# Public Law 96-126
96th Congress

## An Act

Nov. 27, 1979
[H.R. 4930]

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1980, and for other purposes.

Department of the Interior and related agencies appropriations for fiscal year 1980.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1980, and for other purposes, namely:

## TITLE I—DEPARTMENT OF THE INTERIOR

## LAND AND WATER RESOURCES

### BUREAU OF LAND MANAGEMENT

#### MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, and performance of other functions, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, $301,896,000.

#### ACQUISITION, CONSTRUCTION, AND MAINTENANCE

For acquisition of lands and interests therein, and construction and maintenance of buildings, recreation facilities, roads, trails, and appurtenant facilities, $16,343,000, to remain available until expended.

#### PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976 (31 U.S.C. 1601), $108,000,000, of which not to exceed $315,000 shall be available for administrative expenses: *Provided,* That this appropriation may be used to correct underpayments in the previous fiscal year to achieve equity among all qualified recipients.

#### OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; an amount equivalent to 25 per centum of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands, to remain available until

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expended: *Provided,* That the amount appropriated herein for the purposes of this appropriation on lands administered by the Forest Service shall be transferred to the Forest Service, Department of Agriculture: *Provided further,* That the amount appropriated herein for road construction on lands other than those administered by the Forest Service shall be transferred to the Federal Highway Administration, Department of Transportation: *Provided further,* That the amount appropriated herein is hereby made a reimbursable charge against the Oregon and California land grant fund and shall be reimbursed to the general fund in the Treasury in accordance with the provisions of the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876): *Provided further,* That not less than $62,700,000 available from receipts shall be obligated in fiscal year 1980 for Oregon and California grant lands.

Transfer of funds.

43 USC 1181f.

RANGE IMPROVEMENTS

For rehabilitation, protection, 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), sums equal to fifty percent of all monies received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315, et seq.), but not less than $10,000,000 (430 U.S.C. 1901), 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, to remain available until expended.

43 USC 1751.

43 USC 315b, 315m.

43 USC 1901.

RECREATION DEVELOPMENT AND OPERATION OF RECREATION FACILITIES

For recreation management activities and for construction, operation, and maintenance of outdoor recreation facilities, including collection of special recreation use fees, to remain available until expended, $300,000, to be derived from the special receipt accounts established by section 4(f) of the Land and Water Conservation Fund Act (16 U.S.C. 460l-6a(f)), as amended.

16 USC 460*l*-6a.

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 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 sections 304(a), 304(b), 305(a), and 504(g) of the Act approved October 21, 1976 (43 U.S.C. 1701); and sections 101 and 203 of Public Law 93-153, to be immediately available until expended.

43 USC 1734, 1735, 1764.

30 USC 185.

43 USC 1652.

MISCELLANEOUS TRUST FUNDS

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

43 USC 1737.

43 USC 1721.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, and dismantlement of temporary structures, insurance on official motor vehicles, aircraft, and boats operated by the Bureau of Land Management in Canada; and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; $10,000 for payment, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the United States Bureau of Land Management; miscellaneous and emergency expenses of enforcement activities, authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed $10,000: *Provided,* That appropriations herein made for the Bureau of Land Management expenditures in connection with the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands (other than expenditures made under the appropriation "Oregon and California grant lands") shall be reimbursed to the general fund of the Treasury from the 25 per centum referred to in subsection (c), title II, of the Act approved August 28, 1937 (50 Stat. 876), of the special fund designated the "Oregon and California land grant fund" and section 4 of the Act approved May 24, 1939 (53 Stat. 754), of the special fund designated the "Coos Bay Wagon Road grant fund": *Provided further,* That appropriations herein made may be expended on a reimbursable basis for (1) surveys of lands other than those under the jurisdiction of the Bureau of Land Management and (2) protection of lands for the State of Alaska: *Provided further,* That the Secretary of the Interior and Secretary of Agriculture shall (a) review Federal agricultural financial assistance programs to determine to what extent such programs provide opportunities to assist livestock operators adversely affected by reductions in grazing allotments on public rangelands, as defined in the section 3 of the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1902); and (b) submit the results of this review to the Committees on Appropriations of the House of Representatives and the Senate within ninety days of the effective date of this Act, together with details on available programs, opportunities for more effective use of such programs, additional budget requirements needed to augment such programs, and any legislation needed to improve opportunities for assistance: *Provided further,* That the Secretary of the Interior shall develop criteria for extending, on a case-by-case basis, the period allowed for phased livestock reductions on public rangelands administered through the Bureau of Land Management up to five years. Such criteria shall take into account available agricultural assistance programs, the magnitude of projected livestock reductions, alternative pasturage available and ability of such public rangelands to sustain such phasing in of livestock reductions without damage to rangeland productivity: *Provided further,* That an appeal of any reductions in grazing allotments on public rangelands must be taken within 30 days after receipt of a final grazing allotment decision or 90 days after the effective date of this Act in the case of reductions ordered during 1979, whichever occurs later. Reductions of up to 10 per centum in grazing allotments shall become effective when so designated by the Secretary of the Interior. Upon appeal any proposed reduction in excess of 10 per centum shall be suspended pending final action on the appeal, which shall be completed within 2 years after the appeal is filed.

Review, transmittal of results to congressional committees.

43 USC 1752 note.

### OFFICE OF WATER RESEARCH AND TECHNOLOGY

#### SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Water Research and Development Act of 1978 (Public Law 95-467) and provisions of the Water Research and Development Act of 1977, as amended (42 U.S.C. 1959-1959i), $30,781,000, of which $11,464,000 shall remain available for obligation until September 30, 1981.

92 Stat. 1305.
42 USC 7801 note.
92 Stat. 1316.
91 Stat. 400.

## FISH AND WILDLIFE AND PARKS

### HERITAGE CONSERVATION AND RECREATION SERVICE

#### SALARIES AND EXPENSES

For necessary expenses of the Heritage Conservation and Recreation Service, not otherwise provided for, $15,351,000.

#### URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (title 10 of Public Law 95-625) $125,000,000, to remain available until expended.

92 Stat. 3538.
16 USC 2501 note.

#### LAND AND WATER CONSERVATION FUND

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-4-11), including $7,393,000 for administrative expenses of the Heritage Conservation and Recreation Service during the current fiscal year, and acquisition of land or waters, or interest therein, in accordance with the statutory authority applicable to the State or Federal agency concerned, to be derived from the Land and Water Conservation Fund, established by section 2 of said Act as amended, to remain available until expended, not to exceed $509,194,000, of which (1) not to exceed $300,000,000 shall be available for payments to the States in accordance with section 6(c) of said Act; (2) not to exceed $2,750,000 shall be available to the Bureau of Land Management; (3) not to exceed $22,373,000 shall be available to the Forest Service; (4) not to exceed $11,750,000 shall be available to the United States Fish and Wildlife Service; (5) not to exceed $152,928,000 shall be available to the National Park Service; and (6) not to exceed $12,000,000 shall be available for land acquisition at Pinelands National Reserve, including $800,000 for planning, only in accordance with the authorization and matching requirements of section 502 of Public Law 95-625: *Provided,* That not to exceed $9,000,000 of the amount provided for State assistance may be available as a contingency reserve to be administered by the Secretary to meet unforeseen needs of the States: *Provided further,* That the $12,500,000 available to the Forest Service in fiscal year 1979 for acquisition of the Kahle and Jennings properties may be used to acquire the Jennings property and other properties in the Tahoe Basin of California and Nevada without regard to the matching requirements and zoning restrictions included in the 1979 appropriations Act.

16 USC 460*l*-5.
16 USC 460*l*-8.
16 USC 471i.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the provisions of the Historic Preservation Act of 1966 (80 Stat. 915), as amended (16 U.S.C. 470), $55,000,000, to be derived from the Historic Preservation Fund, established by section 108 of that Act, as amended, to remain available for obligation until September 30, 1981: *Provided,* That not to exceed fifteen percent of the funds in this appropriation may be used for grants for renovation of State and local government buildings still in use for governmental purposes: *Provided further,* That not to exceed $1,000,000 may be available as a discretionary reserve to be administered by the Secretary for special or innovative preservation programs.

16 USC 470h.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the Heritage Conservation and Recreation Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided,* That none of the funds appropriated to the Heritage Conservation and Recreation Service may be used to add industrial facilities to the list of National Historic Landmarks without the consent of the owner.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For expenses necessary for scientific and economic studies, conservation, management, investigations, protection, and utilization of sport fishery and wildlife resources, except whales, seals, and sea lions, and for the performance of other authorized functions related to such resources; and maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, $206,641,000, of which not to exceed $5,000,000 shall remain available until expended: *Provided,* That funds in this appropriation may be used to issue regulations that will permit modification to the habitat of a threatened or endangered species when the net effect of the modification is equal to, favorable to, and not adverse to the protection of the species.

CONSTRUCTION AND ANADROMOUS FISH

For construction and acquisition of buildings and other facilities required in the conservation, management, investigations, protection, and utilization of sport fishery and wildlife resources, and the acquisition of lands and interests therein; and for expenses necessary to carry out the Anadromous Fish Conservation Act (16 U.S.C. 757a-757f); $58,757,000, to remain available until expended: *Provided,* That $4,712,000 shall become available only upon enactment of S. 838 or similar legislation.

MIGRATORY BIRD CONSERVATION ACCOUNT

For an advance to the migratory bird conservation account, as authorized by the Act of October 4, 1971, as amended (16 U.S.C. 715k-3, 5), $15,000,000, to remain available until expended.

DEVELOPMENT AND OPERATION OF RECREATION FACILITIES

For construction, operation, and maintenance of outdoor recreation facilities, including collection of special recreation use fees, to

remain available until expended, $200,000, to be derived from the special receipt account established by section 4(f) of the Land and Water Conservation Fund Act (16 U.S.C. 460l-6a(f)), as amended. 16 USC 460*l*-6a.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 209 passenger motor vehicles, of which 188 are for replacement only (including 124 for police-type use); purchase of 2 aircraft for replacement only; not to exceed $100,000 for payment, at the discretion of the Secretary, for information, rewards, or evidence concerning violations of laws administered by the United States Fish and Wildlife Service; miscellaneous and emergency expenses of enforcement activities, authorized or approved by the Secretary and to be accounted for solely on his certificate, not to exceed $75,000; publication and distribution of bulletins as authorized by law (7 U.S.C. 417); insurance on official motor vehicles, aircraft and boats operated by the United States Fish and Wildlife Service in Mexico and Canada; repair of damage to public roads within and adjacent to reservation areas caused by operations of the United States Fish and Wildlife Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are not inconsistent with their primary purpose, and the maintenance and improvement of aquaria, buildings and other facilities under the jurisdiction of the United States Fish and Wildlife Service and to which the United States has title, and which are utilized pursuant to law in connection with management and investigation of fish and wildlife resources.

## NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis); the acquisition of water rights; expenses necessary for investigations and studies to determine suitability of areas to be included in the National Park System, the designation of wilderness areas, and the management of water resources; the preparation of plans for existing and proposed park and recreation areas; provisions of technical assistance to other Federal agencies, and to States and private institutions in the planning, development, and operation of landmarks, parks and recreation areas; and for financial or other assistance in planning, development, and operation of areas as authorized by law or pursuant to agreements with other Federal agencies, States, or private institutions, including not to exceed $319,000 for the Roosevelt Campobello International Park Commission, $382,775,000: *Provided,* That not to exceed $5,000,000 may be available for operation of the National Visitor Center and of that amount not to exceed $3,500,000 may be used for payment of rent: *Provided further,* That the Park Service shall not enter into future concessionaire contracts, including renewals, that do not include a termination for cause clause that provides for possible extinguishment of possessory interests excluding depreciated book value of concessionaire investments without compensation: *Provided further,* That $105,000 shall be available for the National

National Visitor Center.

16 USC 20b note.

Harpers Ferry, W. Va., assistance.

Park Service to assist the Town of Harpers Ferry, West Virginia, for police force use.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451), $112,154,000, to remain available until expended: *Provided,* That $15,500,000 shall be available from the Highway Trust Fund to liquidate contract authority provided under section 105(a)(8) of Public Law 94-280 for engineering services, roadway excavation, and pilot boring for the Cumberland Gap Tunnel, as authorized by section 160 of Public Law 93-87.

90 Stat. 427.

87 Stat. 278.

ROAD CONSTRUCTION

(APPROPRIATION TO LIQUIDATE CONTRACT AUTHORITY)

Appropriations previously provided in this account to liquidate contract authority in the amount of $5,552,000 are rescinded.

PLANNING, DEVELOPMENT, AND OPERATION OF RECREATION FACILITIES

For construction, operation, and maintenance of outdoor recreation facilities, without regard to the Act of August 24, 1912, as amended (16 U.S.C. 451); including collection of special recreation use fees, to remain available until expended, $16,217,000, to be derived from the special receipt accounts established by section 4(f) of the Land and Water Conservation Fund Act (16 U.S.C. 460l-6a(f)), as amended.

16 USC 460*l*-6a.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

For expenses necessary for operating and maintaining the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, $4,030,000.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 216 passenger motor vehicles, of which 172 shall be for replacement only, including not to exceed 105 for police-type use; and to provide, notwithstanding any other provision of law, at a cost not exceeding $100,000, transportation for children in nearby communities to and from any unit of the National Park System used in connection with organized recreation and interpretive programs of the National Park Service: *Provided,* That any funds available to the National Park Service may be used, with the approval of the Secretary, to maintain law and order in emergency and other unforeseen law enforcement situations in the National Park System; and to provide insurance on official motor vehicles and aircraft operated by the National Park Service in Mexico and Canada.

## ENERGY AND MINERALS

### GEOLOGICAL SURVEY

#### SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the Geological Survey to perform surveys, investigations, and research covering topography, geology, and the mineral and water resources of the United States, its Territories and possessions, and other areas as authorized by law (43 U.S.C. 31, 1332, and 1340); classify lands as to mineral character and water and power resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; enforce departmental regulations applicable to oil, gas, and other mining leases, permits, licenses, and operating contracts; control the interstate shipment of contraband oil as required by law (15 U.S.C. 715); administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; $452,055,000, of which $39,027,000 shall be available only for cooperation with States or municipalities for water resources investigations: *Provided,* That no part of this appropriation shall be used to pay more than one-half the cost of any topographic mapping or water resources investigations carried on in cooperation with any State or municipality.

Cooperation, States or municipalities. 43 USC 50.

#### EXPLORATION OF NATIONAL PETROLEUM RESERVE IN ALASKA

For necessary expenses in carrying out the provisions of section 104 of Public Law 94-258, $175,627,000, to remain available until expended: *Provided,* That the Secretary of the Interior shall review the rates being charged to the residents of Barrow for natural gas to determine if a proceeding should be instituted to revise such rates.

42 USC 6504. Barrow, Alaska, natural gas rate review.

#### ADMINISTRATIVE PROVISIONS

The amount appropriated for the Geological Survey shall be available for purchase of not to exceed 23 passenger motor vehicles, of which 18 shall be for replacement only; reimbursement to the General Services Administration for security guard services, contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for observation wells; expenses of the U.S. National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Geological Survey appointed, as authorized by law, to represent the United States in the negotiation and administration of interstate compacts.

### BUREAU OF MINES

#### MINES AND MINERALS

For expenses necessary for conducting inquiries, technological investigations and research concerning the extraction, processing, use and disposal of mineral substances without objectionable social and environmental costs; to foster and encourage private enterprise in the development of mineral resources and the prevention of waste in the mining, minerals, metal and mineral reclamation industries;

to inquire into the economic conditions affecting those industries; to promote health and safety in mines and the mineral industry through research; and for other related purposes as authorized by law, $132,753,000, of which $106,151,000 shall remain available until expended.

HELIUM FUND

Contract authority, rescission. 75 Stat. 246.

Contract authority for "Development and Operation of Helium Properties" provided by Public Law 87-122 for the fiscal year 1980 is rescinded in the amount of $47,500,000.

ADMINISTRATIVE PROVISION

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: *Provided,* That the Bureau of Mines is authorized during the current fiscal year, to sell directly or through any Government agency, including corporations, any metal or mineral product that may be manufactured in pilot plants operated by the Bureau of Mines, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

30 USC 1201 note.

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, $84,687,000.

ABANDONED MINE RECLAMATION FUND

30 USC 1231 *et seq.*

For necessary expenses to carry out the provisions of title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, to remain available until expended, $94,916,000, to be derived from receipts of the Abandoned Mine Reclamation Fund.

## INDIAN AFFAIRS

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment (in advance or from date of admission) of care, tuition, assistance, and other expenses of Indians in boarding homes, institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order and payment of rewards for information or evidence concerning violations of law on Indian reservation lands or treaty fishing rights tribal use areas; management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges; acquisition of water rights; advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; and for the general administration of the Bureau

of Indian Affairs, including such expenses in field offices, $789,051,000 of which not to exceed $58,753,000 for higher education scholarships and assistance to public schools under the Act of April 16, 1934, shall remain available for obligation until September 30, 1981, and the funds made available to tribes and tribal organizations through contracts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450) shall remain available until September 30, 1981: *Provided,* That this carryover authority does not extend to programs directly operated by the Bureau of Indian Affairs; and includes expenses necessary to carry out the provisions of section 19(a) of Public Law 93-531, $5,485,000, to remain available until expended: *Provided further,* That none of these funds shall be expended as matching funds for programs funded under section 103(a)(1)(B)(iii) of the Vocational Education Act of 1963 as amended by the Act of June 3, 1977 (Public Law 95-40): *Provided further,* That, notwithstanding the provisions of section 6 of the Act of April 16, 1934 (48 Stat. 596), as added by section 202 of the Indian Education Assistance Act (88 Stat. 2213, 2214; 25 U.S.C. 457), funds appropriated pursuant to this or any other Act for fiscal years ending September 30 of 1979 and 1980 may be utilized to reimburse school districts for up to the full per capita cost of educating Indian students (1) who are normally residents of the State in which such school districts are located but do not normally reside in such districts, and (2) who are residing in Federal boarding facilities for the purpose of attending public schools within such districts.

25 USC 452-457.

Contracts.

25 USC 640d-18.

20 USC 2303.

CONSTRUCTION

For construction, major repair and improvement of irrigation and power systems, buildings, utilities, and other facilities; acquisition of lands and interests in land; preparation of lands for farming; and architectural and engineering services by contract, including a $5,000,000 interest free loan to the Confederated Tribes of the Warm Springs Reservation of Oregon to be repaid to the Revolving Fund for Loans established in the Bureau of Indian Affairs at the end of a 20-year period after the effective date of this Act, $89,374,000, to remain available until expended: *Provided,* That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation.

Transfer of funds.

ROAD CONSTRUCTION

For construction of roads and bridges pursuant to authority contained in 23 U.S.C. 203, and 25 U.S.C. 13, 318a, $66,479,000, to remain available until expended.

ALASKA NATIVE FUND

For transfer to the Alaska Native Fund, in the fourth quarter of fiscal year 1980, to provide for settlement of certain land claims by Natives and Native groups of Alaska, and for other purposes, based on aboriginal land claims, as authorized by the Act of December 18, 1971 (Public Law 92-203), $30,000,000: *Provided,* That for purposes of meeting its obligation under section 6(a)(3) and section 9 of the Alaska Native Claims Settlement Act in connection with the requirement that $500,000,000 be paid into the Alaska Native Fund, any and all revenues paid into such fund by the State of Alaska from sources other than those specified in section 9 of such Act shall, notwithstanding any other provision of law, be construed as payments by the

43 USC 1601 note.

43 USC 1605, 1608.

State of Alaska to the Fund within the meaning of sections 6(a)(3) and 9 of the Alaska Native Claims Settlement Act and credited toward the $500,000,000 to be deposited in the Alaska Native Fund under such sections.

43 USC 1605, 1608.

TRIBAL TRUST FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is hereby appropriated not to exceed $3,000,000 from tribal funds not otherwise available for expenditure for the benefit of Indians and Indian tribes, including pay and travel expenses of employees; care, tuition, and other assistance to Indian children attending public and private schools (which may be paid in advance or from date of admission); purchase of land and improvements on land, title to which shall be taken in the name of the United States in trust for the tribe for which purchased; lease of lands and water rights; compensation and expenses of attorneys and other persons employed by Indian tribes under approved contracts; pay, travel, and other expenses of tribal officers, councils, and committees thereof, or other tribal organizations, including mileage for use of privately owned automobiles and per diem in lieu of subsistence at rates established administratively but not to exceed those applicable to civilian employees of the Government; relief of Indians, without regard to section 7 of the Act of May 27, 1930 (46 Stat. 391) including cash grants: *Provided,* That in addition to the amount appropriated herein, tribal funds may be advanced to Indian tribes during the current fiscal year for such purposes as may be designated by the governing body of the particular tribe involved and approved by the Secretary.

18 USC 4124 and note.

SALT RIVER PIMA-MARICOPA SETTLEMENT

For settlement of the Salt River Pima-Maricopa Indian Reservation boundary dispute, pursuant to Public Law 95-399, $1,965,000 to be paid to the Salt River Pima-Maricopa Indian Community and $1,952,000 to be paid in accordance with the second sentence of section 5(b)(2): *Provided,* That notwithstanding any other provision of law, the payments provided herein shall constitute a complete release and satisfaction of any claim which any person may have against the United States, the Salt River Pima-Maricopa Indian Community, or holder of any interest with respect to any right, title, or interest in any portion of the parcels of land described in paragraphs 1 through 9 of section 3(b) and/or subparagraphs (A), (B), or (C) of section 3(a)(2) of Public Law 95-399 which are located north of the boundary line referred in section 3(a)(2) of Public Law 95-399.

92 Stat. 851.

92 Stat. 854.

92 Stat. 851.

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans) shall be available for expenses of exhibits; purchase of not to exceed 225 passenger carrying motor vehicles of which 122 shall be for replacement only, which may be used for the transportation of Indians; advance payments for services (including services which may extend beyond the current fiscal year) under contracts executed pursuant to the Act of June 4, 1936 (25 U.S.C. 452), the Act of August 3, 1956 (25 U.S.C. 309), and legislation terminating Federal supervision over certain Indian tribes; and expenses required by continuing or permanent treaty provisions: *Provided,* That no part of any appropriations to the Bureau of Indian Affairs shall be

Chilocco and Seneca boarding schools, Okla., funding restriction.

available to continue academic and residential programs of the Chilocco and Seneca boarding schools, Oklahoma beyond June 15, 1980.

## TERRITORIAL AFFAIRS

### OFFICE OF TERRITORIAL AFFAIRS

#### ADMINISTRATION OF TERRITORIES

For expenses necessary for the administration of Territories under the jurisdiction of the Department of the Interior, $86,661,000, of which (1) not to exceed $82,589,000 shall be available for grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to American Samoa, in addition to current local revenues, for support of governmental functions; grants to Guam, as authorized by law (48 U.S.C. 1428-1428e; Public Law 95-134; 91 Stat. 1161, 1162, 1163; Public Law 95-348; 92 Stat. 487, 488); grants to the Government of the Virgin Islands as authorized by law (Public Law 95-348, 92 Stat. 490); expenses of the Northern Mariana Islands Federal Laws Commission as authorized by law (Public Law 94-241, 90 Stat. 268); direct grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241, 90 Stat. 272), to remain available until expended; and (2) not to exceed $4,072,000 shall be available for expenses of the offices of the Government Comptroller for the Virgin Islands, the Government Comptroller for Guam, Trust Territory of the Pacific Islands, and the Northern Mariana Islands as authorized by law (Public Law 95-134; 91 Stat. 1161, 1162), and the Government Comptroller for American Samoa, and for salaries and expenses of the Office of Territorial Affairs: *Provided,* That the Territorial and local governments herein provided for are authorized to make purchases through the General Services Administration: *Provided further,* That appropriations available for the administration of Territories may be expended for the purchase, charter, maintenance, and operation of surface vessels for official purposes and for commercial transportation purposes found by the Secretary to be necessary: *Provided further,* That all financial transactions of the Territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or utilized by such governments, shall be audited by the General Accounting Office, in accordance with the provisions of the Budget and Accounting Act, 1921 (42 Stat. 23) as amended, and the Accounting and Auditing Act of 1950 (64 Stat. 834): *Provided further,* That of the grants to the Government of the Virgin Islands appropriated herein, $10,000,000 shall become available for obligation only in such amounts as may be equal to funds provided by the Government of the Virgin Islands when the Government Comptroller of the Virgin Islands shall certify that such funds are revenues of the Government of the Virgin Islands from new taxes or increased tax rates enacted subsequent to June 12, 1979.

48 USC 1681 note.

48 USC 1681 note.

48 USC 1401f, 1423*l*, 1665.

48 USC 1470a.

48 USC 1469b.

31 USC 1.

31 USC 65 note.

#### TRUST TERRITORY OF THE PACIFIC ISLANDS

For expenses necessary for the Department of the Interior in administration of the Trust Territory of the Pacific Islands pursuant to the Trusteeship Agreement approved by joint resolution of July 18, 1947 (61 Stat. 397), and the Act of June 30, 1954 (68 Stat. 330), as amended (90 Stat. 299; 91 Stat. 1159; 92 Stat. 495), grants for the expenses of the High Commissioner of the Trust Territory of the

22 USC 287 note.

48 USC 1681 note.

Pacific Islands; grants for the compensation and expenses of the Judiciary of the Trust Territory of the Pacific Islands; grants to the Trust Territory of the Pacific Islands in addition to local revenues, for support of governmental functions; $113,785,000, and of the amount appropriated under this head in Public Law 95-355, $1,400,000 shall be for an ex gratia payment to the people of Bikini Atoll, to remain available until expended: *Provided,* That all financial transactions of the Trust Territory, including such transactions of all agencies or instrumentalities established or utilized by such Trust Territory, shall be audited by the General Accounting Office in accordance with the provisions of the Budget and Accounting Act, 1921 (42 Stat. 23), as amended, and the Accounting and Auditing Act of 1950 (64 Stat. 834): *Provided further,* That the government of the Trust Territory of the Pacific Islands is authorized to make purchases through the General Services Administration: *Provided further,* That appropriations available for the administration of the Trust Territory of the Pacific Islands may be expended for the purchase, charter, maintenance, and operation of surface vessels for official purposes and for commercial transportation purposes found by the Secretary to be necessary in carrying out the provisions of article 6(2) of the Trusteeship Agreement approved by Congress.

92 Stat. 527.
48 USC 1683.
31 USC 1.
31 USC 65 note.
48 USC 1682.
48 USC 1687.
61 Stat. 3302.

PAYMENTS TO THE UNITED STATES TERRITORIES, FISCAL ASSISTANCE

There is hereby appropriated for the fiscal year 1980 and for each fiscal year thereafter, such sums as are authorized to be remitted to the Territories of Guam and the Virgin Islands under sections 1(c) and 4(c)(2) of Public Law 95-348, 92 Stat. 487.

48 USC 1421h, 1645.

## SECRETARIAL OFFICES

### OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $15,741,000.

### OFFICE OF THE SECRETARY

DEPARTMENTAL MANAGEMENT

For necessary expenses of the Office of the Secretary of the Interior, including necessary expenses for certain operations that provide departmentwide services, including not less than $9,000,000 for an Office of Construction Management, $49,344,000, of which not to exceed $5,000 may be for official reception and representation expenses.

SALARIES AND EXPENSES (SPECIAL FOREIGN CURRENCY PROGRAMS)

For payment in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States, for necessary expenses of the Office of the Secretary, as authorized by law, $1,000,000, to remain available until expended: *Provided,* That this appropriation shall be available, in addition to other appropriations, to such office for payments in the foregoing currencies (7 U.S.C. 1704).

## General Provisions, Department of the Interior

Sec. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided,* That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted.

Facilities, emergency, construction.

Sec. 102. The Secretary may authorize the expenditure or transfer of any appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under jurisdiction of the Department of the Interior and for the emergency rehabilitation of burned-over lands under its jurisdiction, and for emergency reclamation projects under section 410 of Public Law 95-87: *Provided,* That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further,* That no appropriations made in this title shall be available for acquisition of automatic data processing equipment, software, or services in excess of $1,000,000 systems life cost, without prior approval of the Secretary.

Forest or range fires.

30 USC 1240.

Sec. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by the Act of June 30, 1932 (31 U.S.C. 686): *Provided,* That reimbursements for costs of supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

Service facilities.

Sec. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $300,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary, and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

Services.

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

Uniforms.

Sec. 106. In addition to the aircraft specifically authorized under this Act there is hereby authorized for acquisition 2 aircraft for replacement only, both of which shall be from surplus.

Sec. 107. Appropriations made in this title shall be available for obligation in connection with contracts issued by the General Serv-

GSA contractual obligations.

ices Administration for services or rentals for periods not in excess of twelve months beginning at any time during the fiscal year.

Wild Horse Reservoir, Nev.

SEC. 108. No appropriations made in this title shall be available for implementation of any decision with regard to any lease, administrative transfer, or withdrawal not now existing of lands and waters comprising Wild Horse Reservoir, Nevada, or any lands immediately adjacent thereto: *Provided,* That this limitation is not applicable to water necessary for current or future irrigation practices.

Unique Wildlife Ecosystem Program.

SEC. 109. No appropriations made in this title shall be available for the identification of lands not now so identified or acquisition (by withdrawal, transfer or purchase) of lands for or associated with the Unique Wildlife Ecosystem Program as now defined by the United States Fish and Wildlife Service not authorized by law under an existing program.

## TITLE II—RELATED AGENCIES

### DEPARTMENT OF AGRICULTURE

### FOREST SERVICE

#### FOREST MANAGEMENT, PROTECTION AND UTILIZATION

For expenses necessary for forest management, protection, and utilization as follows:

Research: For necessary expenses of forest research as authorized by law, $108,795,000.

State and Private Forestry: For necessary expenses of cooperating with, and providing technical and financial assistance to, States, Territories, possessions, and others; and for forest insect and disease, and noxious farm weed activities, $72,879,000: *Provided,* That $20,453,000 appropriated for forest insect and disease activities shall remain available for obligation until September 30, 1981.

National Forest System: For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for liquidation of obligations incurred in the preceding fiscal year for forest fire protection and emergency rehabilitation, $825,532,000, of which $186,725,000 for reforestation, timber stand improvement, cooperative law enforcement, and maintenance of forest development roads and trails shall remain available for obligation until September 30, 1981.

#### CONSTRUCTION AND LAND ACQUISITION

For necessary expenses of the Forest Service, not otherwise provided for, for construction and land acquisition, $423,412,000, to remain available until expended, of which $28,835,000 is for construction and acquisition of buildings and other facilities; $392,565,000 is for construction of forest development roads and trails by the Forest Service and construction and maintenance of forest development roads by timber purchasers; and $2,012,000 is for acquisition of land and interests therein, required for management, protection, utilization, and research for the National Forest System and other Forest Service resources.

#### YOUTH CONSERVATION CORPS

42 USC prec. 2711 note.

For expenses necessary to carry out the provisions of the Act of August 13, 1970, as amended by Public Law 93-408, $54,000,000:

*Provided,* That $27,000,000 shall be available to the Secretary of the Interior and $27,000,000 shall be available to the Secretary of Agriculture.

TIMBER SALVAGE SALES

Funds previously appropriated under this head may be recovered from receipts deposited on the applicable national forest. Such funds, when recovered, may be expended and recovered on any national forest.

ACQUISITION OF LANDS FOR NATIONAL FORESTS

SPECIAL ACTS

For acquisition of land within the exterior boundaries of the Cache National Forest, Utah; Uinta and Wasatch National Forests, Utah; Toiyabe National Forest, Nevada; Angeles National Forest, California; and, San Bernardino and Cleveland National Forests, California, as authorized by law, $325,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands in accordance with the Act of December 4, 1967 (16 U.S.C. 484a), all funds deposited by public school authorities pursuant to that Act, to remain available until expended.

RANGELAND IMPROVEMENTS

For necessary expenses of range rehabilitation, protection, and improvement in accordance with section 401(b)(1) of the Act of October 21, 1976, Public Law 94-579, as amended, fifty percent of all moneys received during the prior fiscal year as fees for grazing domestic livestock on lands in National Forests in the sixteen western States, to remain available until expended. 43 USC 1751.

CONSTRUCTION AND OPERATION OF RECREATION FACILITIES

For construction, operation, and maintenance of outdoor recreation facilities, including collection of special recreation use fees, all revenues deposited during the prior fiscal year, except amounts distributed as otherwise provided by law, in the special account established pursuant to section 4(f) of the Land and Water Conservation Fund Act, as amended (16 U.S.C. 460l-6a(f)): *Provided,* That these funds may be merged with and made a part of the Forest Management, Protection and Utilization appropriation: *Provided further,* That funds not merged with the Forest Management, Protection and Utilization appropriation shall remain available until expended. 16 USC 460*l*-6a.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (a) purchase of not to exceed 268 passenger motor vehicles of which 7 will be used primarily for law enforcement purposes and of which 250 shall be for replacement only, acquisition of 51 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed 4 for replacement only, and acquisition of 61 aircraft from excess sources; (b) employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to

exceed $100,000 for employment under 5 U.S.C. 3109; (c) uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901-5902); (d) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (e) acquisition of land, waters, and interests therein, pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); (f) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, 558a note).

Limitation.

None of the funds made available under this Act shall be obligated or expended to change the boundaries of any region, to abolish any region, to move or close any regional office for research, State and private forestry, and National Forest System administration of the Forest Service, Department of Agriculture, without the consent of the House and Senate Committees on Appropriations and the Committee on Agriculture, Nutrition, and Forestry in the U.S. Senate and the Committee on Agriculture in the U.S. House of Representatives.

Any appropriations or funds available to the Forest Service may be advanced to the National Forest System limitation for the emergency rehabilitation of burned over lands under its jurisdiction.

Appropriations and funds available to the Forest Service shall be available to comply with the requirements of section 313(a) of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1323(a)).

Funds available under the Act of March 4, 1913 (16 U.S.C. 501), may be merged with and made a part of the Construction and Land Acquisition and/or the Forest Management, Protection, and Utilization Appropriations.

## DEPARTMENT OF ENERGY

### ALTERNATIVE FUELS PRODUCTION

42 USC 5915 note.

In order to expedite the domestic development and production of alternative fuels and to reduce dependence on foreign supplies of energy resources by establishing such domestic production at maximum levels at the earliest time practicable, there is hereby established in the Treasury of the United States a special fund to be designated the "Energy Security Reserve", to which is appropriated $19,000,000,000, to remain available until expended: *Provided,* That these funds shall be available for obligation only to stimulate domestic commercial production of alternative fuels and only to the extent provided in advance in appropriations Acts: *Provided further,* That of these funds $1,500,000,000 shall be available immediately to the Secretary of Energy to carry out the provisions of the Federal Nonnuclear Energy Research and Development Act of 1974, as amended (42 U.S.C. 5901, et seq.), to remain available until expended, for the purchase or production by way of purchase commitments or price guarantees of alternative fuels: *Provided further,* That the Secretary shall immediately begin the contract process for purchases of, or commitments to purchase, or to resell alternative fuels to the extent of appropriations provided herein: *Provided further,* That of these funds an additional $708,000,000 shall be available immediately to the Secretary of Energy, to remain available until expended, to support preliminary alternative fuels commercialization activities under the Federal Nonnuclear Energy Research and Development Act of 1974, as amended, of which (1) not to exceed $100,000,000 shall be available for project development feasibility studies, such individual awards not to exceed $4,000,000: *Provided,* That the Secretary may require repayment of such funds where studies determine that such project proposals have economic or technical feasibility; (2) not

42 USC 5901 note.

to exceed $100,000,000 shall be available for cooperative agreements with non-Federal entities, such individual agreements not to exceed $25,000,000 to support commercial scale development of alternative fuels facilities; (3) not to exceed $500,000,000 shall be available for a reserve to cover any defaults from loan guarantees issued to finance the construction of alternative fuels production facilities as authorized by the Federal Nonnuclear Energy Research and Development Act of 1974, as amended: *Provided,* That the indebtedness guaranteed or committed to be guaranteed under this appropriation shall not exceed the aggregate of $1,500,000,000; and (4) not to exceed $8,000,000 shall be available for program management.

42 USC 5901 note.

This Act shall be deemed to satisfy the requirements for congressional action pursuant to sections 7(c) and 19 of said Act with respect to any purchase commitment, price guarantee, or loan guarantee for which funds appropriated hereby are utilized or obligated.

42 USC 5906, 5918.

For the purposes of this appropriation the term "alternative fuels", means gaseous, liquid, or solid fuels and chemical feedstocks derived from coal, shale, tar sands, lignite, peat, biomass, solid waste, unconventional natural gas, and other minerals or organic materials other than crude oil or any derivative thereof.

"Alternative fuels."

Within ninety days following enactment of this Act, the Secretary of Energy in his sole discretion shall issue a solicitation for applications which shall include criteria for project development feasibility studies described in this account.

Solicitation for applications.

Loan guarantees for oil shale facilities issued under this appropriation may be used to finance construction of full-sized commercial facilities without regard to the proviso in section 19(b)(1) of said Act requiring the prior demonstration of a modular facility.

In any case in which the Government, under the provisions of this appropriation, accepts delivery of and does not resell any alternative fuels, such fuels shall be used by an appropriate Federal agency. Such Federal agency shall pay into the reserve the market price, as determined by the Secretary, for such fuels from sums appropriated to such Federal agency for the purchase of fuels. The Secretary shall pay the contractor, from sums appropriated herein, the contract price for such fuels.

All amounts received by the Secretary under this appropriation, including fees, any other monies, property, or assets derived by the Secretary from operations under this appropriation shall be deposited in the reserve.

All payments for obligations and appropriate expenses (including reimbursements to other Government accounts), pursuant to operations of the Secretary under this appropriation shall be paid from the reserve subject to appropriations.

For the establishment in the Treasury of the United States of a special fund to be designated the "Solar and Conservation Reserve", $1,000,000,000 to remain available until expended: *Provided,* That these funds shall be available for obligation only to stimulate solar energy and conservation: *Provided further,* That the withdrawal of said funds shall be subject to the passage of authorizing legislation and only to the extent provided in advance in appropriations Acts.

"Solar and Conservation Reserve."

Beginning six months after the date of enactment of this Act, and every six months thereafter, the Secretary is required to submit to the Congress a written report detailing the activities carried out pursuant to this appropriation.

Report to Congress.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95-91), $746,627,000, to remain available until expended: *Provided,* That no part of the sum herein appropriated shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

42 USC 7101 note.

FOSSIL ENERGY CONSTRUCTION

For necessary expenses in connection with the purchase and construction of fossil energy plants, including the acquisition of interests, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, $103,250,000, to remain available until expended.

ENERGY PRODUCTION, DEMONSTRATION, AND DISTRIBUTION

For necessary expenses in carrying out energy production, demonstration, and distribution activities, $111,221,000, of which $88,750,000 shall remain available until expended.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, $628,702,000, to remain available until expended: *Provided,* That of the total amount of this appropriation, not to exceed $1,450,000 shall be available for a reserve to cover any defaults from loan guarantees issued for electric or hybrid vehicle research, development, and production as authorized by section 10 of the Electric and Hybrid Vehicle Research, Development and Demonstration Act of 1976 (15 U.S.C. 2509): *Provided further,* That the indebtedness guaranteed or committed to be guaranteed under said law shall not exceed the aggregate of $16,000,000: *Provided further,* That $141,250,000 appropriated in Public Law 95-240 for conservation grants for schools and health care facilities and $17,500,000 appropriated in Public Law 95-240 for conservation grants for local government buildings shall remain available until expended: *Provided further,* That none of the funds provided for state energy conservation grants shall be available to any jurisdiction that has not implemented section 362(c)(5) of Public Law 94-163.

92 Stat. 107.

42 USC 6322.

ECONOMIC REGULATORY ADMINISTRATION

For necessary expenses in carrying out the activities of the Economic Regulatory Administration and the Office of Hearings and Appeals, $152,879,000: *Provided,* That none of the funds herein appropriated shall be available to pay the expenses of parties intervening in regulatory proceedings before the Economic Regulatory Administration.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $87,273,000.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

Appropriations to the Department of Energy 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 this appropriation, transfers of sums may be made to other agencies of the government for the performance of work for which this appropriation is made.

None of the funds made available to the Department of Energy under this Act shall be used to implement or finance authorized price support or loan guarantee programs unless specific provision is made for such programs in this or future appropriations Acts.

The Secretary is authorized to accept lands, buildings, equipment and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: *Provided,* That revenues received from the sale of any products produced in facilities operated as part of Department of Energy programs appropriated under this Act shall be covered into the Treasury as miscellaneous receipts.

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### HEALTH SERVICES ADMINISTRATION

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles III and V and section 757 of the Public Health Service Act, including hire of passenger motor vehicles and aircraft; purchase of reprints; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary, $538,874,000: *Provided,* That funds made available to tribes and tribal organizations through grants and contracts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450) shall remain available until September 30, 1981.

42 USC 2001.
25 USC 450 note, 1601 note.
42 USC 241 *et seq.,* 219 *et seq.,* 294y-1.

INDIAN HEALTH FACILITIES

For construction, major repair, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites; purchase and erection of portable buildings; purchase of trailer; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act and the Indian Health Care Improvement Act, $74,302,000, to remain available until expended: *Provided,* That not to exceed $20,000,000 of the amounts collected by the Secretary of Health, Education, and Welfare under the authority of title IV of the Indian Health Care Improvement Act shall be available until September 30, 1981, for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, construction of new facilities, or major renovation of existing Indian Health Service facilities).

90 Stat. 1408.
42 USC 1395qq.

42 USC 1395 *et seq.,* 1396 *et seq.*

ADMINISTRATIVE PROVISION, HEALTH SERVICES ADMINISTRATION

Appropriations in this Act to the Health Services Administration, available for salaries and expenses, shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem equivalent to the rate for GS-18, for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901-5902), and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: *Provided,* That none of the funds appropriated under this Act to the Indian Health Service shall be available for the lease of permanent structures without advance provision therefor in appropriations Act.

5 USC 5332 note.

## OFFICE OF EDUCATION

INDIAN EDUCATION

For carrying out, to the extent not otherwise provided, Part A ($52,000,000), and Parts B and C ($21,430,000) of the Indian Education Act, and the General Education Provisions Act, $75,900,000.

20 USC 241aa note.

## OFFICE OF THE ASSISTANT SECRETARY FOR EDUCATION

INSTITUTE OF MUSEUM SERVICES

For carrying out title II of the Arts, Humanities, and Cultural Affairs Act of 1976, $10,900,000: *Provided,* That none of these funds shall be available for the compensation of Executive Level V or higher positions: *Provided further,* That none of the funds appropriated to the Institute of Museum Services may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913.

20 USC 961 note.

5 USC 5316.

## NAVAJO AND HOPI INDIAN RELOCATION COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Navajo and Hopi Indian Relocation Commission as authorized by Public Law 93-531, $950,000 for operating expenses of the Commission.

20 USC 640d.

## SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; up to 3 replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees; $103,781,000: *Provided,* That funds appropriated herein are available for advance payments to independent contractors performing research services or

participating in official Smithsonian presentations: *Provided further,* That none of these funds shall be available to the Smithsonian Research Foundation.

MUSEUM PROGRAMS AND RELATED RESEARCH

(SPECIAL FOREIGN CURRENCY PROGRAM)

For payments in foreign currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States, for necessary expenses for carrying out museum programs, scientific and cultural research, and related educational activities, as authorized by law, $4,200,000, to remain available until expended and to be available only to United States institutions: *Provided,* That this appropriation shall be available, in addition to other appropriations to the Smithsonian Institution, for payments in the foregoing currencies: *Provided further,* That none of these funds shall be available to the Smithsonian Research Foundation: *Provided further,* That not to exceed $500,000 may be used to make grant awards to employees of the Smithsonian Institution.

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

For necessary expenses of planning, construction, remodeling, and equipping of buildings and facilities at the National Zoological Park, by contract or otherwise, $6,250,000, to remain available until expended.

RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of restoration and renovation of buildings owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $10,000 for services as authorized by 5 U.S.C. 3109, $5,250,000, to remain available until expended. 20 USC 53a.

CONSTRUCTION

For necessary expenses to construct museum support facilities, including not to exceed $50,000 for services as authorized by 5 U.S.C. 3109, $20,600,000, to remain available until expended.

SALARIES AND EXPENSES, NATIONAL GALLERY OF ART

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards and elevator operators, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901-5902); purchase, or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; purchase of one passenger motor vehicle for replacement only; and not to exceed $70,000 for restora- 20 USC 71.

tion and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $22,241,000.

SALARIES AND EXPENSES, WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

20 USC 80e note.

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356), including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $1,611,000.

## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### NATIONAL ENDOWMENT FOR THE ARTS

SALARIES AND EXPENSES

20 USC 951 note.

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $109,000,000, of which $97,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to groups and individuals pursuant to section 5(c) of the Act, of which not less than 20 per centum of the funds provided for section 5(c) shall be available for assistance pursuant to section 5(g) of the Act, and $12,000,000 shall be available for administering the functions of the Act.

20 USC 954.

MATCHING GRANTS

20 USC 959.

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $45,400,000, to remain available until September 30, 1981, to the National Endowment for the Arts, of which $26,900,000 shall be available for purposes of section 5(1): *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the Chairman under the provisions of section 10(a)(2) during the current and preceding fiscal years and the transition period, for which equal amounts have not previously been appropriated.

### NATIONAL ENDOWMENT FOR THE HUMANITIES

SALARIES AND EXPENSES

20 USC 952 note.

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $111,700,000, of which $100,300,000 shall be available to the National Endowment for the Humanities for support of activities in the humanities pursuant to section 7(c) of the Act, of which not less than 20 per centum shall be available for assistance pursuant to section 7(f) of the Act, and $11,400,000 shall be available for administering the functions of the Act.

20 USC 956.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $38,400,000, to remain available until September 30, 1981, of which $27,000,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided,* That this appropriation shall be available for obligation only in such amounts as may be equal to the total amount of gifts, bequests, and devises of money, and other property accepted by the Chairman under the provisions of section 10(a)(2) during the current and preceding fiscal years and the transition period, for which equal amounts have not previously been appropriated. 20 USC 959.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913.

## 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), $268,000.

## ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing an Advisory Council on Historic Preservation, Public Law 94-422, $1,350,000: *Provided,* That none of these funds shall be available for the compensation of Executive Level V or higher positions. 16 USC 470. 5 USC 5316.

## 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; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902), $1,975,000.

## FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Franklin Delano Roosevelt Memorial Commission, established by the Act of August 11, 1955 (69 Stat. 694), as amended by Public Law 92-332 (86 Stat. 401), $40,000, to remain available for obligation until September 30, 1981.

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## PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

### SALARIES AND EXPENSES

40 USC 885.

For necessary expenses, as authorized by section 17(a) of Public Law 92-578, as amended, $1,856,000 for operating and administrative expenses of the Corporation.

### LAND ACQUISITION AND DEVELOPMENT FUND

40 USC 875.

The Pennsylvania Avenue Development Corporation is authorized to borrow from the Treasury of the United States $17,000,000, pursuant to the terms and conditions specified in paragraph 10, section 6, of Public Law 92-578.

### PUBLIC DEVELOPMENT

40 USC 885.

For public development activities and projects in accordance with the development plan as authorized by section 17(b) of Public Law 92-578, as amended, $20,110,000, to remain available for obligation until expended.

## FEDERAL INSPECTOR FOR THE ALASKA GAS PIPELINE

### PERMITTING AND ENFORCEMENT

For necessary expenses of the Federal Inspector for the Alaska Gas Pipeline, $10,600,000, of which $3,600,000 shall remain available until expended.

## COMMUNITY SERVICES ADMINISTRATION

### COMMUNITY SERVICES PROGRAM

For an additional amount for "Community services program", $1,350,000,000: *Provided,* That of this amount $1,200,000,000 shall be transferred by allocation to the Secretary of Health, Education, and Welfare for payment of energy grants and allowances and related administrative costs: *Provided further,* That energy allowances shall not be considered as income or resources under any other public or publicly assisted income tested program, but shall be taken into consideration in determining eligibility for energy crisis assistance: *Provided further,* That the States shall, in awarding funds, give priority to those households experiencing significant increases in heating fuel costs over the levels of the previous year: *Provided further,* That States shall, in establishing such priority, provide for determining the extent to which increases in rents are caused by increases in heating fuel costs and consider such portions of increases in rents to be increases in heating costs: *Provided further,* That proof of income eligibility shall be required of all applicants: *Provided further,* That an annual audit shall be made of this program and all of its components: *Provided further,* That no awards to applicants shall be made after June 30, 1980: *Provided further,* That $400,000,000 shall be paid as a special one-time energy allowance to recipients of Supplemental Security Income distributed among the States according to the following formula: (1) 33⅓ per centum based on the number of heating degree days squared times the number of households below 125 per centum of poverty; 33⅓ per centum based on the difference in home heating energy expenditures between 1978 and 1979; (3) 33⅓ per centum based on the number of Supplemental Security Income

Energy crisis assistance, priorities.

Proof of income eligibility.

Special one-time energy allowance.

recipients (other than those receiving no more than $25 because of their presence in a Medicaid institution) in each State relative to the national total: *Provided further,* That no Supplemental Security Income recipient shall receive more than $250 from the funds provided for Supplemental Security Income recipients: *Provided further,* That the remainder of any funds that would have been allotted to any State for Supplemental Security Income recipients if no maximum payment limitation had been in existence shall be allocated based on the State determination previously made in regard to funds provided for special energy allowances to recipients of Aid to Families with Dependent Children (AFDC) or block grants to States: *Provided further,* That $942,600,000 shall be distributed among the States according to the following formula: (1) 50 per centum based on the number of heating degree days squared times the number of households below 125 per centum of poverty; (2) 50 per centum based on the difference in home heating energy expenditures between 1978 and 1979: *Provided further,* That, in the State Funding Plan, the Governor shall provide assistance for those who pay fuel bills indirectly as well as directly: *Provided further,* That from revenues received from any windfall profit taxes imposed by Federal law on producers of domestic crude oil, there shall be reimbursed to the general fund of the Treasury an amount equivalent to the amount of funds appropriated to carry out the purposes of this paragraph: *Provided further,* That for the purposes of this paragraph, the term "States" shall include the "insular areas" of the United States.

Supplemental Security Income payments, limitation.

Allotment of funds.

Direct and indirect fuel bill payers.

Revenues from windfall profit taxes.

"States."

## TITLE III—GENERAL PROVISIONS

SEC. 301. No part of any appropriation under this Act shall be available to the Secretaries of the Interior and Agriculture for use for any sale hereafter made of unprocessed timber from Federal lands west of the 100th meridian in the contiguous 48 States which will be exported from the United States, or which will be used as a substitute for timber from private lands which is exported by the purchaser: *Provided,* That this limitation shall not apply to specific quantities of grades and species of timber which said Secretaries determine are surplus to domestic lumber and plywood manufacturing needs.

Unprocessed timber, sale restrictions.

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

Oil and natural gas leasing, limitation.

SEC. 303. None of the funds appropriated under this Act shall be available to implement any amendment to, or provision of, the regulation under section 4(a) of the Emergency Petroleum Allocation Act of 1973 providing for an increase or decrease in any month beginning after the date of the enactment of this Act in the ratio of the number of entitlements issued any firm with respect to any imported refined petroleum product to the number of barrels of such product imported by such firm in such month above the ratio in effect on April 30, 1979 unless the President has transmitted such, amendment or provision to the Congress as an "energy action" under section 551 of the Energy Policy and Conservation Act (Public Law 94-163) and neither House of Congress has disapproved (or both Houses have approved) such request in accordance with the procedures specified in such section 551 of such Act.

Mandatory allocation regulations for crude oil, residual fuel oil, and refined petroleum products.

15 USC 753.

42 USC 6421.

Legislative proposal, publication or distribution of literature.

SEC. 304. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not complete, in accordance with 18 U.S.C. 1913.

Hunting of waterfowl with steel shot.

SEC. 305. No funds appropriated by this Act shall be available for the implementation or enforcement of any rule or regulation of the United States Fish and Wildlife Service, Department of the Interior, requiring the use of steel shot in connection with the hunting of waterfowl in any State of the United States unless the appropriate State regulatory authority approves such implementation and enforcement.

SEC. 306. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Plant care or watering service.

SEC. 307. Notwithstanding the provisions of any other law, appropriations in this Act or any other Act may be used to contract with private firms to provide plant care or watering services except for indoor office plants.

50 USC app. 2406 note.

SEC. 308. Notwithstanding the provisions of any other law, the State of Alaska is exempted from application of the provisions of section 7(i) of the Export Administration Act of 1979 (Public Law 96-72).

*Ante*, p. 515.

SEC. 309. No funds appropriated by this Act in excess of $240,000 shall be available for the legal representation of the Pueblos of Nambe, Tesuque, San Ildefonso, and Pojoaque, as plaintiffs-in-intervention, in connection with the suit State of New Mexico v. Aamodt, U.S. District Court No. 6639.

Approved November 27, 1979.

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LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 96-374 (Comm. on Appropriations) and No. 96-604 (Comm. of Conference).
SENATE REPORT No. 96-363 (Comm. on Appropriations).
CONGRESSIONAL RECORD, Vol. 125 (1979):
July 30, considered and passed House.
Oct. 12, 15, 16, 18, considered and passed Senate, amended.
Nov. 9, House agreed to conference report; concurred in certain Senate amendments, in others with amendments; Senate agreed to conference report and concurred in House amendments.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 15, No. 48:
Nov. 27, Presidential statement.