou-*  
10 *isiana, Mississippi, and Texas.*

11                   *TITLE II—RELATED AGENCIES*

12                   *DEPARTMENT OF AGRICULTURE*

13                   *FOREST SERVICE*

14                   *FOREST AND RANGELAND RESEARCH*

15           *For necessary expenses of forest and rangeland re-*  
16 *search as authorized by law, \$242,822,000, to remain avail-*  
17 *able until expended.*

18                   *STATE AND PRIVATE FORESTRY*

19           *For necessary expenses of cooperating with and pro-*  
20 *viding technical and financial assistance to States, terri-*  
21 *ories, possessions, and others, and for forest health manage-*  
22 *ment, cooperative forestry, and education and land con-*  
23 *servation activities and conducting an international pro-*  
24 *gram as authorized, \$287,331,000, to remain available*  
25 *until expended, as authorized by law, of which*



1 \$101,000,000 is for *Forest Legacy and Urban and Commu-*  
 2 *nity Forestry*, defined in section 250(c)(4)(E)(ix) of the  
 3 *Balanced Budget and Emergency Deficit Control Act of*  
 4 *1985*, as amended, for the purposes of such Act, of which  
 5 \$1,000,000 shall be available for the *Tumbledown/Mount*  
 6 *Blue* conservation project, Maine, and of which \$4,000,000  
 7 shall be for the purchase of a conservation easement on the  
 8 *Connecticut Lakes Tract*, located in northern New Hamp-  
 9 *shire* and owned by *International Paper Co.*, and of which  
 10 \$500,000 shall be for the purchase of a conservation ease-  
 11 *ment on the Range Creek Headwaters tract in Utah: Pro-*  
 12 *vided, That none of the funds provided under this heading*  
 13 *for the acquisition of lands or interests in lands shall be*  
 14 *available until the House Committee on Appropriations*  
 15 *and the Senate Committee on Appropriations provide to the*  
 16 *Secretary, in writing, a list of specific acquisitions to be*  
 17 *undertaken with such funds: Provided further, That not-*  
 18 *withstanding any other provision of law, of the funds pro-*  
 19 *vided under this heading, \$5,000,000 shall be made avail-*  
 20 *able to Kake Tribal Corporation as an advanced direct*  
 21 *lump sum payment to implement the Kake Tribal Corpora-*  
 22 *tion Land Transfer Act (Public Law 106–283).*

23 NATIONAL FOREST SYSTEM

24 *For necessary expenses of the Forest Service, not other-*  
 25 *wise provided for, for management, protection, improve-*  
 26 *ment, and utilization of the National Forest System,*

1 \$1,324,491,000, to remain available until expended, which  
2 shall include 50 percent of all moneys received during prior  
3 fiscal years as fees collected under the Land and Water Con-  
4 servation Fund Act of 1965, as amended, in accordance  
5 with section 4 of the Act (16 U.S.C. 460l–6a(i)): Provided,  
6 That unobligated balances available at the start of fiscal  
7 year 2002 shall be displayed by extended budget line item  
8 in the fiscal year 2003 budget justification: Provided fur-  
9 ther, That of the amount available for vegetation and water-  
10 shed management, the Secretary may authorize the expendi-  
11 ture or transfer of such sums as necessary to the Depart-  
12 ment of the Interior, Bureau of Land Management for re-  
13 moval, preparation, and adoption of excess wild horses and  
14 burros from National Forest System lands: Provided fur-  
15 ther, That of the funds provided under this heading for For-  
16 est Products, \$5,000,000 shall be allocated to the Alaska Re-  
17 gion, in addition to its normal allocation for the purposes  
18 of preparing additional timber for sale, to establish a 3-  
19 year timber supply and such funds may be transferred to  
20 other appropriations accounts as necessary to maximize ac-  
21 complishment: Provided further, That of the funds provided  
22 for Wildlife and Fish Habitat Management, \$600,000 shall  
23 be provided to the State of Alaska for wildlife monitoring  
24 activities.

## WILDLAND FIRE MANAGEMENT

1  
2       *For necessary expenses for forest fire presuppression*  
3 *activities on National Forest System lands, for emergency*  
4 *fire suppression on or adjacent to such lands or other lands*  
5 *under fire protection agreement, and for emergency reha-*  
6 *bilitation of burned-over National Forest System lands and*  
7 *water, \$1,115,594,000, to remain available until expended:*  
8 *Provided, That such funds including unobligated balances*  
9 *under this head, are available for repayment of advances*  
10 *from other appropriations accounts previously transferred*  
11 *for such purposes: Provided further, That not less than 50*  
12 *percent of any unobligated balances remaining (exclusive*  
13 *of amounts for hazardous fuels reduction) at the end of fis-*  
14 *cal year 2001 shall be transferred, as repayment for past*  
15 *advances that have not been repaid, to the fund established*  
16 *pursuant to section 3 of Public Law 71–319 (16 U.S.C. 576*  
17 *et seq.): Provided further, That notwithstanding any other*  
18 *provision of law, \$4,000,000 of funds appropriated under*  
19 *this appropriation shall be used for Fire Science Research*  
20 *in support of the Joint Fire Science Program: Provided fur-*  
21 *ther, That all authorities for the use of funds, including the*  
22 *use of contracts, grants, and cooperative agreements, avail-*  
23 *able to execute the Forest and Rangeland Research appro-*  
24 *priation, are also available in the utilization of these funds*  
25 *for Fire Science Research: Provided further, That funds*

1 *provided shall be available for emergency rehabilitation and*  
2 *restoration, hazard reduction activities in the urban-*  
3 *wildland interface, support to federal emergency response,*  
4 *and wildfire suppression activities of the Forest Service:*  
5 *Provided further, That the Forest Service shall expend not*  
6 *less than \$125,000,000 of funds provided under this heading*  
7 *for hazardous fuels reduction activities for alleviating im-*  
8 *mediate emergency threats to urban wildland interface*  
9 *areas as defined by the Secretary of Agriculture: Provided*  
10 *further, That amounts under this heading may be trans-*  
11 *ferred as specified in the report accompanying this Act to*  
12 *the “State and Private Forestry”, “National Forest Sys-*  
13 *tem”, “Forest and Rangeland Research”, and “Capital Im-*  
14 *provement and Maintenance” accounts to fund state fire as-*  
15 *sistance, volunteer fire assistance, and forest health manage-*  
16 *ment, vegetation and watershed management, heritage site*  
17 *rehabilitation, wildlife and fish habitat management, trails*  
18 *and facilities maintenance and restoration: Provided fur-*  
19 *ther, That transfers of any amounts in excess of those speci-*  
20 *fied shall require approval of the House and Senate Com-*  
21 *mittees on Appropriations in compliance with reprogram-*  
22 *ming procedures contained in House Report No. 105–163:*  
23 *Provided further, That the costs of implementing any coop-*  
24 *erative agreement between the Federal government and any*  
25 *non-Federal entity may be shared, as mutually agreed on*

1 *by the affected parties: Provided further, That in entering*  
2 *into such grants or cooperative agreements, the Secretary*  
3 *may consider the enhancement of local and small business*  
4 *employment opportunities for rural communities, and that*  
5 *in entering into procurement contracts under this section*  
6 *on a best value basis, the Secretary may take into account*  
7 *the ability of an entity to enhance local and small business*  
8 *employment opportunities in rural communities, and that*  
9 *the Secretary may award procurement contracts, grants, or*  
10 *cooperative agreements under this section to entities that*  
11 *include local non-profit entities, Youth Conservation Corps*  
12 *or related partnerships with State, local or non-profit youth*  
13 *groups, or small or disadvantaged businesses: Provided fur-*  
14 *ther, That in addition to funds provided for State Fire As-*  
15 *sistance programs, and subject to all authorities available*  
16 *to the Forest Service under the State and Private Forestry*  
17 *Appropriation, up to \$15,000,000 may be used on adjacent*  
18 *non-Federal lands for the purpose of protecting commu-*  
19 *nities when hazard reduction activities are planned on na-*  
20 *tional forest lands that have the potential to place such com-*  
21 *munities at risk: Provided further, That the Forest Service*  
22 *shall analyze the impact of restrictions on mechanical fuel*  
23 *treatments and forest access in the upcoming Chugach Na-*  
24 *tional Forest Land and Resource Management Plan, on the*  
25 *level of prescribed burning on the Chugach National Forest,*

1 *and on the implementation of the National Fire Plan: Pro-*  
2 *vided further, That this analysis shall be completed before*  
3 *the release of the Chugach Forest Plan and shall be included*  
4 *in the plan: Provided further, That included in funding for*  
5 *hazardous fuel reduction is \$5,000,000 for implementing the*  
6 *Community Forest Restoration Act, Public Law 106–393,*  
7 *title VI, and any portion of such funds shall be available*  
8 *for use on non-Federal lands in accordance with authorities*  
9 *available to the Forest Service under the State and Private*  
10 *Forestry Appropriation: Provided further, That of the*  
11 *amounts provided under this heading \$2,838,000 is for the*  
12 *Ecological Restoration Institute, of which \$338,000 is for*  
13 *ongoing activities on Mt. Trumbull: Provided further, That:*

14       (1) *In expending the funds provided with respect*  
15 *to this Act for hazardous fuels reduction, the Sec-*  
16 *retary of the Interior and the Secretary of Agriculture*  
17 *may conduct fuel reduction treatments on Federal*  
18 *lands using all contracting and hiring authorities*  
19 *available to the Secretaries applicable to hazardous*  
20 *fuel reduction activities under the wildland fire man-*  
21 *agement accounts. Notwithstanding Federal govern-*  
22 *ment procurement and contracting laws, the Secre-*  
23 *taries may conduct fuel reduction treatments on Fed-*  
24 *eral lands using grants and cooperative agreements.*  
25 *Notwithstanding Federal government procurement*

1       *and contracting laws, in order to provide employment*  
2       *and training opportunities to people in rural commu-*  
3       *nities, the Secretaries may award contracts, including*  
4       *contracts for monitoring activities, to—*

5               *(A) local private, nonprofit, or cooperative*  
6       *entities;*

7               *(B) Youth Conservation Corps crews or re-*  
8       *lated partnerships, with State, local and non-*  
9       *profit youth groups;*

10              *(C) small or micro-businesses; or*

11              *(D) other entities that will hire or train a*  
12       *significant percentage of local people to complete*  
13       *such contracts. The authorities described above*  
14       *relating to contracts, grants, and cooperative*  
15       *agreements are available until all funds provided*  
16       *in this title for hazardous fuels reduction activi-*  
17       *ties in the urban wildland interface are obli-*  
18       *gated.*

19              *(2)(A) The Secretary of Agriculture may transfer*  
20       *or reimburse funds to the United States Fish and*  
21       *Wildlife Service of the Department of the Interior, or*  
22       *the National Marine Fisheries Service of the Depart-*  
23       *ment of Commerce, for the costs of carrying out their*  
24       *responsibilities under the Endangered Species Act of*  
25       *1973 (16 U.S.C. 1531 et seq.) to consult and con-*

1       ference as required by section 7 of such Act in connec-  
2       tion with wildland fire management activities in fis-  
3       cal years 2001 and 2002.

4               (B) Only those funds appropriated for fiscal  
5       years 2001 and 2002 to Forest Service (USDA) for  
6       wildland fire management are available to the Sec-  
7       retary of Agriculture for such transfer or reimburse-  
8       ment.

9               (C) The amount of the transfer or reimbursement  
10      shall be as mutually agreed by the Secretary of Agri-  
11      culture and the Secretary of the Interior or Secretary  
12      of Commerce, as applicable, or their designees. The  
13      amount shall in no case exceed the actual costs of con-  
14      sultation and conferencing in connection with  
15      wildland fire management activities affecting Na-  
16      tional Forest System lands.

17      For an additional amount to cover necessary expenses  
18      for emergency rehabilitation, wildfire suppression and other  
19      fire operations of the Forest Service, \$165,000,000, to re-  
20      main available until expended, of which \$100,000,000 is  
21      for emergency rehabilitation and wildfire suppression, and  
22      \$65,000,000 is for other fire operations: Provided, That the  
23      entire amount appropriated in this paragraph is des-  
24      ignated by the Congress as an emergency requirement pur-  
25      suant to section 251(b)(2)(A) of the Balanced Budget and



1 *Emergency Deficit Control Act of 1985, as amended: Pro-*  
2 *vided further, That these funds shall be available only to*  
3 *the extent an official budget request for a specific dollar*  
4 *amount, that includes designation of the entire amount of*  
5 *the request as an emergency requirement as defined in the*  
6 *Balanced Budget and Emergency Deficit Control Act of*  
7 *1985, as amended, is transmitted by the President to the*  
8 *Congress.*

9 *For an additional amount, to liquidate obligations*  
10 *previously incurred, \$274,147,000.*

11 *CAPITAL IMPROVEMENT AND MAINTENANCE*

12 *For necessary expenses of the Forest Service, not other-*  
13 *wise provided for, \$541,286,000, to remain available until*  
14 *expended for construction, reconstruction, maintenance and*  
15 *acquisition of buildings and other facilities, and for con-*  
16 *struction, reconstruction, repair and maintenance of forest*  
17 *roads and trails by the Forest Service as authorized by 16*  
18 *U.S.C. 532–538 and 23 U.S.C. 101 and 205, of which,*  
19 *\$244,000 is to be provided for the design of historic office*  
20 *renovations of the Bearlodge Ranger District Work Center*  
21 *(Old Stoney) in Sundance, Wyoming, and of which*  
22 *\$61,000,000 is for conservation activities defined in section*  
23 *250(c)(4)(E) of the Balanced Budget and Emergency Def-*  
24 *icit Control Act of 1985, as amended, for the purposes of*  
25 *such Act: Provided, That fiscal year 2001 balances in the*

1 *Federal Infrastructure Improvement account for the Forest*  
 2 *Service shall be transferred to and merged with this appro-*  
 3 *priation and shall remain available until expended: Pro-*  
 4 *vided further, That up to \$15,000,000 of the funds provided*  
 5 *herein for road maintenance shall be available for the de-*  
 6 *commissioning of roads, including unauthorized roads not*  
 7 *part of the transportation system, which are no longer need-*  
 8 *ed: Provided further, That no funds shall be expended to*  
 9 *decommission any system road until notice and an oppor-*  
 10 *tunity for public comment has been provided on each de-*  
 11 *commissioning project: Provided further, That the Forest*  
 12 *Service shall transfer \$300,000, appropriated in Public*  
 13 *Law 106–291 within the Capital Improvement and Mainte-*  
 14 *nance appropriation, to the State and Private Forestry ap-*  
 15 *propriation, and shall provide these funds in an advance*  
 16 *direct lump sum payment to Purdue University for plan-*  
 17 *ning and construction of a hardwood tree improvement and*  
 18 *generation facility.*

19 *LAND ACQUISITION*

20 *For expenses necessary to carry out the provisions of*  
 21 *the Land and Water Conservation Fund Act of 1965, as*  
 22 *amended (16 U.S.C. 460l–4 through 11), including admin-*  
 23 *istrative expenses, and for acquisition of land or waters,*  
 24 *or interest therein, in accordance with statutory authority*  
 25 *applicable to the Forest Service, \$128,877,000 to be derived*  
 26 *from the Land and Water Conservation Fund, to remain*

1 *available until expended, and to be for the conservation ac-*  
 2 *tivities defined in section 250(c)(4)(E)(iv) of the Balanced*  
 3 *Budget and Emergency Deficit Control Act of 1985, as*  
 4 *amended, for the purposes of such Act.*

5 *ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL*  
 6 *ACTS*

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

13 *ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES*

14 *For acquisition of lands, such sums, to be derived from*  
 15 *funds deposited by State, county, or municipal govern-*  
 16 *ments, public school districts, or other public school authori-*  
 17 *ties pursuant to the Act of December 4, 1967, as amended*  
 18 *(16 U.S.C. 484a), to remain available until expended.*

19 *RANGE BETTERMENT FUND*

20 *For necessary expenses of range rehabilitation, protec-*  
 21 *tion, and improvement, 50 percent of all moneys received*  
 22 *during the prior fiscal year, as fees for grazing domestic*  
 23 *livestock on lands in National Forests in the 16 Western*  
 24 *States, pursuant to section 401(b)(1) of Public Law 94–*  
 25 *579, as amended, to remain available until expended, of*  
 26 *which not to exceed 6 percent shall be available for adminis-*

1 *trative expenses associated with on-the-ground range reha-*  
 2 *bilitation, protection, and improvements.*

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

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

8 *MANAGEMENT OF NATIONAL FOREST LANDS FOR*  
 9 *SUBSISTENCE USES*

10 *For necessary expenses of the Forest Service to manage*  
 11 *federal lands in Alaska for subsistence uses under title VIII*  
 12 *of the Alaska National Interest Lands Conservation Act*  
 13 *(Public Law 96-487), \$5,488,000, to remain available until*  
 14 *expended.*

15 *ADMINISTRATIVE PROVISIONS, FOREST SERVICE*

16 *Appropriations to the Forest Service for the current*  
 17 *fiscal year shall be available for: (1) purchase of not to ex-*  
 18 *ceed 132 passenger motor vehicles of which eight will be used*  
 19 *primarily for law enforcement purposes and of which 130*  
 20 *shall be for replacement; acquisition of 25 passenger motor*  
 21 *vehicles from excess sources, and hire of such vehicles; oper-*  
 22 *ation and maintenance of aircraft, the purchase of not to*  
 23 *exceed seven for replacement only, and acquisition of suffi-*  
 24 *cient aircraft from excess sources to maintain the operable*  
 25 *fleet at 195 aircraft for use in Forest Service wildland fire*  
 26 *programs and other Forest Service programs; notwith-*

1 *standing other provisions of law, existing aircraft being re-*  
2 *placed may be sold, with proceeds derived or trade-in value*  
3 *used to offset the purchase price for the replacement air-*  
4 *craft; (2) services pursuant to 7 U.S.C. 2225, and not to*  
5 *exceed \$100,000 for employment under 5 U.S.C. 3109; (3)*  
6 *purchase, erection, and alteration of buildings and other*  
7 *public improvements (7 U.S.C. 2250); (4) acquisition of*  
8 *land, waters, and interests therein, including the Oscoda-*  
9 *Wurtsmith land exchange in Michigan, pursuant to 7*  
10 *U.S.C. 428a; (5) for expenses pursuant to the Volunteers*  
11 *in the National Forest Act of 1972 (16 U.S.C. 558a, 558d,*  
12 *and 558a note); (6) the cost of uniforms as authorized by*  
13 *5 U.S.C. 5901–5902; and (7) for debt collection contracts*  
14 *in accordance with 31 U.S.C. 3718(c).*

15 *None of the funds made available under this Act shall*  
16 *be obligated or expended to abolish any region, to move or*  
17 *close any regional office for National Forest System admin-*  
18 *istration of the Forest Service, Department of Agriculture*  
19 *without the consent of the House and Senate Committees*  
20 *on Appropriations.*

21 *Any appropriations or funds available to the Forest*  
22 *Service may be transferred to the Wildland Fire Manage-*  
23 *ment appropriation for forest firefighting, emergency reha-*  
24 *bilitation of burned-over or damaged lands or waters under*  
25 *its jurisdiction, and fire preparedness due to severe burning*

1 conditions if and only if all previously appropriated emer-  
2 gency contingent funds under the heading “Wildland Fire  
3 Management” have been released by the President and ap-  
4 portioned.

5 Funds appropriated to the Forest Service shall be  
6 available for assistance to or through the Agency for Inter-  
7 national Development and the Foreign Agricultural Service  
8 in connection with forest and rangeland research, technical  
9 information, and assistance in foreign countries, and shall  
10 be available to support forestry and related natural resource  
11 activities outside the United States and its territories and  
12 possessions, including technical assistance, education and  
13 training, and cooperation with United States and inter-  
14 national organizations.

15 None of the funds made available to the Forest Service  
16 under this Act shall be subject to transfer under the provi-  
17 sions of section 702(b) of the Department of Agriculture Or-  
18 ganic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless  
19 the proposed transfer is approved in advance by the House  
20 and Senate Committees on Appropriations in compliance  
21 with the reprogramming procedures contained in House Re-  
22 port No. 105–163.

23 None of the funds available to the Forest Service may  
24 be reprogrammed without the advance approval of the  
25 House and Senate Committees on Appropriations in ac-

1 *cordance with the procedures contained in House Report*  
2 *No. 105–163.*

3 *No funds appropriated to the Forest Service shall be*  
4 *transferred to the Working Capital Fund of the Department*  
5 *of Agriculture without the approval of the Chief of the For-*  
6 *est Service.*

7 *Funds available to the Forest Service shall be available*  
8 *to conduct a program of not less than \$2,000,000 for high*  
9 *priority projects within the scope of the approved budget*  
10 *which shall be carried out by the Youth Conservation Corps,*  
11 *defined in section 250(c)(4)(E)(xii) of the Balanced Budget*  
12 *and Emergency Deficit Control Act of 1985, as amended,*  
13 *for the purposes of such Act.*

14 *Of the funds available to the Forest Service, \$2,500 is*  
15 *available to the Chief of the Forest Service for official recep-*  
16 *tion and representation expenses.*

17 *Pursuant to sections 405(b) and 410(b) of Public Law*  
18 *101–593, of the funds available to the Forest Service, up*  
19 *to \$2,250,000 may be advanced in a lump sum as Federal*  
20 *financial assistance to the National Forest Foundation,*  
21 *without regard to when the Foundation incurs expenses, for*  
22 *administrative expenses or projects on or benefitting Na-*  
23 *tional Forest System lands or related to Forest Service pro-*  
24 *grams: Provided, That of the Federal funds made available*  
25 *to the Foundation, no more than \$400,000 shall be available*

1 *for administrative expenses: Provided further, That the*  
2 *Foundation shall obtain, by the end of the period of Federal*  
3 *financial assistance, private contributions to match on at*  
4 *least one-for-one basis funds made available by the Forest*  
5 *Service: Provided further, That the Foundation may trans-*  
6 *fer Federal funds to a non-Federal recipient for a project*  
7 *at the same rate that the recipient has obtained the non-*  
8 *Federal matching funds: Provided further, That hereafter,*  
9 *the National Forest Foundation may hold Federal funds*  
10 *made available but not immediately disbursed and may use*  
11 *any interest or other investment income earned (before, on,*  
12 *or after the date of the enactment of this Act) on Federal*  
13 *funds to carry out the purposes of Public Law 101–593:*  
14 *Provided further, That such investments may be made only*  
15 *in interest-bearing obligations of the United States or in*  
16 *obligations guaranteed as to both principal and interest by*  
17 *the United States.*

18 *Pursuant to section 2(b)(2) of Public Law 98–244, up*  
19 *to \$2,650,000 of the funds available to the Forest Service*  
20 *shall be available for matching funds to the National Fish*  
21 *and Wildlife Foundation, as authorized by 16 U.S.C. 3701–*  
22 *3709, and may be advanced in a lump sum as Federal fi-*  
23 *nancial assistance, without regard to when expenses are in-*  
24 *curred, for projects on or benefitting National Forest Sys-*  
25 *tem lands or related to Forest Service programs: Provided,*



1 *That the Foundation shall obtain, by the end of the period*  
2 *of Federal financial assistance, private contributions to*  
3 *match on at least one-for-one basis funds advanced by the*  
4 *Forest Service: Provided further, That the Foundation may*  
5 *transfer Federal funds to a non-Federal recipient for a*  
6 *project at the same rate that the recipient has obtained the*  
7 *non-Federal matching funds.*

8 *Funds appropriated to the Forest Service shall be*  
9 *available for interactions with and providing technical as-*  
10 *sistance to rural communities for sustainable rural develop-*  
11 *ment purposes.*

12 *Notwithstanding any other provision of law, 80 per-*  
13 *cent of the funds appropriated to the Forest Service in the*  
14 *“National Forest System” and “Capital Improvement and*  
15 *Maintenance” accounts and planned to be allocated to ac-*  
16 *tivities under the “Jobs in the Woods” program for projects*  
17 *on National Forest land in the State of Washington may*  
18 *be granted directly to the Washington State Department of*  
19 *Fish and Wildlife for accomplishment of planned projects.*  
20 *Twenty percent of said funds shall be retained by the Forest*  
21 *Service for planning and administering projects. Project se-*  
22 *lection and prioritization shall be accomplished by the For-*  
23 *est Service with such consultation with the State of Wash-*  
24 *ington as the Forest Service deems appropriate.*

1       *Funds appropriated to the Forest Service shall be*  
2       *available for payments to counties within the Columbia*  
3       *River Gorge National Scenic Area, pursuant to sections*  
4       *14(c)(1) and (2), and section 16(a)(2) of Public Law 99–*  
5       *663.*

6       *The Secretary of Agriculture is authorized to enter into*  
7       *grants, contracts, and cooperative agreements as appro-*  
8       *priate with the Pinchot Institute for Conservation, as well*  
9       *as with public and other private agencies, organizations,*  
10       *institutions, and individuals, to provide for the develop-*  
11       *ment, administration, maintenance, or restoration of land,*  
12       *facilities, or Forest Service programs, at the Grey Towers*  
13       *National Historic Landmark: Provided, That, subject to*  
14       *such terms and conditions as the Secretary of Agriculture*  
15       *may prescribe, any such public or private agency, organiza-*  
16       *tion, institution, or individual may solicit, accept, and ad-*  
17       *minister private gifts of money and real or personal prop-*  
18       *erty for the benefit of, or in connection with, the activities*  
19       *and services at the Grey Towers National Historic Land-*  
20       *mark: Provided further, That such gifts may be accepted*  
21       *notwithstanding the fact that a donor conducts business*  
22       *with the Department of Agriculture in any capacity.*

23       *Funds appropriated to the Forest Service shall be*  
24       *available, as determined by the Secretary, for payments to*  
25       *Del Norte County, California, pursuant to sections 13(e)*

1 *and 14 of the Smith River National Recreation Area Act*  
2 *(Public Law 101–612).*

3 *Notwithstanding any other provision of law, any ap-*  
4 *propriations or funds available to the Forest Service not*  
5 *to exceed \$500,000 may be used to reimburse the Office of*  
6 *the General Counsel (OGC), Department of Agriculture, for*  
7 *travel and related expenses incurred as a result of OGC as-*  
8 *sistance or participation requested by the Forest Service at*  
9 *meetings, training sessions, management reviews, land pur-*  
10 *chase negotiations and similar non-litigation related mat-*  
11 *ters. Future budget justifications for both the Forest Service*  
12 *and the Department of Agriculture should clearly display*  
13 *the sums previously transferred and the requested funding*  
14 *transfers.*

15 *The Forest Service shall fund indirect expenses, that*  
16 *is expenses not directly related to specific programs or to*  
17 *the accomplishment of specific work on-the-ground, from*  
18 *any funds available to the Forest Service: Provided, That*  
19 *the Forest Service shall implement and adhere to the defini-*  
20 *tions of indirect expenditures established pursuant to Public*  
21 *Law 105–277 on a nationwide basis without flexibility for*  
22 *modification by any organizational level except the Wash-*  
23 *ington Office, and when changed by the Washington Office,*  
24 *such changes in definition shall be reported in budget re-*  
25 *quests submitted by the Forest Service: Provided further,*

1 *That the Forest Service shall provide in all future budget*  
2 *justifications, planned indirect expenditures in accordance*  
3 *with the definitions, summarized and displayed to the Re-*  
4 *gional, Station, Area, and detached unit office level. The*  
5 *justification shall display the estimated source and amount*  
6 *of indirect expenditures, by expanded budget line item, of*  
7 *funds in the agency's annual budget justification. The dis-*  
8 *play shall include appropriated funds and the Knutson-*  
9 *Vandenberg, Brush Disposal, Cooperative Work-Other, and*  
10 *Salvage Sale funds. Changes between estimated and actual*  
11 *indirect expenditures shall be reported in subsequent budget*  
12 *justifications: Provided, That during fiscal year 2002 the*  
13 *Secretary shall limit total annual indirect obligations from*  
14 *the Brush Disposal, Knutson-Vandenberg, Reforestation,*  
15 *Salvage Sale, and Roads and Trails funds to 20 percent*  
16 *of the total obligations from each fund. Obligations in excess*  
17 *of 20 percent which would otherwise be charged to the above*  
18 *funds may be charged to appropriated funds available to*  
19 *the Forest Service subject to notification of the Committees*  
20 *on Appropriations of the House and Senate.*

21 *Any appropriations or funds available to the Forest*  
22 *Service may be used for necessary expenses in the event of*  
23 *law enforcement emergencies as necessary to protect natural*  
24 *resources and public or employee safety: Provided, That*  
25 *such amounts shall not exceed \$750,000.*

1        *The Secretary of Agriculture may authorize the sale*  
2   *of excess buildings, facilities, and other properties owned*  
3   *by the Forest Service and located on the Green Mountain*  
4   *National Forest, the revenues of which shall be retained by*  
5   *the Forest Service and available to the Secretary without*  
6   *further appropriation and until expended for maintenance*  
7   *and rehabilitation activities on the Green Mountain Na-*  
8   *tional Forest.*

9                                **DEPARTMENT OF ENERGY**

10                      **FOSSIL ENERGY RESEARCH AND DEVELOPMENT**

11                                **(INCLUDING TRANSFERS OF FUNDS)**

12        *For necessary expenses in carrying out fossil energy*  
13   *research and development activities, under the authority of*  
14   *the Department of Energy Organization Act (Public Law*  
15   *95–91), including the acquisition of interest, including de-*  
16   *feasible and equitable interests in any real property or any*  
17   *facility or for plant or facility acquisition or expansion,*  
18   *and for conducting inquiries, technological investigations*  
19   *and research concerning the extraction, processing, use, and*  
20   *disposal of mineral substances without objectionable social*  
21   *and environmental costs (30 U.S.C. 3, 1602, and 1603),*  
22   *\$604,090,000, to remain available until expended, of which*  
23   *\$11,000,000 is to begin construction, renovation, acquisi-*  
24   *tion of furnishings, and demolition or removal of buildings*  
25   *at National Energy Technology Laboratory facilities in*  
26   *Morgantown, West Virginia and Pittsburgh, Pennsylvania,*

1 and of which \$33,700,000 shall be derived by transfer from  
2 funds appropriated in prior years under the heading  
3 “Clean Coal Technology”, and of which \$150,000,000 is to  
4 be made available, after coordination with the private sec-  
5 tor, for a request for proposals for a Clean Coal Power Ini-  
6 tiative providing for competitively-awarded demonstrations  
7 of commercial scale technologies to reduce the barriers to  
8 continued and expanded coal use: Provided, That the re-  
9 quest for proposals shall be issued no later than one hundred  
10 and twenty days following enactment of this Act, proposals  
11 shall be submitted no later than ninety days after the  
12 issuance of the request for proposals, and the Department  
13 of Energy shall make project selections no later than one  
14 hundred and sixty days after the receipt of proposals: Pro-  
15 vided further, That funds shall be expended in accordance  
16 with the provisions governing the use of funds contained  
17 under the heading “Clean Coal Technology” in prior appro-  
18 priations: Provided further, That the Department may in-  
19 clude provisions for repayment of Government contributions  
20 to individual projects in an amount up to the Government  
21 contribution to the project on terms and conditions that are  
22 acceptable to the Department including repayments from  
23 sale and licensing of technologies from both domestic and  
24 foreign transactions: Provided further, That such repay-  
25 ments shall be retained by the Department for future coal-

1 *related research, development and demonstration projects:*  
 2 *Provided further, That any technology selected under this*  
 3 *program shall be considered a Clean Coal Technology, and*  
 4 *any project selected under this program shall be considered*  
 5 *a Clean Coal Technology Project, for the purposes of* 42  
 6 *U.S.C. § 7651n, and Chapters 51, 52, and 60 of title 40*  
 7 *of the Code of Federal Regulations: Provided further, That*  
 8 *no part of the sum herein made available shall be used for*  
 9 *the field testing of nuclear explosives in the recovery of oil*  
 10 *and gas: Provided further, That up to 4 percent of program*  
 11 *direction funds available to the National Energy Tech-*  
 12 *nology Laboratory may be used to support Department of*  
 13 *Energy activities not included in this account.*

14 *ALTERNATIVE FUELS PRODUCTION*

15 *(RESCISSION)*

16 *Of the unobligated balances under this heading,*  
 17 *\$2,000,000 are rescinded.*

18 *NAVAL PETROLEUM AND OIL SHALE RESERVES*

19 *For expenses necessary to carry out naval petroleum*  
 20 *and oil shale reserve activities, \$17,371,000, to remain*  
 21 *available until expended: Provided, That, notwithstanding*  
 22 *any other provision of law, unobligated funds remaining*  
 23 *from prior years shall be available for all naval petroleum*  
 24 *and oil shale reserve activities.*

1                    *ELK HILLS SCHOOL LANDS FUND*

2            *For necessary expenses in fulfilling installment pay-*  
3 *ments under the Settlement Agreement entered into by the*  
4 *United States and the State of California on October 11,*  
5 *1996, as authorized by section 3415 of Public Law 104–*  
6 *106, \$36,000,000, to become available on October 1, 2002*  
7 *for payment to the State of California for the State Teach-*  
8 *ers’ Retirement Fund from the Elk Hills School Lands*  
9 *Fund.*

10                    *ENERGY CONSERVATION*

11            *For necessary expenses in carrying out energy con-*  
12 *servation activities, \$870,805,000, to remain available until*  
13 *expended: Provided, That \$251,000,000 shall be for use in*  
14 *energy conservation grant programs as defined in section*  
15 *3008(3) of Public Law 99–509 (15 U.S.C. 4507): Provided*  
16 *further, That notwithstanding section 3003(d)(2) of Public*  
17 *Law 99–509, such sums shall be allocated to the eligible*  
18 *programs as follows: \$213,000,000 for weatherization assist-*  
19 *ance grants and \$38,000,000 for State energy conservation*  
20 *grants.*

21                    *ECONOMIC REGULATION*

22            *For necessary expenses in carrying out the activities*  
23 *of the Office of Hearings and Appeals, \$1,996,000, to re-*  
24 *main available until expended.*



## STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), \$169,009,000, to remain available until expended, of which \$8,000,000 shall be available for maintenance of a Northeast Home Heating Oil Reserve.

## ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, \$75,499,000, to remain available until expended.

## ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs

1 *unless specific provision is made for such programs in an*  
2 *appropriations Act.*

3       *The Secretary is authorized to accept lands, buildings,*  
4 *equipment, and other contributions from public and private*  
5 *sources and to prosecute projects in cooperation with other*  
6 *agencies, Federal, State, private or foreign: Provided, That*  
7 *revenues and other moneys received by or for the account*  
8 *of the Department of Energy or otherwise generated by sale*  
9 *of products in connection with projects of the Department*  
10 *appropriated under this Act may be retained by the Sec-*  
11 *retary of Energy, to be available until expended, and used*  
12 *only for plant construction, operation, costs, and payments*  
13 *to cost-sharing entities as provided in appropriate cost-*  
14 *sharing contracts or agreements: Provided further, That the*  
15 *remainder of revenues after the making of such payments*  
16 *shall be covered into the Treasury as miscellaneous receipts:*  
17 *Provided further, That any contract, agreement, or provi-*  
18 *sion thereof entered into by the Secretary pursuant to this*  
19 *authority shall not be executed prior to the expiration of*  
20 *30 calendar days (not including any day in which either*  
21 *House of Congress is not in session because of adjournment*  
22 *of more than three calendar days to a day certain) from*  
23 *the receipt by the Speaker of the House of Representatives*  
24 *and the President of the Senate of a full comprehensive re-*

1 port on such project, including the facts and circumstances  
 2 relied upon in support of the proposed project.

3 No funds provided in this Act may be expended by the  
 4 Department of Energy to prepare, issue, or process procure-  
 5 ment documents for programs or projects for which appro-  
 6 priations have not been made.

7 In addition to other authorities set forth in this Act,  
 8 the Secretary may accept fees and contributions from public  
 9 and private sources, to be deposited in a contributed funds  
 10 account, and prosecute projects using such fees and con-  
 11 tributions in cooperation with other Federal, State or pri-  
 12 vate agencies or concerns.

13 *DEPARTMENT OF HEALTH AND HUMAN*  
 14 *SERVICES*

15 *INDIAN HEALTH SERVICE*

16 *INDIAN HEALTH SERVICES*

17 For expenses necessary to carry out the Act of August  
 18 5, 1954 (68 Stat. 674), the Indian Self-Determination Act,  
 19 the Indian Health Care Improvement Act, and titles II and  
 20 III of the Public Health Service Act with respect to the In-  
 21 dian Health Service, \$2,388,614,000, together with pay-  
 22 ments received during the fiscal year pursuant to 42 U.S.C.  
 23 238(b) for services furnished by the Indian Health Service:  
 24 Provided, That funds made available to tribes and tribal  
 25 organizations through contracts, grant agreements, or any

1 *other agreements or compacts authorized by the Indian Self-*  
2 *Determination and Education Assistance Act of 1975 (25*  
3 *U.S.C. 450), shall be deemed to be obligated at the time*  
4 *of the grant or contract award and thereafter shall remain*  
5 *available to the tribe or tribal organization without fiscal*  
6 *year limitation: Provided further, That \$15,000,000 shall*  
7 *remain available until expended, for the Indian Cata-*  
8 *strophic Health Emergency Fund: Provided further, That*  
9 *\$430,776,000 for contract medical care shall remain avail-*  
10 *able for obligation until September 30, 2003: Provided fur-*  
11 *ther, That of the funds provided, up to \$22,000,000 shall*  
12 *be used to carry out the loan repayment program under*  
13 *section 108 of the Indian Health Care Improvement Act:*  
14 *Provided further, That funds provided in this Act may be*  
15 *used for one-year contracts and grants which are to be per-*  
16 *formed in two fiscal years, so long as the total obligation*  
17 *is recorded in the year for which the funds are appro-*  
18 *priated: Provided further, That the amounts collected by the*  
19 *Secretary of Health and Human Services under the author-*  
20 *ity of title IV of the Indian Health Care Improvement Act*  
21 *shall remain available until expended for the purpose of*  
22 *achieving compliance with the applicable conditions and re-*  
23 *quirements of titles XVIII and XIX of the Social Security*  
24 *Act (exclusive of planning, design, or construction of new*  
25 *facilities): Provided further, That funding contained herein,*

1 *and in any earlier appropriations Acts for scholarship pro-*  
 2 *grams under the Indian Health Care Improvement Act (25*  
 3 *U.S.C. 1613) shall remain available for obligation until*  
 4 *September 30, 2003: Provided further, That amounts re-*  
 5 *ceived by tribes and tribal organizations under title IV of*  
 6 *the Indian Health Care Improvement Act shall be reported*  
 7 *and accounted for and available to the receiving tribes and*  
 8 *tribal organizations until expended: Provided further, That,*  
 9 *notwithstanding any other provision of law, of the amounts*  
 10 *provided herein, not to exceed \$288,234,000 shall be for*  
 11 *payments to tribes and tribal organizations for contract or*  
 12 *grant support costs associated with contracts, grants, self-*  
 13 *governance compacts or annual funding agreements between*  
 14 *the Indian Health Service and a tribe or tribal organiza-*  
 15 *tion pursuant to the Indian Self-Determination Act of*  
 16 *1975, as amended, prior to or during fiscal year 2002, of*  
 17 *which up to \$40,000,000 may be used for such costs associ-*  
 18 *ated with the Navajo Nation's new and expanded contracts,*  
 19 *grants, self-governance compacts or annual funding agree-*  
 20 *ments: Provided further, That funds available for the In-*  
 21 *dian Health Care Improvement Fund may be used, as need-*  
 22 *ed, to carry out activities typically funded under the Indian*  
 23 *Health Facilities account.*

#### INDIAN HEALTH FACILITIES

24  
 25 *For construction, repair, maintenance, improvement,*  
 26 *and equipment of health and related auxiliary facilities, in-*

1 *cluding quarters for personnel; preparation of plans, speci-*  
2 *fications, and drawings; acquisition of sites, purchase and*  
3 *erection of modular buildings, and purchases of trailers;*  
4 *and for provision of domestic and community sanitation*  
5 *facilities for Indians, as authorized by section 7 of the Act*  
6 *of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Deter-*  
7 *mination Act, and the Indian Health Care Improvement*  
8 *Act, and for expenses necessary to carry out such Acts and*  
9 *titles II and III of the Public Health Service Act with re-*  
10 *spect to environmental health and facilities support activi-*  
11 *ties of the Indian Health Service, \$362,854,000, to remain*  
12 *available until expended: Provided, That notwithstanding*  
13 *any other provision of law, funds appropriated for the plan-*  
14 *ning, design, construction or renovation of health facilities*  
15 *for the benefit of an Indian tribe or tribes may be used*  
16 *to purchase land for sites to construct, improve, or enlarge*  
17 *health or related facilities: Provided further, That from the*  
18 *funds appropriated herein, \$5,000,000 shall be designated*  
19 *by the Indian Health Service as a contribution to the*  
20 *Yukon-Kuskokwim Health Corporation (YKHC) to con-*  
21 *tinue a priority project for the acquisition of land, plan-*  
22 *ning, design and construction of 79 staff quarters at Bethel,*  
23 *Alaska, pursuant to the negotiated project agreement be-*  
24 *tween the YKHC and the Indian Health Service: Provided*  
25 *further, That this project shall not be subject to the construc-*

tion provisions of the Indian Self-Determination and Education Assistance Act and shall be removed from the Indian Health Service priority list upon completion: Provided further, That the Federal Government shall not be liable for any property damages or other construction claims that may arise from YKHC undertaking this project: Provided further, That the land shall be owned or leased by the YKHC and title to quarters shall remain vested with the YKHC: Provided further, That \$5,000,000 shall remain available until expended for the purpose of funding joint venture health care facility projects authorized under the Indian Health Care Improvement Act, as amended: Provided further, That priority, by rank order, shall be given to tribes with outpatient projects on the existing Indian Health Services priority list that have Service-approved planning documents, and can demonstrate by March 1, 2002, the financial capability necessary to provide an appropriate facility: Provided further, That joint venture funds unallocated after March 1, 2002, shall be made available for joint venture projects on a competitive basis giving priority to tribes that currently have no existing Federally-owned health care facility, have planning documents meeting Indian Health Service requirements prepared for approval by the Service and can demonstrate the financial capability needed to provide an appropriate facility: Pro-

1 vided further, That the Indian Health Service shall request  
2 additional staffing, operation and maintenance funds for  
3 these facilities in future budget requests: Provided further,  
4 That not to exceed \$500,000 shall be used by the Indian  
5 Health Service to purchase TRANSAM equipment from the  
6 Department of Defense for distribution to the Indian Health  
7 Service and tribal facilities: Provided further, That not to  
8 exceed \$500,000 shall be used by the Indian Health Service  
9 to obtain ambulances for the Indian Health Service and  
10 tribal facilities in conjunction with an existing interagency  
11 agreement between the Indian Health Service and the Gen-  
12 eral Services Administration: Provided further, That not to  
13 exceed \$500,000 shall be placed in a Demolition Fund,  
14 available until expended, to be used by the Indian Health  
15 Service for demolition of Federal buildings: Provided fur-  
16 ther, That notwithstanding the provisions of title III, sec-  
17 tion 306, of the Indian Health Care Improvement Act (Pub-  
18 lic Law 94-437, as amended), construction contracts au-  
19 thorized under title I of the Indian Self-Determination and  
20 Education Assistance Act of 1975, as amended, may be used  
21 rather than grants to fund small ambulatory facility con-  
22 struction projects: Provided further, That if a contract is  
23 used, the IHS is authorized to improve municipal, private,  
24 or tribal lands, and that at no time, during construction  
25 or after completion of the project will the Federal Govern-



1 *ment have any rights or title to any real or personal prop-*  
2 *erty acquired as a part of the contract: Provided further,*  
3 *That \$2,333,000 shall be made available for the Sisseton*  
4 *Wahpeton Sioux Tribe Indian Health Services clinic in*  
5 *Sisseton, South Dakota, and \$9,167,000 shall be made*  
6 *available for the small ambulatory facilities program.*

7 *ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE*

8 *Appropriations in this Act to the Indian Health Serv-*  
9 *ice shall be available for services as authorized by 5 U.S.C.*  
10 *3109 but at rates not to exceed the per diem rate equivalent*  
11 *to the maximum rate payable for senior-level positions*  
12 *under 5 U.S.C. 5376; hire of passenger motor vehicles and*  
13 *aircraft; purchase of medical equipment; purchase of re-*  
14 *prints; purchase, renovation and erection of modular build-*  
15 *ings and renovation of existing facilities; payments for tele-*  
16 *phone service in private residences in the field, when au-*  
17 *thorized under regulations approved by the Secretary; and*  
18 *for uniforms or allowances therefore as authorized by 5*  
19 *U.S.C. 5901–5902; and for expenses of attendance at meet-*  
20 *ings which are concerned with the functions or activities*  
21 *for which the appropriation is made or which will con-*  
22 *tribute to improved conduct, supervision, or management*  
23 *of those functions or activities.*

24 *In accordance with the provisions of the Indian Health*  
25 *Care Improvement Act, non-Indian patients may be ex-*  
26 *tended health care at all tribally administered or Indian*

1 *Health Service facilities, subject to charges, and the pro-*  
2 *ceeds along with funds recovered under the Federal Medical*  
3 *Care Recovery Act (42 U.S.C. 2651–2653) shall be credited*  
4 *to the account of the facility providing the service and shall*  
5 *be available without fiscal year limitation. Notwith-*  
6 *standing any other law or regulation, funds transferred*  
7 *from the Department of Housing and Urban Development*  
8 *to the Indian Health Service shall be administered under*  
9 *Public Law 86–121 (the Indian Sanitation Facilities Act)*  
10 *and Public Law 93–638, as amended.*

11 *Funds appropriated to the Indian Health Service in*  
12 *this Act, except those used for administrative and program*  
13 *direction purposes, shall not be subject to limitations di-*  
14 *rected at curtailing Federal travel and transportation.*

15 *Notwithstanding any other provision of law, funds*  
16 *previously or herein made available to a tribe or tribal or-*  
17 *ganization through a contract, grant, or agreement author-*  
18 *ized by title I or title III of the Indian Self-Determination*  
19 *and Education Assistance Act of 1975 (25 U.S.C. 450), may*  
20 *be deobligated and reobligated to a self-determination con-*  
21 *tract under title I, or a self-governance agreement under*  
22 *title III of such Act and thereafter shall remain available*  
23 *to the tribe or tribal organization without fiscal year limi-*  
24 *tation.*

1        *None of the funds made available to the Indian Health*  
2 *Service in this Act shall be used to implement the final rule*  
3 *published in the Federal Register on September 16, 1987,*  
4 *by the Department of Health and Human Services, relating*  
5 *to 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 associ-*  
8 *ated with the proposed final rule, and such request has been*  
9 *included in an appropriations Act and enacted into law.*

10       *Funds made available in this Act are to be appor-*  
11 *tioned to the Indian Health Service as appropriated in this*  
12 *Act, and accounted for in the appropriation structure set*  
13 *forth in this Act. With respect to functions transferred by*  
14 *the Indian Health Service to tribes or tribal organizations,*  
15 *the Indian Health Service is authorized to provide goods*  
16 *and services to those entities, on a reimbursable basis, in-*  
17 *cluding payment in advance with subsequent adjustment,*  
18 *and the reimbursements received therefrom, along with the*  
19 *funds received from those entities pursuant to the Indian*  
20 *Self-Determination Act, may be credited to the same or sub-*  
21 *sequent appropriation account which provided the funding,*  
22 *said amounts to remain available until expended. Reim-*  
23 *bursements for training, technical assistance, or services*  
24 *provided by the Indian Health Service will contain total*  
25 *costs, including direct, administrative, and overhead associ-*

1 *ated with the provision of goods, services, or technical as-*  
 2 *sistance. The appropriation structure for the Indian Health*  
 3 *Service may not be altered without advance approval of the*  
 4 *House and Senate Committees on Appropriations.*

## 5 *OTHER RELATED AGENCIES*

### 6 *OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION*

#### 7 *SALARIES AND EXPENSES*

8 *For necessary expenses of the Office of Navajo and*  
 9 *Hopi Indian Relocation as authorized by Public Law 93–*  
 10 *531, \$15,148,000, to remain available until expended: Pro-*  
 11 *vided, That funds provided in this or any other appropria-*  
 12 *tions Act are to be used to relocate eligible individuals and*  
 13 *groups including evictees from District 6, Hopi-partitioned*  
 14 *lands residents, those in significantly substandard housing,*  
 15 *and all others certified as eligible and not included in the*  
 16 *preceding categories: Provided further, That none of the*  
 17 *funds contained in this or any other Act may be used by*  
 18 *the Office of Navajo and Hopi Indian Relocation to evict*  
 19 *any single Navajo or Navajo family who, as of November*  
 20 *30, 1985, was physically domiciled on the lands partitioned*  
 21 *to the Hopi Tribe unless a new or replacement home is pro-*  
 22 *vided for such household: Provided further, That no*  
 23 *relocatee will be provided with more than one new or re-*  
 24 *placement home: Provided further, That the Office shall re-*  
 25 *locate any certified eligible relocatees who have selected and*

1 *received an approved homesite on the Navajo reservation*  
 2 *or selected a replacement residence off the Navajo reserva-*  
 3 *tion or on the land acquired pursuant to 25 U.S.C. 640d-*  
 4 *10.*

5 *INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE*  
 6 *CULTURE AND ARTS DEVELOPMENT*

7 *PAYMENT TO THE INSTITUTE*

8 *For payment to the Institute of American Indian and*  
 9 *Alaska Native Culture and Arts Development, as authorized*  
 10 *by title XV of Public Law 99–498, as amended (20 U.S.C.*  
 11 *56 part A), \$4,490,000.*

12 *SMITHSONIAN INSTITUTION*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses of the Smithsonian Institution,*  
 15 *as authorized by law, including research in the fields of art,*  
 16 *science, and history; development, preservation, and docu-*  
 17 *mentation of the National Collections; presentation of pub-*  
 18 *lic exhibits and performances; collection, preparation, dis-*  
 19 *semination, and exchange of information and publications;*  
 20 *conduct of education, training, and museum assistance pro-*  
 21 *grams; maintenance, alteration, operation, lease (for terms*  
 22 *not to exceed 30 years), and protection of buildings, facili-*  
 23 *ties, and approaches; not to exceed \$100,000 for services as*  
 24 *authorized by 5 U.S.C. 3109; up to five replacement pas-*  
 25 *senger vehicles; purchase, rental, repair, and cleaning of*

1 uniforms for employees, \$401,192,000, of which not to ex-  
2 ceed \$43,713,000 for the instrumentation program, collec-  
3 tions acquisition, exhibition reinstallation, the National  
4 Museum of the American Indian, the repatriation of skeletal  
5 remains program, research equipment, information man-  
6 agement, and Latino programming shall remain available  
7 until expended, and including such funds as may be nec-  
8 essary to support American overseas research centers and  
9 a total of \$125,000 for the Council of American Overseas  
10 Research Centers: Provided, That funds appropriated here-  
11 in are available for advance payments to independent con-  
12 tractors performing research services or participating in of-  
13 ficial Smithsonian presentations: Provided further, That  
14 the Smithsonian Institution may expend Federal appro-  
15 priations designated in this Act for lease or rent payments  
16 for long term and swing space, as rent payable to the  
17 Smithsonian Institution, and such rent payments may be  
18 deposited into the general trust funds of the Institution to  
19 the extent that federally supported activities are housed in  
20 the 900 H Street, N.W. building in the District of Colum-  
21 bia: Provided further, That this use of Federal appropria-  
22 tions shall not be construed as debt service, a Federal guar-  
23 antee of, a transfer of risk to, or an obligation of, the Fed-  
24 eral Government: Provided further, That no appropriated  
25 funds may be used to service debt which is incurred to fi-

1 nance the costs of acquiring the 900 H Street building or  
 2 of planning, designing, and constructing improvements to  
 3 such building.

4 REPAIR, RESTORATION AND ALTERATION OF FACILITIES

5 For necessary expenses of maintenance, repair, res-  
 6 toration, and alteration of facilities owned or occupied by  
 7 the Smithsonian Institution, by contract or otherwise, as  
 8 authorized by section 2 of the Act of August 22, 1949 (63  
 9 Stat. 623), including not to exceed \$10,000 for services as  
 10 authorized by 5 U.S.C. 3109, \$67,900,000, to remain avail-  
 11 able until expended, of which \$10,000,000 is provided for  
 12 maintenance, repair, rehabilitation and alteration of facili-  
 13 ties at the National Zoological Park: Provided, That con-  
 14 tracts awarded for environmental systems, protection sys-  
 15 tems, and repair or restoration of facilities of the Smithso-  
 16 nian Institution may be negotiated with selected contractors  
 17 and awarded on the basis of contractor qualifications as  
 18 well as price.

19 CONSTRUCTION

20 For necessary expenses for construction, \$25,000,000,  
 21 to remain available until expended.

22 ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

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

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

6        *None of the funds in this or any other Act may be*  
 7        *used to make any changes to the existing Smithsonian*  
 8        *science programs, including closure of facilities, relocation*  
 9        *of staff or redirection of functions and programs, without*  
 10       *approval by the Board of Regents of recommendations re-*  
 11       *ceived from the Science Commission.*

12       *None of the funds available to the Smithsonian may*  
 13       *be reprogrammed without the advance written approval of*  
 14       *the House and Senate Committees on Appropriations in ac-*  
 15       *cordance with the procedures contained in House Report*  
 16       *No. 105–163.*

17                                *NATIONAL GALLERY OF ART*

18                                *SALARIES AND EXPENSES*

19        *For the upkeep and operations of the National Gallery*  
 20        *of Art, the protection and care of the works of art therein,*  
 21        *and administrative expenses incident thereto, as authorized*  
 22        *by the Act of March 24, 1937 (50 Stat. 51), as amended*  
 23        *by the public resolution of April 13, 1939 (Public Resolu-*  
 24        *tion 9, Seventy-sixth Congress), including services as au-*  
 25        *thorized by 5 U.S.C. 3109; payment in advance when au-*



1 *thorized by the treasurer of the Gallery for membership in*  
2 *library, museum, and art associations or societies whose*  
3 *publications or services are available to members only, or*  
4 *to members at a price lower than to the general public; pur-*  
5 *chase, repair, and cleaning of uniforms for guards, and uni-*  
6 *forms, or allowances therefor, for other employees as author-*  
7 *ized by law (5 U.S.C. 5901–5902); purchase or rental of*  
8 *devices and services for protecting buildings and contents*  
9 *thereof, and maintenance, alteration, improvement, and re-*  
10 *pair of buildings, approaches, and grounds; and purchase*  
11 *of services for restoration and repair of works of art for*  
12 *the National Gallery of Art by contracts made, without ad-*  
13 *vertising, with individuals, firms, or organizations at such*  
14 *rates or prices and under such terms and conditions as the*  
15 *Gallery may deem proper, \$68,967,000, of which not to ex-*  
16 *ceed \$3,026,000 for the special exhibition program shall re-*  
17 *main available until expended.*

18 *REPAIR, RESTORATION AND RENOVATION OF BUILDINGS*

19 *For necessary expenses of repair, restoration and ren-*  
20 *ovation of buildings, grounds and facilities owned or occu-*  
21 *pled by the National Gallery of Art, by contract or other-*  
22 *wise, as authorized, \$14,220,000, to remain available until*  
23 *expended: Provided, That contracts awarded for environ-*  
24 *mental systems, protection systems, and exterior repair or*  
25 *renovation of buildings of the National Gallery of Art may*

1 *be negotiated with selected contractors and awarded on the*  
 2 *basis of contractor qualifications as well as price.*

3 *JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS*  
 4 *OPERATIONS AND MAINTENANCE*

5 *For necessary expenses for the operation, maintenance*  
 6 *and security of the John F. Kennedy Center for the Per-*  
 7 *forming Arts, \$15,000,000.*

8 *CONSTRUCTION*

9 *For necessary expenses for capital repair and restora-*  
 10 *tion of the existing features of the building and site of the*  
 11 *John F. Kennedy Center for the Performing Arts,*  
 12 *\$19,000,000, to remain available until expended.*

13 *WOODROW WILSON INTERNATIONAL CENTER FOR*  
 14 *SCHOLARS*

15 *SALARIES AND EXPENSES*

16 *For expenses necessary in carrying out the provisions*  
 17 *of the Woodrow Wilson Memorial Act of 1968 (82 Stat.*  
 18 *1356) including hire of passenger vehicles and services as*  
 19 *authorized by 5 U.S.C. 3109, \$7,796,000.*

20 *NATIONAL FOUNDATION ON THE ARTS AND THE*  
 21 *HUMANITIES*

22 *NATIONAL ENDOWMENT FOR THE ARTS*

23 *GRANTS AND ADMINISTRATION*

24 *For necessary expenses to carry out the National Foun-*  
 25 *dation on the Arts and the Humanities Act of 1965, as*  
 26 *amended, \$98,234,000 shall be available to the National*

1 *Endowment for the Arts for the support of projects and pro-*  
 2 *ductions in the arts through assistance to organizations and*  
 3 *individuals pursuant to sections 5(c) and 5(g) of the Act,*  
 4 *for program support, and for administering the functions*  
 5 *of the Act, to remain available until expended.*

6 *NATIONAL ENDOWMENT FOR THE HUMANITIES*

7 *GRANTS AND ADMINISTRATION*

8 *For necessary expenses to carry out the National Foun-*  
 9 *ation on the Arts and the Humanities Act of 1965, as*  
 10 *amended, \$109,882,000, shall be available to the National*  
 11 *Endowment for the Humanities for support of activities in*  
 12 *the humanities, pursuant to section 7(c) of the Act, and for*  
 13 *administering the functions of the Act, to remain available*  
 14 *until expended.*

15 *MATCHING GRANTS*

16 *To carry out the provisions of section 10(a)(2) of the*  
 17 *National Foundation on the Arts and the Humanities Act*  
 18 *of 1965, as amended, \$15,622,000, to remain available until*  
 19 *expended, of which \$11,622,000 shall be available to the Na-*  
 20 *tional Endowment for the Humanities for the purposes of*  
 21 *section 7(h): Provided, That this appropriation shall be*  
 22 *available for obligation only in such amounts as may be*  
 23 *equal to the total amounts of gifts, bequests, and devises of*  
 24 *money, and other property accepted by the chairman or by*  
 25 *grantees of the Endowment under the provisions of sub-*  
 26 *sections 11(a)(2)(B) and 11(a)(3)(B) during the current*

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

3 *INSTITUTE OF MUSEUM AND LIBRARY SERVICES*

4 *OFFICE OF MUSEUM SERVICES*

5 *GRANTS AND ADMINISTRATION*

6 *For carrying out subtitle C of the Museum and Li-*  
7 *brary Services Act of 1996, as amended, \$26,899,000, to*  
8 *remain available until expended.*

9 *CHALLENGE AMERICA ARTS FUND*

10 *CHALLENGE AMERICA GRANTS*

11 *For necessary expenses as authorized by Public Law*  
12 *89–209, as amended, \$17,000,000 for support for arts edu-*  
13 *cation and public outreach activities to be administered by*  
14 *the National Endowment for the Arts, to remain available*  
15 *until expended.*

16 *ADMINISTRATIVE PROVISIONS*

17 *None of the funds appropriated to the National Foun-*  
18 *dation on the Arts and the Humanities may be used to*  
19 *process any grant or contract documents which do not in-*  
20 *clude the text of 18 U.S.C. 1913: Provided, That none of*  
21 *the funds appropriated to the National Foundation on the*  
22 *Arts and the Humanities may be used for official reception*  
23 *and representation expenses: Provided further, That funds*  
24 *from nonappropriated sources may be used as necessary for*  
25 *official reception and representation expenses.*

## COMMISSION OF FINE ARTS

## SALARIES AND EXPENSES

*For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$1,174,000: Provided, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.*

## NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

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

## ADVISORY COUNCIL ON HISTORIC PRESERVATION

## SALARIES AND EXPENSES

*For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665, as amended), \$3,310,000: Provided, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.*

## NATIONAL CAPITAL PLANNING COMMISSION

## SALARIES AND EXPENSES

*For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 3109, \$7,253,000: Provided, That all appointed members of the Commission will be compensated at a rate not to exceed the daily equiva-*

1 *lent of the annual rate of pay for positions at level IV of*  
 2 *the Executive Schedule for each day such member is engaged*  
 3 *in the actual performance of duties.*

4 *UNITED STATES HOLOCAUST MEMORIAL MUSEUM*

5 *HOLOCAUST MEMORIAL MUSEUM*

6 *For expenses of the Holocaust Memorial Museum, as*  
 7 *authorized by Public Law 106–292 (36 U.S.C. 2301–2310),*  
 8 *\$36,028,000, of which \$1,900,000 for the museum’s repair*  
 9 *and rehabilitation program and \$1,264,000 for the muse-*  
 10 *um’s exhibitions program shall remain available until ex-*  
 11 *pendent.*

12 *PRESIDIO TRUST*

13 *PRESIDIO TRUST FUND*

14 *For necessary expenses to carry out title I of the Omni-*  
 15 *bus Parks and Public Lands Management Act of 1996,*  
 16 *\$23,125,000 shall be available to the Presidio Trust, to re-*  
 17 *main available until expended.*

18 *TITLE III—GENERAL PROVISIONS*

19 *SEC. 301. The expenditure of any appropriation under*  
 20 *this Act for any consulting service through procurement*  
 21 *contract, pursuant to 5 U.S.C. 3109, shall be limited to*  
 22 *those contracts where such expenditures are a matter of pub-*  
 23 *lic record and available for public inspection, except where*  
 24 *otherwise provided under existing law, or under existing*  
 25 *Executive order issued pursuant to existing law.*

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

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

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

17       *SEC. 305. None of the funds provided in this Act to*  
18 *any department or agency shall be obligated or expended*  
19 *to provide a personal cook, chauffeur, or other personal serv-*  
20 *ants to any officer or employee of such department or agen-*  
21 *cy except as otherwise provided by law.*

22       *SEC. 306. No assessments may be levied against any*  
23 *program, budget activity, subactivity, or project funded by*  
24 *this Act unless advance notice of such assessments and the*

1 basis therefor are presented to the Committees on Appro-  
2 priations and are approved by such committees.

3       *SEC. 307. None of the funds in this Act may be used*  
4 *to plan, prepare, or offer for sale timber from trees classified*  
5 *as giant sequoia (Sequoiadendron giganteum) which are lo-*  
6 *cated on National Forest System or Bureau of Land Man-*  
7 *agement lands in a manner different than such sales were*  
8 *conducted in fiscal year 2001.*

9       *SEC. 308. None of the funds made available by this*  
10 *Act may be obligated or expended by the National Park*  
11 *Service to enter into or implement a concession contract*  
12 *which permits or requires the removal of the underground*  
13 *lunchroom at the Carlsbad Caverns National Park.*

14       *SEC. 309. None of the funds made available in this*  
15 *Act may be used: (1) to demolish the bridge between Jersey*  
16 *City, New Jersey, and Ellis Island; or (2) to prevent pedes-*  
17 *trian use of such bridge, when such pedestrian use is con-*  
18 *sistent with generally accepted safety standards.*

19       *SEC. 310. (a) LIMITATION OF FUNDS.—None of the*  
20 *funds appropriated or otherwise made available pursuant*  
21 *to this Act shall be obligated or expended to accept or proc-*  
22 *ess applications for a patent for any mining or mill site*  
23 *claim located under the general mining laws.*

24       *(b) EXCEPTIONS.—The provisions of subsection (a)*  
25 *shall not apply if the Secretary of the Interior determines*



1 *that, for the claim concerned: (1) a patent application was*  
 2 *filed with the Secretary on or before September 30, 1994;*  
 3 *and (2) all requirements established under sections 2325*  
 4 *and 2326 of the Revised Statutes (30 U.S.C. 29 and 30)*  
 5 *for vein or lode claims and sections 2329, 2330, 2331, and*  
 6 *2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37)*  
 7 *for placer claims, and section 2337 of the Revised Statutes*  
 8 *(30 U.S.C. 42) for mill site claims, as the case may be,*  
 9 *were fully complied with by the applicant by that date.*

10 *(c) REPORT.—On September 30, 2002, the Secretary*  
 11 *of the Interior shall file with the House and Senate Com-*  
 12 *mittees on Appropriations and the Committee on Resources*  
 13 *of the House of Representatives and the Committee on En-*  
 14 *ergy and Natural Resources of the Senate a report on ac-*  
 15 *tions taken by the Department under the plan submitted*  
 16 *pursuant to section 314(c) of the Department of the Interior*  
 17 *and Related Agencies Appropriations Act, 1997 (Public*  
 18 *Law 104–208).*

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

1 *set forth in subsection (b). The Bureau of Land Manage-*  
2 *ment shall have the sole responsibility to choose and pay*  
3 *the third-party contractor in accordance with the standard*  
4 *procedures employed by the Bureau of Land Management*  
5 *in the retention of third-party contractors.*

6       *SEC. 311. Notwithstanding any other provision of law,*  
7 *amounts appropriated to or earmarked in committee re-*  
8 *ports for the Bureau of Indian Affairs and the Indian*  
9 *Health Service by Public Laws 103–138, 103–332, 104–*  
10 *134, 104–208, 105–83, 105–277, 106–113, and 106–291 for*  
11 *payments to tribes and tribal organizations for contract*  
12 *support costs associated with self-determination or self-gov-*  
13 *ernance contracts, grants, compacts, or annual funding*  
14 *agreements with the Bureau of Indian Affairs or the Indian*  
15 *Health Service as funded by such Acts, are the total*  
16 *amounts available for fiscal years 1994 through 2001 for*  
17 *such purposes, except that, for the Bureau of Indian Affairs,*  
18 *tribes and tribal organizations may use their tribal priority*  
19 *allocations for unmet indirect costs of ongoing contracts,*  
20 *grants, self-governance compacts or annual funding agree-*  
21 *ments.*

22       *SEC. 312. Notwithstanding any other provision of law,*  
23 *for fiscal year 2002 the Secretaries of Agriculture and the*  
24 *Interior are authorized to limit competition for watershed*  
25 *restoration project contracts as part of the “Jobs in the*

1 Woods” Program established in Region 10 of the Forest  
2 Service to individuals and entities in historically timber-  
3 dependent areas in the States of Washington, Oregon, north-  
4 ern California and Alaska that have been affected by re-  
5 duced timber harvesting on Federal lands. The Secretaries  
6 shall consider the benefits to the local economy in evaluating  
7 bids and designing procurements which create economic op-  
8 portunities for local contractors.

9       SEC. 313. None of the funds collected under the Rec-  
10 reational Fee Demonstration program may be used to plan,  
11 design, or construct a visitor center or any other permanent  
12 structure without prior approval of the House and the Sen-  
13 ate Committees on Appropriations if the estimated total  
14 cost of the facility exceeds \$500,000.

15       SEC. 314. None of the funds made available in this  
16 or any other Act for any fiscal year may be used to des-  
17 ignate, or to post any sign designating, any portion of Ca-  
18 naval National Seashore in Brevard County, Florida, as  
19 a clothing-optional area or as an area in which public nu-  
20 dity is permitted, if such designation would be contrary to  
21 county ordinance.

22       SEC. 315. Of the funds provided to the National En-  
23 dowment for the Arts—

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

1        *vidual for a literature fellowship, National Heritage*  
 2        *Fellowship, or American Jazz Masters Fellowship.*

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

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

15        *SEC. 316. The National Endowment for the Arts and*  
 16        *the National Endowment for the Humanities are authorized*  
 17        *to solicit, accept, receive, and invest in the name of the*  
 18        *United States, gifts, bequests, or devises of money and other*  
 19        *property or services and to use such in furtherance of the*  
 20        *functions of the National Endowment for the Arts and the*  
 21        *National Endowment for the Humanities. Any proceeds*  
 22        *from such gifts, bequests, or devises, after acceptance by the*  
 23        *National Endowment for the Arts or the National Endow-*  
 24        *ment for the Humanities, shall be paid by the donor or the*  
 25        *representative of the donor to the Chairman. The Chairman*

1 *shall enter the proceeds in a special interest-bearing account*  
2 *to the credit of the appropriate endowment for the purposes*  
3 *specified in each case.*

4       *SEC. 317. (a) In providing services or awarding finan-*  
5 *cial assistance under the National Foundation on the Arts*  
6 *and the Humanities Act of 1965 from funds appropriated*  
7 *under this Act, the Chairperson of the National Endowment*  
8 *for the Arts shall ensure that priority is given to providing*  
9 *services or awarding financial assistance for projects, pro-*  
10 *ductions, workshops, or programs that serve underserved*  
11 *populations.*

12       *(b) In this section:*

13           *(1) The term “underserved population” means a*  
14 *population of individuals, including urban minori-*  
15 *ties, who have historically been outside the purview of*  
16 *arts and humanities programs due to factors such as*  
17 *a high incidence of income below the poverty line or*  
18 *to geographic isolation.*

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

1       (c) *In providing services and awarding financial as-*  
2 *sistance under the National Foundation on the Arts and*  
3 *Humanities Act of 1965 with funds appropriated by this*  
4 *Act, the Chairperson of the National Endowment for the*  
5 *Arts shall ensure that priority is given to providing services*  
6 *or awarding financial assistance for projects, productions,*  
7 *workshops, or programs that will encourage public knowl-*  
8 *edge, education, understanding, and appreciation of the*  
9 *arts.*

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

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

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

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

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

4       SEC. 318. No part of any appropriation contained in  
5       this Act shall be expended or obligated to complete and issue  
6       the 5-year program under the Forest and Rangeland Re-  
7       newable Resources Planning Act.

8       SEC. 319. None of the funds in this Act may be used  
9       to support Government-wide administrative functions un-  
10      less such functions are justified in the budget process and  
11      funding is approved by the House and Senate Committees  
12      on Appropriations.

13      SEC. 320. None of the funds in this Act may be used  
14      for planning, design or construction of improvements to  
15      Pennsylvania Avenue in front of the White House without  
16      the advance approval of the House and Senate Committees  
17      on Appropriations.

18      SEC. 321. Amounts deposited during fiscal year 2001  
19      in the roads and trails fund provided for in the fourteenth  
20      paragraph under the heading “FOREST SERVICE” of the  
21      Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall  
22      be used by the Secretary of Agriculture, without regard to  
23      the State in which the amounts were derived, to repair or  
24      reconstruct roads, bridges, and trails on National Forest  
25      System lands or to carry out and administer projects to

1 *improve forest health conditions, which may include the re-*  
2 *pair or reconstruction of roads, bridges, and trails on Na-*  
3 *tional Forest System lands in the wildland-community*  
4 *interface where there is an abnormally high risk of fire. The*  
5 *projects shall emphasize reducing risks to human safety and*  
6 *public health and property and enhancing ecological func-*  
7 *tions, long-term forest productivity, and biological integ-*  
8 *riety. The projects may be completed in a subsequent fiscal*  
9 *year. Funds shall not be expended under this section to re-*  
10 *place funds which would otherwise appropriately be ex-*  
11 *pended from the timber salvage sale fund. Nothing in this*  
12 *section shall be construed to exempt any project from any*  
13 *environmental law.*

14       *SEC. 322. Other than in emergency situations, none*  
15 *of the funds in this Act may be used to operate telephone*  
16 *answering machines during core business hours unless such*  
17 *answering machines include an option that enables callers*  
18 *to reach promptly an individual on-duty with the agency*  
19 *being contacted.*

20       *SEC. 323. No timber sale in Region 10 shall be adver-*  
21 *tised if the indicated rate is deficit when appraised under*  
22 *the transaction evidence appraisal system using domestic*  
23 *Alaska values for western red cedar: Provided, That sales*  
24 *which are deficit when appraised under the transaction evi-*  
25 *dence appraisal system using domestic Alaska values for*



1 western red cedar may be advertised upon receipt of a writ-  
2 ten request by a prospective, informed bidder, who has the  
3 opportunity to review the Forest Service's cruise and har-  
4 vest cost estimate for that timber. Program accomplish-  
5 ments shall be based on volume sold. Should Region 10 sell,  
6 in fiscal year 2002, the annual average portion of the  
7 decadal allowable sale quantity called for in the current  
8 Tongass Land Management Plan in sales which are not def-  
9 icit when appraised under the transaction evidence ap-  
10 praisal system using domestic Alaska values for western red  
11 cedar, all of the western red cedar timber from those sales  
12 which is surplus to the needs of domestic processors in Alas-  
13 ka, shall be made available to domestic processors in the  
14 contiguous 48 United States at prevailing domestic prices.  
15 Should Region 10 sell, in fiscal year 2002, less than the  
16 annual average portion of the decadal allowable sale quan-  
17 tity called for in the current Tongass Land Management  
18 Plan in sales which are not deficit when appraised under  
19 the transaction evidence appraisal system using domestic  
20 Alaska values for western red cedar, the volume of western  
21 red cedar timber available to domestic processors at pre-  
22 vailing domestic prices in the contiguous 48 United States  
23 shall be that volume: (i) which is surplus to the needs of  
24 domestic processors in Alaska; and (ii) is that percent of  
25 the surplus western red cedar volume determined by calcu-

1 *lating the ratio of the total timber volume which has been*  
2 *sold on the Tongass to the annual average portion of the*  
3 *decadal allowable sale quantity called for in the current*  
4 *Tongass Land Management Plan. The percentage shall be*  
5 *calculated by Region 10 on a rolling basis as each sale is*  
6 *sold (for purposes of this amendment, a “rolling basis” shall*  
7 *mean that the determination of how much western red cedar*  
8 *is eligible for sale to various markets shall be made at the*  
9 *time each sale is awarded). Western red cedar shall be*  
10 *deemed “surplus to the needs of domestic processors in Alas-*  
11 *ka” when the timber sale holder has presented to the Forest*  
12 *Service documentation of the inability to sell western red*  
13 *cedar logs from a given sale to domestic Alaska processors*  
14 *at price equal to or greater than the log selling value stated*  
15 *in the contract. All additional western red cedar volume*  
16 *not sold to Alaska or contiguous 48 United States domestic*  
17 *processors may be exported to foreign markets at the election*  
18 *of the timber sale holder. All Alaska yellow cedar may be*  
19 *sold at prevailing export prices at the election of the timber*  
20 *sale holder.*

21 *SEC. 324. None of the funds appropriated by this Act*  
22 *shall be used to propose or issue rules, regulations, decrees,*  
23 *or orders for the purpose of implementation, or in prepara-*  
24 *tion for implementation, of the Kyoto Protocol which was*  
25 *adopted on December 11, 1997, in Kyoto, Japan at the*

1 *Third Conference of the Parties to the United Nations*  
2 *Framework Convention on Climate Change, which has not*  
3 *been submitted to the Senate for advice and consent to rati-*  
4 *fication pursuant to article II, section 2, clause 2, of the*  
5 *United States Constitution, and which has not entered into*  
6 *force pursuant to article 25 of the Protocol.*

7       *SEC. 325. The Forest Service, in consultation with the*  
8 *Department of Labor, shall review Forest Service camp-*  
9 *ground concessions policy to determine if modifications can*  
10 *be made to Forest Service contracts for campgrounds so that*  
11 *such concessions fall within the regulatory exemption of 29*  
12 *CFR 4.122(b). The Forest Service shall offer in fiscal year*  
13 *2002 such concession prospectuses under the regulatory ex-*  
14 *emption, except that, any prospectus that does not meet the*  
15 *requirements of the regulatory exemption shall be offered as*  
16 *a service contract in accordance with the requirements of*  
17 *41 U.S.C. 351–358.*

18       *SEC. 326. A project undertaken by the Forest Service*  
19 *under the Recreation Fee Demonstration Program as au-*  
20 *thorized by section 315 of the Department of the Interior*  
21 *and Related Agencies Appropriations Act for Fiscal Year*  
22 *1996, as amended, shall not result in—*

23               *(1) displacement of the holder of an authoriza-*  
24               *tion to provide commercial recreation services on Fed-*  
25               *eral lands. Prior to initiating any project, the Sec-*

1       retary shall consult with potentially affected holders  
2       to determine what impacts the project may have on  
3       the holders. Any modifications to the authorization  
4       shall be made within the terms and conditions of the  
5       authorization and authorities of the impacted agency.

6               (2) the return of a commercial recreation service  
7       to the Secretary for operation when such services have  
8       been provided in the past by a private sector pro-  
9       vider, except when—

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

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

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

17       In such cases, the agency may use the Recreation Fee Dem-  
18       onstrations Program to provide for operations until a subse-  
19       quent operator can be found through the offering of a new  
20       prospectus.

21       SEC. 327. The authority to enter into stewardship and  
22       end result contracts provided to the Forest Service in ac-  
23       cordance with section 347 of title III of section 101(e) of  
24       division A of Public Law 105–277 is hereby expanded to  
25       authorize the Forest Service to enter into an additional 28

1 *contracts subject to the same terms and conditions as pro-*  
2 *vided in that section: Provided, That of the additional con-*  
3 *tracts authorized by this section at least 9 shall be allocated*  
4 *to Region 1 and at least 3 to Region 6.*

5       *SEC. 328. Any regulations or policies promulgated or*  
6 *adopted by the Departments of Agriculture or the Interior*  
7 *regarding recovery of costs for processing authorizations to*  
8 *occupy and use Federal lands under their control shall ad-*  
9 *here to and incorporate the following principle arising from*  
10 *Office of Management and Budget Circular, A-25; no*  
11 *charge should be made for a service when the identification*  
12 *of the specific beneficiary is obscure, and the service can*  
13 *be considered primarily as benefiting broadly the general*  
14 *public.*

15       *SEC. 329. Notwithstanding any other provision of law,*  
16 *for fiscal year 2002, the Secretary of Agriculture is author-*  
17 *ized to limit competition for fire and fuel treatment and*  
18 *watershed restoration contracts in the Giant Sequoia Na-*  
19 *tional Monument and the Sequoia National Forest. Pref-*  
20 *erence for employment shall be given to dislocated and dis-*  
21 *placed workers in Tulare, Kern and Fresno Counties, Cali-*  
22 *fornia, for work associated with the establishment of the*  
23 *Giant Sequoia National Monument.*

24       *SEC. 330. The Secretary of Agriculture, acting through*  
25 *the Chief of the Forest Service shall:*

1           (1) *extend the special use permit for the Sioux*  
 2           *Charlie Cabin in the Absaroka Beartooth Wilderness*  
 3           *Area, Montana, held by Montana State University—*  
 4           *Billings for a period of 50 years; and*

5           (2) *solicit public comments at the end of the 50*  
 6           *year period to determine whether another extension*  
 7           *should be granted.*

8           *SEC. 331. Section 323 of the Department of the Inte-*  
 9           *rior and Related Agencies Appropriations Act, 1999, as in-*  
 10          *cluded in Public Law 105–277, Division A, section 101(e),*  
 11          *is amended by striking “and 2001,” and inserting “, 2001*  
 12          *and 2002,”.*

13          *SEC. 332. Section 551(c) of the Land Between the*  
 14          *Lakes Protection Act of 1998 (16 U.S.C. 460lll–61(c)) is*  
 15          *amended by striking “2002” and inserting “2004”.*

16          *SEC. 333. LOCAL EXEMPTIONS FROM FOREST SERV-*  
 17          *ICE DEMONSTRATION PROGRAM FEES. Section 6906 of Title*  
 18          *31, United States Code, is amended—*

19                 (1) *by inserting “(a) IN GENERAL.—” before*  
 20                 *“Necessary”; and*

21                 (2) *by adding at the end the following:*

22                 *“(b) LOCAL EXEMPTIONS FROM DEMONSTRATION*  
 23                 *PROGRAM FEES.—*

24                         *“(1) IN GENERAL.—Each unit of general local*  
 25                         *government that lies in whole or in part within the*

1     *White Mountain National Forest and persons residing*  
 2     *within the boundaries of that unit of general local*  
 3     *government shall be exempt during that fiscal year*  
 4     *from any requirement to pay a Demonstration Pro-*  
 5     *gram Fee (parking permit or passport) imposed by*  
 6     *the Secretary of Agriculture for access to the Forest.*

7             “(2) *ADMINISTRATION.*—*The Secretary of Agri-*  
 8     *culture shall establish a method of identifying persons*  
 9     *who are exempt from paying user fees under para-*  
 10    *graph (1). This method may include valid form of*  
 11    *identification including a drivers license.”.*

12    *SEC. 334. MODIFICATION TO STEEL LOAN GUARANTEE*  
 13    *PROGRAM. (a) IN GENERAL.*—*Section 101 of the Emergency*  
 14    *Steel Loan Guarantee Act of 1999 (Public Law 106–51; 15*  
 15    *U.S.C. 1841 note) is amended as follows:*

16             *(1) TERMS AND CONDITIONS.*—*Subsection (h) is*  
 17    *amended—*

18                 *(A) in paragraph (1), by striking “2005”*  
 19             *and inserting “2015”; and*

20                 *(B) by amending paragraph (4) to read as*  
 21    *follows:*

22             “(4) *GUARANTEE LEVEL.*—

23                 “(A) *IN GENERAL.*—*Except as provided in*  
 24             *subparagraphs (B) and (C), any loan guarantee*

1        *provided under this section shall not exceed 85*  
2        *percent of the amount of principal of the loan.*

3            *“(B) INCREASED LEVEL ONE.—A loan*  
4        *guarantee may be provided under this section in*  
5        *excess of 85 percent, but not more than 90 per-*  
6        *cent, of the amount of principal of the loan, if—*

7            *“(i) the aggregate amount of loans*  
8        *guaranteed at such percentage and out-*  
9        *standing under this section at any one time*  
10       *does not exceed \$100,000,000; and*

11           *“(ii) the aggregate amount of loans*  
12       *guaranteed at such percentage under this*  
13       *section with respect to a single qualified*  
14       *steel company does not exceed \$50,000,000.*

15           *“(C) INCREASED LEVEL TWO.—A loan*  
16       *guarantee may be provided under this section in*  
17       *excess of 85 percent, but not more than 95 per-*  
18       *cent, of the amount of principal of the loan, if—*

19           *“(i) the aggregate amount of loans*  
20       *guaranteed at such percentage and out-*  
21       *standing under this section at any one time*  
22       *does not exceed \$100,000,000; and*

23           *“(ii) the aggregate amount of loans*  
24       *guaranteed at such percentage under this*  
25       *section with respect to a single qualified*



1                    *steel company does not exceed*  
2                    *\$50,000,000.”.*

3                    *(2) TERMINATION OF GUARANTEE AUTHORITY.—*  
4                    *Subsection (k) is amended by striking “2001” and in-*  
5                    *serting “2003”.*

6                    *(b) APPLICABILITY.—The amendments made by this*  
7                    *section shall apply only with respect to any guarantee*  
8                    *issued on or after the date of the enactment of this Act.*

9                    *This Act may be cited as the “Department of the Inte-*  
10                   *rior and Related Agencies Appropriations Act, 2002”.*

Attest:

*Secretary.*



107TH CONGRESS  
1ST SESSION

**H. R. 2217**

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**AMENDMENT**

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