

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4602

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IN THE HOUSE OF REPRESENTATIVES

JULY 26, 1994

Ordered to be printed with the amendments of the Senate numbered

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## AN ACT

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1995, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the  
5       fiscal year ending September 30, 1995, and for other pur-  
6       poses, namely:

7       TITLE I—DEPARTMENT OF THE INTERIOR  
8                 BUREAU OF LAND MANAGEMENT  
9                 MANAGEMENT OF LANDS AND RESOURCES

10       For expenses necessary for protection, use, improve-  
11       ment, development, disposal, cadastral surveying, classi-  
12       fication, and performance of other functions, including

1 maintenance of facilities, as authorized by law, in the  
2 management of lands and their resources under the juris-  
3 diction of the Bureau of Land Management, including the  
4 general administration of the Bureau of Land Manage-  
5 ment, ~~(1)\$596,349,000~~ \$598,480,000, to remain available  
6 until expended, including \$1,462,000 to be derived from  
7 the special receipt account established by section 4 of the  
8 Land and Water Conservation Fund Act of 1965, as  
9 amended (16 U.S.C. 460l-6a(i)): *Provided*, That appro-  
10 priations herein made shall not be available for the de-  
11 struction of healthy, unadopted, wild horses and burros  
12 in the care of the Bureau of Land Management or its con-  
13 tractors; and in addition, \$21,650,000 for Mining Law  
14 Administration program operations, to remain available  
15 until expended, to be reduced by amounts collected by the  
16 Bureau of Land Management and credited to this appro-  
17 priation from annual mining claim fees so as to result in  
18 a final appropriation estimated at not more than  
19 ~~(2)\$596,349,000~~ \$598,480,000: *Provided further*, That in  
20 addition to funds otherwise available, not to exceed  
21 \$5,000,000 from annual mining claim fees shall be cred-  
22 ited to this account for the costs of administering the min-  
23 ing claim fee program, and shall remain available until  
24 expended.

## 1 FIRE PROTECTION

2 For necessary expenses for fire use and management,  
3 and fire preparedness by the Department of the Interior,  
4 \$114,968,000, to remain available until expended.

## 5 EMERGENCY DEPARTMENT OF THE INTERIOR

## 6 FIREFIGHTING FUND

7 For emergency rehabilitation, severity  
8 presuppression, and wildfire operations of the Department  
9 of the Interior, \$121,176,000, to remain available until  
10 expended: *Provided*, That such funds also are available for  
11 repayment of advances to other appropriation accounts  
12 from which funds were previously transferred for such  
13 purposes: *Provided further*, That notwithstanding any  
14 other provision of law, persons hired pursuant to 43  
15 U.S.C. 1469 may be furnished subsistence and lodging  
16 without cost from funds available from this appropriation:  
17 *Provided further*, That only amounts for emergency reha-  
18 bilitation and wildfire operations that are in excess of the  
19 average of such costs for the previous ten years shall be  
20 considered “emergency requirements” pursuant to section  
21 251(b)(2)(D) of the Balanced Budget and Emergency  
22 Deficit Control Act of 1985.

## 23 CENTRAL HAZARDOUS MATERIALS FUND

24 For expenses necessary for use by the Department  
25 of the Interior and any of its component offices and bu-  
26 reaus for the remedial action, including associated activi-

1 ties, of hazardous waste substances, pollutants, or con-  
2 taminants pursuant to the Comprehensive Environmental  
3 Response, Compensation and Liability Act, as amended  
4 (42 U.S.C. 9601 et seq.), \$13,435,000, to remain available  
5 until expended: *Provided*, That, notwithstanding 31  
6 U.S.C. 3302, sums recovered from or paid by a party in  
7 advance of or as reimbursement for remedial action or re-  
8 sponse activities conducted by the Department pursuant  
9 to sections 107 or 113(f) of the Comprehensive Environ-  
10 mental Response, Compensation and Liability Act, as  
11 amended (42 U.S.C. 9607 or 9613(f)), shall be credited  
12 to this account and shall be available without further ap-  
13 propriation and shall remain available until expended: *Pro-*  
14 *vided further*, That such sums recovered from or paid by  
15 any party are not limited to monetary payments and may  
16 include stocks, bonds or other personal or real property,  
17 which may be retained, liquidated, or otherwise disposed  
18 of by the Secretary of the Interior and which shall be cred-  
19 ited to this account.

20 CONSTRUCTION AND ACCESS

21 For acquisition of lands and interests therein, and  
22 construction of buildings, recreation facilities, roads,  
23 trails, and appurtenant facilities, ~~(3)~~\$3,836,000  
24 \$12,186,000, to remain available until expended.

## 1 PAYMENTS IN LIEU OF TAXES

2 For expenses necessary to implement the Act of Octo-  
3 ber 20, 1976 (31 U.S.C. 6901–07), \$104,108,000, of  
4 which not to exceed \$400,000 shall be available for admin-  
5 istrative expenses.

## 6 LAND ACQUISITION

7 For expenses necessary to carry out the provisions  
8 of sections 205, 206, and 318(d) of Public Law 94–579  
9 including administrative expenses and acquisition of lands  
10 or waters, or interests therein, ~~(4)\$17,060,000~~  
11 *\$12,055,000*, to be derived from the Land and Water Con-  
12 servation Fund, to remain available until expended.

## 13 OREGON AND CALIFORNIA GRANT LANDS

14 For expenses necessary for management, protection,  
15 and development of resources and for construction, oper-  
16 ation, and maintenance of access roads, reforestation, and  
17 other improvements on the revested Oregon and California  
18 Railroad grant lands, on other Federal lands in the Or-  
19 egon and California land-grant counties of Oregon, and  
20 on adjacent rights-of-way; and acquisition of lands or in-  
21 terests therein including existing connecting roads on or  
22 adjacent to such grant lands; ~~(5)\$100,860,000~~  
23 *\$97,383,000*, to remain available until expended: *Provided,*  
24 That 25 per centum of the aggregate of all receipts during  
25 the current fiscal year from the revested Oregon and Cali-  
26 fornia Railroad grant lands is hereby made a charge

1 against the Oregon and California land-grant fund and  
2 shall be transferred to the General Fund in the Treasury  
3 in accordance with the provisions of the second paragraph  
4 of subsection (b) of title II of the Act of August 28, 1937  
5 (50 Stat. 876).

6 RANGE IMPROVEMENTS

7 For rehabilitation, protection, and acquisition of  
8 lands and interests therein, and improvement of Federal  
9 rangelands pursuant to section 401 of the Federal Land  
10 Policy and Management Act of 1976 (43 U.S.C. 1701),  
11 notwithstanding any other Act, sums equal to 50 per cen-  
12 tum of all moneys received during the prior fiscal year  
13 under sections 3 and 15 of the Taylor Grazing Act (43  
14 U.S.C. 315 et seq.) and the amount designated for range  
15 improvements from grazing fees and mineral leasing re-  
16 ceipts from Bankhead-Jones lands transferred to the De-  
17 partment of the Interior pursuant to law, but not less than  
18 \$10,350,000, to remain available until expended: *Pro-*  
19 *vided*, That not to exceed \$600,000 shall be available for  
20 administrative expenses.

21 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

22 For administrative expenses and other costs related  
23 to processing application documents and other authoriza-  
24 tions for use and disposal of public lands and resources,  
25 for costs of providing copies of official public land docu-  
26 ments, for monitoring construction, operation, and termi-

1 nation of facilities in conjunction with use authorizations,  
2 and for rehabilitation of damaged property, such amounts  
3 as may be collected under sections 209(b), 304(a), 304(b),  
4 305(a), and 504(g) of the Act approved October 21, 1976  
5 (43 U.S.C. 1701), and sections 101 and 203 of Public  
6 Law 93-153, to be immediately available until expended:  
7 *Provided*, That notwithstanding any provision to the con-  
8 trary of section 305(a) of the Act of October 21, 1976  
9 (43 U.S.C. 1735(a)), any moneys that have been or will  
10 be received pursuant to that section, whether as a result  
11 of forfeiture, compromise, or settlement, if not appropriate  
12 for refund pursuant to section 305(c) of that Act (43  
13 U.S.C. 1735(c)), shall be available and may be expended  
14 under the authority of this or subsequent appropriations  
15 Acts by the Secretary to improve, protect, or rehabilitate  
16 any public lands administered through the Bureau of  
17 Land Management which have been damaged by the ac-  
18 tion of a resource developer, purchaser, permittee, or any  
19 unauthorized person, without regard to whether all mon-  
20 eys collected from each such forfeiture, compromise, or  
21 settlement are used on the exact lands damage to which  
22 led to the forfeiture, compromise, or settlement: *Provided*  
23 *further*, That such moneys are in excess of amounts need-  
24 ed to repair damage to the exact land for which collected.

## 1 MISCELLANEOUS TRUST FUNDS

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

## 10 ADMINISTRATIVE PROVISIONS

11 Appropriations for the Bureau of Land Management  
12 shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to  
13 which the United States has title; up to ~~(6)~~\$250,000  
14 \$100,000 for payments, at the discretion of the Secretary,  
15 for information or evidence concerning violations of laws  
16 administered by the Bureau of Land Management; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be  
17 accounted for solely on his certificate, not to exceed  
18 \$10,000: *Provided*, That notwithstanding 44 U.S.C. 501,  
19 the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing  
20 services from cooperators in connection with jointly-produced publications for which the cooperators share the

1 cost of printing either in cash or in services, and the Bu-  
2 reau determines the cooperator is capable of meeting ac-  
3 cepted quality standards.

4 UNITED STATES FISH AND WILDLIFE SERVICE  
5 RESOURCE MANAGEMENT

6 For expenses necessary for scientific and economic  
7 studies, conservation, management, investigations, protec-  
8 tion, and utilization of fishery and wildlife resources, ex-  
9 cept whales, seals, and sea lions, and for the performance  
10 of other authorized functions related to such resources; for  
11 the general administration of the United States Fish and  
12 Wildlife Service; and for maintenance of the herd of long-  
13 horned cattle on the Wichita Mountains Wildlife Refuge;  
14 and not less than \$1,000,000 for high priority projects  
15 within the scope of the approved budget which shall be  
16 carried out by the Youth Conservation Corps as author-  
17 ized by the Act of August 13, 1970, as amended by Public  
18 Law 93-408, ~~(7)\$514,650,000~~ *\$502,936,000*, of which  
19 \$11,732,000 shall be for operation and maintenance of  
20 fishery mitigation facilities constructed by the Corps of  
21 Engineers under the Lower Snake River Compensation  
22 Plan, authorized by the Water Resources Development Act  
23 of 1976 (90 Stat. 2921), to compensate for loss of fishery  
24 resources from water development projects on the Lower  
25 Snake River, and which shall remain available until ex-

1 pended; and of which ~~(8)\$3,000,000~~ \$2,500,000 shall be  
2 provided to the National Fish and Wildlife Foundation for  
3 endangered species activities: *Provided*, That the amount  
4 provided to the National Fish and Wildlife Foundation  
5 shall be matched by at least an equal amount by the Na-  
6 tional Fish and Wildlife Foundation: *Provided further*,  
7 That sums may be made available to the States of Wash-  
8 ington, Oregon, and California to conduct monitoring ac-  
9 tivities related to the President's Forest Plan.

10 CONSTRUCTION

11 For construction and acquisition of buildings and  
12 other facilities required in the conservation, management,  
13 investigation, protection, and utilization of fishery and  
14 wildlife resources, and the acquisition of lands and inter-  
15 ests therein; ~~(9)\$25,264,000~~ \$49,848,000, to remain  
16 available until expended.

17 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

18 To conduct natural resource damage assessment ac-  
19 tivities by the Department of the Interior necessary to  
20 carry out the provisions of the Comprehensive Environ-  
21 mental Response, Compensation, and Liability Act, as  
22 amended (42 U.S.C. 9601, et seq.), Federal Water Pollu-  
23 tion Control Act, as amended (33 U.S.C. 1251, et seq.),  
24 the Oil Pollution Act of 1990 (Public Law 101-380), and  
25 the Act of July 27, 1990 (Public Law 101-337);  
26 \$6,700,000, to remain available until expended: *Provided*,

1 That notwithstanding any other provision of law, any  
2 amounts appropriated or credited in fiscal year 1992 and  
3 thereafter, may be transferred to any account to carry out  
4 the provisions of negotiated legal settlements or other legal  
5 actions for restoration activities and to carry out the pro-  
6 visions of the Comprehensive Environmental Response,  
7 Compensation, and Liability Act, as amended (42 U.S.C.  
8 9601, et seq.), Federal Water Pollution Control Act, as  
9 amended (33 U.S.C. 1251, et seq.), the Oil Pollution Act  
10 of 1990 (Public Law 101-380), and the Act of July 27,  
11 1990 (Public Law 101-337) for damage assessment ac-  
12 tivities: *Provided further*, That sums provided by any party  
13 are not limited to monetary payments and may include  
14 stocks, bonds or other personal or real property, which  
15 may be retained, liquidated or otherwise disposed of by  
16 the Secretary and such sums or properties shall be utilized  
17 for the restoration of injured resources, and to conduct  
18 new damage assessment activities.

19 LAND ACQUISITION

20 For expenses necessary to carry out the provisions  
21 of the Land and Water Conservation Fund Act of 1965,  
22 as amended (16 U.S.C. 4601-4-11), including administra-  
23 tive expenses, and for acquisition of land or waters, or in-  
24 terest therein, in accordance with statutory authority ap-  
25 plicable to the United States Fish and Wildlife Service,  
26 and for activities authorized under Public Law 98-244 to

1 be carried out by the National Fish and Wildlife Founda-  
2 tion, ~~(10)\$62,300,000~~ *\$63,700,000*, to be derived from  
3 the Land and Water Conservation Fund, to remain avail-  
4 able until expended.

5 COOPERATIVE ENDANGERED SPECIES CONSERVATION  
6 FUND

7 For expenses necessary to carry out the provisions  
8 of the Endangered Species Act of 1973 (16 U.S.C. 1531–  
9 1543), as amended by Public Law 100–478, \$9,000,000  
10 for grants to States, to be derived from the Cooperative  
11 Endangered Species Conservation Fund, and to remain  
12 available until expended.

13 NATIONAL WILDLIFE REFUGE FUND

14 For expenses necessary to implement the Act of Octo-  
15 ber 17, 1978 (16 U.S.C. 715s), \$12,000,000.

16 REWARDS AND OPERATIONS

17 For expenses necessary to carry out the provisions  
18 of the African Elephant Conservation Act (16 U.S.C.  
19 4201–4203, 4211–4213, 4221–4225, 4241–4245, and  
20 1538), \$1,169,000, to remain available until expended.

21 ~~(11)~~ *NORTH AMERICAN WETLANDS CONSERVATION FUND*

22 *For expenses necessary to carry out the provisions of*  
23 *the North American Wetlands Conservation Act, Public*  
24 *Law 101–233, \$12,000,000.*

1 WILDLIFE CONSERVATION AND APPRECIATION FUND

2 For deposit to the Wildlife Conservation and Appre-  
3 ciation Fund, \$1,000,000, to remain available until ex-  
4 pended, to be available for carrying out the Partnerships  
5 for Wildlife Act only to the extent such funds are matched  
6 as provided in section 7105 of said Act.

7 ADMINISTRATIVE PROVISIONS

8 Appropriations and funds available to the United  
9 States Fish and Wildlife Service shall be available for pur-  
10 chase of not to exceed 127 passenger motor vehicles, of  
11 which 106 are for replacement only (including 44 for po-  
12 lice-type use); not to exceed \$400,000 for payment, at the  
13 discretion of the Secretary, for information, rewards, or  
14 evidence concerning violations of laws administered by the  
15 United States Fish and Wildlife Service, and miscellane-  
16 ous and emergency expenses of enforcement activities, au-  
17 thorized or approved by the Secretary and to be accounted  
18 for solely on his certificate; repair of damage to public  
19 roads within and adjacent to reservation areas caused by  
20 operations of the United States Fish and Wildlife Service;  
21 options for the purchase of land at not to exceed \$1 for  
22 each option; facilities incident to such public recreational  
23 uses on conservation areas as are consistent with their pri-  
24 mary purpose; and the maintenance and improvement of  
25 aquaria, buildings, and other facilities under the jurisdic-  
26 tion of the United States Fish and Wildlife Service and

1 to which the United States has title, and which are utilized  
 2 pursuant to law in connection with management and in-  
 3 vestigation of fish and wildlife resources: *Provided*, That  
 4 the United States Fish and Wildlife Service may accept  
 5 donated aircraft as replacements for existing aircraft: *Pro-*  
 6 *vided further*, That notwithstanding 44 U.S.C. 501, the  
 7 Service may, under cooperative cost sharing and partner-  
 8 ship arrangements authorized by law, procure printing  
 9 services from cooperators in connection with jointly-pro-  
 10 duced publications for which the cooperators share at least  
 11 one-half the cost of printing either in cash or services and  
 12 the Service determines the cooperator is capable of meet-  
 13 ing accepted quality standards.

14 NATIONAL BIOLOGICAL SURVEY

15 RESEARCH, INVENTORIES, AND SURVEYS

16 For authorized expenses necessary for scientific re-  
 17 search relating to species biology, population dynamics,  
 18 and ecosystems; inventory and monitoring activities; tech-  
 19 nology development and transfer; the operation of Cooper-  
 20 ative Research Units; and for the general administration  
 21 of the National Biological Survey, ~~(12)\$167,209,000~~  
 22 *\$166,358,000*, of which ~~(13)\$166,909,000~~ *\$166,058,000*  
 23 shall remain available until September 30, 1996, and of  
 24 which \$300,000 shall remain available until expended for  
 25 construction: *Provided*, That none of the funds under this

1 head shall be used to conduct new surveys on private prop-  
2 erty unless specifically authorized in writing by the prop-  
3 erty owner.

4 NATIONAL PARK SERVICE

5 OPERATION OF THE NATIONAL PARK SYSTEM

6 For expenses necessary for the management, oper-  
7 ation, and maintenance of areas and facilities adminis-  
8 tered by the National Park Service (including special road  
9 maintenance service to trucking permittees on a reimburs-  
10 able basis), and for the general administration of the Na-  
11 tional Park Service, including not to exceed \$1,599,000  
12 for the Volunteers-in-Parks program, and not less than  
13 \$1,000,000 for high priority projects within the scope of  
14 the approved budget which shall be carried out by the  
15 Youth Conservation Corps as authorized by the Act of Au-  
16 gust 13, 1970, as amended by Public Law 93-408,  
17 ~~(14)\$1,083,973,000~~ \$1,061,276,000, without regard to  
18 the Act of August 24, 1912, as amended (16 U.S.C. 451),  
19 of which not to exceed \$79,900,000, to remain available  
20 until expended is to be derived from the special fee account  
21 established pursuant to title V, section 5201, of Public  
22 Law 100-203: *Provided*, That should any increase in fees  
23 be enacted after enactment of this Act but prior to Sep-  
24 tember 30, 1995, that would be available for the programs  
25 under this heading, the Secretary of the Interior shall

1 make available under this heading an amount equal to the  
 2 amount collected by such fee increase to the ~~(15)~~resource  
 3 ~~stewardship program~~ *“Operation of the National Park Sys-*  
 4 *tem”* account for purposes approved by the Secretary and  
 5 *subject to the reprogramming guidelines of the House and*  
 6 *Senate Committees on Appropriations: Provided further,*  
 7 *That these funds shall be used for one-time, non-recurring*  
 8 *purposes only.*

9 NATIONAL RECREATION AND PRESERVATION

10 For expenses necessary to carry out recreation pro-  
 11 grams, natural programs, cultural programs, environ-  
 12 mental compliance and review, international park affairs,  
 13 statutory or contractual aid for other activities, and grant  
 14 administration, not otherwise provided for,  
 15 ~~(16)~~~~\$36,946,000~~ \$44,128,000.

16 HISTORIC PRESERVATION FUND

17 For expenses necessary in carrying out the provisions  
 18 of the Historic Preservation Act of 1966 (80 Stat. 915),  
 19 as amended (16 U.S.C. 470), ~~(17)~~~~\$41,000,000~~  
 20 \$42,000,000, to be derived from the Historic Preservation  
 21 Fund, established by section 108 of that Act, as amended,  
 22 to remain available for obligation until September 30,  
 23 1996~~(18)~~: *Provided, That \$2,000,000 shall be for a grant*  
 24 *program to restore and preserve historic buildings at his-*  
 25 *torically black colleges and universities: Provided further,*

1 *That none of these funds shall be made available until au-*  
 2 *thorized.*

3 CONSTRUCTION

4 For construction, improvements, repair or replace-  
 5 ment of physical facilities, ~~(19)~~\$171,417,000  
 6 \$170,503,000, to remain available until expended: *Pro-*  
 7 *vided, That not to exceed \$4,500,000 shall be paid to the*  
 8 *Army Corps of Engineers for modifications authorized by*  
 9 *section 104 of the Everglades National Park Protection*  
 10 *and Expansion Act of 1989*~~(20)~~*:—Provided further, That*  
 11 ~~\$256,000 for rehabilitation of the William McKinley Tomb~~  
 12 ~~shall be derived from the Historic Preservation Fund pur-~~  
 13 ~~suant to 16 U.S.C. 470a:~~ *Provided further, That*  
 14 *\$3,000,000 for the Metropolitan Museum of Art, New York*  
 15 *and \$1,000,000 for the Penn Center shall be derived from*  
 16 *the Historic Preservation Fund pursuant to 16 U.S.C.*  
 17 *470a: Provided further, That notwithstanding any other*  
 18 *provision of law, a single procurement for the construction*  
 19 *of the vessel exhibit at Salem Maritime National Historic*  
 20 *Site may be issued which includes the full scope of the*  
 21 *project: Provided further, That the solicitation and the con-*  
 22 *tract shall contain the clause “availability of funds” found*  
 23 *at 48 CFR 52.232.18*~~(21)~~*: Provided further, That not to*  
 24 *exceed \$200,000 shall be used for a joint study with the Fish*  
 25 *and Wildlife Service of which not to exceed \$100,000 shall*  
 26 *be used to undertake a comprehensive review of the relative*

1 *importance of each unit of the National Park System to*  
2 *the overall mission of the National Park Service, including,*  
3 *but not limited to, consideration of land acquisition, an-*  
4 *nual operation and maintenance expenses, personnel re-*  
5 *quirements, alternatives to retention of such unit that may*  
6 *be available at the State or local level (including within*  
7 *the private sector) and prepare and submit to the Commit-*  
8 *tees on Appropriations and Energy and Natural Resources*  
9 *of the United States Senate and the Committee on Appro-*  
10 *priations and Natural Resources of the United States House*  
11 *of Representatives by December 31, 1995 a report that shall*  
12 *include a list of not fewer than five units to be deauthorized*  
13 *with whatever recommendations the Secretary deems appro-*  
14 *priate for the disposal of any lands or interests in lands*  
15 *within such units, and of which \$100,000 shall be used to*  
16 *undertake a comprehensive review of the relative impor-*  
17 *tance of each unit of the National Wildlife Refuge system*  
18 *to the overall objectives of the system, including, but not*  
19 *limited to, consideration of land acquisition, annual oper-*  
20 *ation and maintenance expenses, personnel requirements,*  
21 *alternatives to retention of such unit that may be available*  
22 *at the State or local level (including within the private sec-*  
23 *tor) and prepare and submit to the Committees on Appro-*  
24 *priations, Environment and Public Works, and Energy and*  
25 *Natural Resources of the United States Senate and the*

1 *Committees on Appropriations, Merchant Marine and Fish-*  
2 *eries, and Natural Resources of the United States House*  
3 *of Representatives by December 31, 1995 a report that shall*  
4 *include a list of not fewer than five units to be deleted from*  
5 *the System with whatever recommendations the Secretary*  
6 *deems appropriate for the disposal of any lands or interest*  
7 *in lands within such units.*

8 URBAN PARK AND RECREATION FUND

9 For expenses necessary to carry out the provisions  
10 of the Urban Park and Recreation Recovery Act of 1978  
11 (16 U.S.C. 2501–2514), ~~(22)\$10,000,000~~ \$5,000,000, to  
12 remain available until expended.

13 LAND AND WATER CONSERVATION FUND

14 (RESCISSION)

15 The contract authority provided for fiscal year 1995  
16 by 16 U.S.C. 460l–10a is rescinded.

17 LAND ACQUISITION AND STATE ASSISTANCE

18 For expenses necessary to carry out the provisions  
19 of the Land and Water Conservation Fund Act of 1965,  
20 as amended (16 U.S.C. 460l–4–11), including administra-  
21 tive expenses, and for acquisition of lands or waters, or  
22 interest therein, in accordance with statutory authority  
23 applicable to the National Park Service, ~~(23)\$88,596,000~~  
24 \$80,759,000, to be derived from the Land and Water Con-  
25 servation Fund, to remain available until expended,  
26 ~~(24)~~ of which \$4,800,000 is provided for Federal assistance

1 to the State of Florida pursuant to Public Law 103-219,  
2 and of which ~~(25)\$29,500,000~~ \$28,000,000 is for the  
3 State assistance program including \$3,250,000 to admin-  
4 ister the State assistance program: *Provided*, That of the  
5 amounts previously appropriated to the Secretary's contin-  
6 gency fund for grants to States \$415,000 shall be avail-  
7 able in 1995 for administrative expenses of the State  
8 grant program.

9 ADMINISTRATIVE PROVISIONS

10 Appropriations for the National Park Service shall be  
11 available for the purchase of not to exceed 467 passenger  
12 motor vehicles, of which 338 shall be for replacement only,  
13 including not to exceed 360 for police-type use, 12 buses,  
14 and 5 ambulances: *Provided*, That none of the funds ap-  
15 propriated to the National Park Service may be used to  
16 process any grant or contract documents which do not in-  
17 clude the text of 18 U.S.C. 1913: *Provided further*, That  
18 none of the funds appropriated to the National Park Serv-  
19 ice may be used to implement an agreement for the rede-  
20 velopment of the southern end of Ellis Island until such  
21 agreement has been submitted to the Congress and shall  
22 not be implemented prior to the expiration of 30 calendar  
23 days (not including any day in which either House of Con-  
24 gress is not in session because of adjournment of more  
25 than three calendar days to a day certain) from the receipt  
26 by the Speaker of the House of Representatives and the

1 President of the Senate of a full and comprehensive report  
2 on the development of the southern end of Ellis Island,  
3 including the facts and circumstances relied upon in sup-  
4 port of the proposed project: *Provided further*, That the  
5 first proviso under this head in Public Law 102-381  
6 ~~(26)(106 Stat. 1386)~~ (106 Stat. 1384) is amended by in-  
7 serting “, not to exceed ~~(27)\$500,000~~ \$250,000,” after  
8 the word “funds” ~~(28)~~ and by inserting “: *Provided fur-*  
9 *ther, That any exercise of this authority must be replenished*  
10 *by a supplemental appropriation which must be requested*  
11 *as promptly as possible”* after the word “System” ~~(29)~~:  
12 *Provided further, That consistent with existing law and pol-*  
13 *icy, the National Park Service shall, at the request of the*  
14 *University of Alaska Fairbanks, enter into negotiations re-*  
15 *garding a memorandum of understanding for the continued*  
16 *use of the Stampede Creek Mine property consistent with*  
17 *the length and terms of prior memoranda of understanding*  
18 *between the National Park Service and the University of*  
19 *Alaska Fairbanks: Provided further, That within the funds*  
20 *provided, the National Park Service shall undertake an as-*  
21 *essment of damage and provide the appropriate committees*  
22 *of the Senate and House of Representatives, no later than*  
23 *May 1, 1995, cost estimates for the reconstruction of those*  
24 *facilities and equipment which were damaged or destroyed*  
25 *as a result of the incident that occurred on April 30, 1987*

1 *at Stampede Creek within the boundaries of Denali Na-*  
2 *tional Park and Preserve: Provided further, That the Na-*  
3 *tional Park Service shall work with the University of Alas-*  
4 *ka Fairbanks to winterize equipment and materials, located*  
5 *on the Stampede Creek mine property in Denali National*  
6 *Park, exposed to the environment as a result of the April*  
7 *30, 1987 incident.*

8 UNITED STATES GEOLOGICAL SURVEY

9 SURVEYS, INVESTIGATIONS, AND RESEARCH

10 For expenses necessary for the United States Geo-  
11 logical Survey to perform surveys, investigations, and re-  
12 search covering topography, geology, hydrology, and the  
13 mineral and water resources of the United States, its Ter-  
14 ritories and possessions, and other areas as authorized by  
15 law (43 U.S.C. 31, 1332 and 1340); classify lands as to  
16 their mineral and water resources; give engineering super-  
17 vision to power permittees and Federal Energy Regulatory  
18 Commission licensees; administer the minerals exploration  
19 program (30 U.S.C. 641); and publish and disseminate  
20 data relative to the foregoing activities;  
21 ~~(30)\$576,775,000~~ \$565,316,000, of which \$62,130,000  
22 shall be available only for cooperation with States or mu-  
23 nicipalities for water resources investigations: *Provided,*  
24 *That no part of this appropriation shall be used to pay*  
25 *more than one-half the cost of any topographic mapping*

1 or water resources investigations carried on in cooperation  
2 with any State or municipality: *Provided further*, That of  
3 the offsetting collections credited to this account \$546,000  
4 are permanently canceled.

5 WORKING CAPITAL FUND

6 The first paragraph under this head in Public Law  
7 101-512 is amended as follows: in the second sentence  
8 after “work,” insert “facilities,”; and in the third sentence  
9 after “include” insert “laboratory modernization and  
10 equipment replacement,”, after ~~(31)“operations,”~~ insert  
11 ~~“maintenance,”~~, “operations” insert “, maintenance,”, and  
12 after “replacement of computer,” insert “publications, sci-  
13 entific instrumentation,”.

14 The second paragraph under this head in Public Law  
15 101-512 is amended as follows: in the second proviso after  
16 “depreciation of equipment” insert “and facilities,”.

17 ADMINISTRATIVE PROVISIONS

18 The amount appropriated for the United States Geo-  
19 logical Survey shall be available for purchase of not to ex-  
20 ceed 22 passenger motor vehicles, for replacement only;  
21 reimbursement to the General Services Administration for  
22 security guard services; contracting for the furnishing of  
23 topographic maps and for the making of geophysical or  
24 other specialized surveys when it is administratively deter-  
25 mined that such procedures are in the public interest; con-  
26 struction and maintenance of necessary buildings and ap-

1 purtenant facilities; acquisition of lands for gauging sta-  
 2 tions and observation wells; expenses of the United States  
 3 National Committee on Geology; and payment of com-  
 4 pensation and expenses of persons on the rolls of the Unit-  
 5 ed States Geological Survey appointed, as authorized by  
 6 law, to represent the United States in the negotiation and  
 7 administration of interstate compacts: *Provided*, That ac-  
 8 tivities funded by appropriations herein made may be ac-  
 9 complished through the use of contracts, grants, or coop-  
 10 erative agreements as defined in 31 U.S.C. 6302, et seq.

11 MINERALS MANAGEMENT SERVICE

12 ROYALTY AND OFFSHORE MINERALS MANAGEMENT

13 For expenses necessary for minerals leasing and envi-  
 14 ronmental studies, regulation of industry operations, and  
 15 collection of royalties, as authorized by law; for enforcing  
 16 laws and regulations applicable to oil, gas, and other min-  
 17 erals leases, permits, licenses and operating contracts; and  
 18 for matching grants or cooperative agreements; including  
 19 the purchase of not to exceed eight passenger motor vehi-  
 20 cles for replacement only; ~~(32)~~\$190,206,000  
 21 \$189,034,000, of which not less than ~~(33)~~\$68,434,000  
 22 \$67,934,000 shall be available for royalty management ac-  
 23 tivities; and an amount not to exceed ~~(34)~~\$7,400,000  
 24 \$8,800,000 for the Technical Information Management  
 25 System of Outer Continental Shelf (OCS) Lands Activity,

1 to be credited to this appropriation and to remain avail-  
2 able until expended, from additions to receipts resulting  
3 from increases to rates in effect on August 5, 1993, from  
4 rate increases to fee collections for OCS administrative ac-  
5 tivities performed by the Minerals Management Service  
6 over and above the rates in effect on September 30, 1993,  
7 and from additional fees for OCS administrative activities  
8 established after September 30, 1993: *Provided*, That  
9 \$1,500,000 for computer acquisitions shall remain avail-  
10 able until September 30, 1996: *Provided further*, That  
11 funds appropriated under this Act shall be available for  
12 the payment of interest in accordance with 30 U.S.C.  
13 1721 (b) and (d): *Provided further*, That not to exceed  
14 \$3,000 shall be available for reasonable expenses related  
15 to promoting volunteer beach and marine cleanup activi-  
16 ties: *Provided further*, That notwithstanding any other  
17 provision of law, \$15,000 under this head shall be avail-  
18 able for refunds of overpayments in connection with cer-  
19 tain Indian leases in which the Director of the Minerals  
20 Management Service concurred with the claimed refund  
21 due: *Provided further*, That the Secretary shall take appro-  
22 priate action to collect unpaid and underpaid royalties and  
23 late payment interest owed by Federal and Indian mineral  
24 lessees and other royalty payors on amounts received in  
25 settlement or other resolution of disputes under, and for

1 partial or complete termination of, sales agreements for  
2 minerals from Federal and Indian leases: *Provided further,*  
3 That the fifth proviso under the heading “Leasing and  
4 Royalty Management” for the Minerals Management  
5 Service in Public Law 101–512 (104 Stat. 1926) is  
6 amended by striking the words “or payment of civil pen-  
7 alty” after the words “result of the forfeiture of a bond  
8 or other security” and striking the words “or imposition  
9 of the civil penalty” after the words “rendered necessary  
10 by the action or inaction that led to the forfeiture”: *Pro-*  
11 *vided further,* That where the account title “Leasing and  
12 Royalty Management” appears in any public law, the  
13 words “Leasing and Royalty Management” beginning in  
14 fiscal year 1995 and thereafter shall be construed to mean  
15 “Royalty and Offshore Minerals Management”.

16 OIL SPILL RESEARCH

17 For necessary expenses to carry out the purposes of  
18 title I, section 1016, title IV, sections 4202 and 4303, title  
19 VII, and title VIII, section 8201 of the Oil Pollution Act  
20 of 1990, \$6,452,000, which shall be derived from the Oil  
21 Spill Liability Trust Fund, to remain available until ex-  
22 pended.

23 BUREAU OF MINES

24 MINES AND MINERALS

25 For expenses necessary for conducting inquiries,  
26 technological investigations, and research concerning the

1 extraction, processing, use, and disposal of mineral sub-  
2 stances without objectionable social and environmental  
3 costs; to foster and encourage private enterprise in the de-  
4 velopment of mineral resources and the prevention of  
5 waste in the mining, minerals, metal, and mineral rec-  
6 lamation industries; to inquire into the economic condi-  
7 tions affecting those industries; to promote health and  
8 safety in mines and the mineral industry through re-  
9 search; and for other related purposes as authorized by  
10 law, ~~(35)\$152,269,000~~ \$152,389,000, of which  
11 ~~(36)\$99,365,000~~ \$100,265,000, shall remain available  
12 until expended.

13 ADMINISTRATIVE PROVISIONS

14 The Secretary is authorized to accept lands, buildings,  
15 equipment, other contributions, and fees from public and  
16 private sources, and to prosecute projects using such con-  
17 tributions and fees in cooperation with other Federal,  
18 State or private agencies: *Provided*, That the Bureau of  
19 Mines is authorized, during the current fiscal year, to sell  
20 directly or through any Government agency, including cor-  
21 porations, any metal or mineral product that may be man-  
22 ufactured in pilot plants operated by the Bureau of Mines,  
23 and the proceeds of such sales shall be covered into the  
24 Treasury as miscellaneous receipts: *Provided further*, That  
25 notwithstanding any other provision of law, the Secretary  
26 is authorized to convey, without reimbursement, title and

1 all interest of the United States in property and facilities  
2 of the United States Bureau of Mines in Juneau, Alaska  
3 to the City and Borough of Juneau, Alaska; in Tuscaloosa,  
4 Alabama, to The University of Alabama; and in Rolla,  
5 Missouri, to the University of Missouri-Rolla.

6 OFFICE OF SURFACE MINING RECLAMATION AND  
7 ENFORCEMENT  
8 REGULATION AND TECHNOLOGY

9 For necessary expenses to carry out the provisions  
10 of the Surface Mining Control and Reclamation Act of  
11 1977, Public Law 95-87, as amended, including the pur-  
12 chase of not to exceed 15 passenger motor vehicles for re-  
13 placement only; ~~(37)\$110,206,000~~ \$109,773,000, and not-  
14 withstanding 31 U.S.C. 3302, an additional amount shall  
15 be credited to this account, to remain available until ex-  
16 pended, from performance bond forfeitures in fiscal year  
17 1995: *Provided*, That notwithstanding any other provision  
18 of law, the Secretary of the Interior, pursuant to regula-  
19 tions, may utilize directly or through grants to States,  
20 moneys collected in fiscal year 1995 pursuant to the as-  
21 sessment of civil penalties under section 518 of the Sur-  
22 face Mining Control and Reclamation Act of 1977 (30  
23 U.S.C. 1268), to reclaim lands adversely affected by coal  
24 mining practices after August 3, 1977, to remain available  
25 until expended: *Provided further*, That notwithstanding

1 any other provision of law, appropriations for the Office  
2 of Surface Mining Reclamation and Enforcement may pro-  
3 vide for the travel and per diem expenses of State and  
4 tribal personnel attending Office of Surface Mining Rec-  
5 lamation and Enforcement sponsored training.

6 ABANDONED MINE RECLAMATION FUND

7 For necessary expenses to carry out the provisions  
8 of title IV of the Surface Mining Control and Reclamation  
9 Act of 1977, Public Law 95-87, as amended, including  
10 the purchase of not more than 22 passenger motor vehicles  
11 for replacement only, ~~(38)\$172,404,000~~ \$193,831,000 to  
12 be derived from receipts of the Abandoned Mine Reclama-  
13 tion Fund and to remain available until expended: *Pro-*  
14 *vided*, That grants to minimum program States will be  
15 ~~(39)\$1,000,000~~ \$2,000,000 per State in fiscal year 1995:  
16 *Provided further*, That of the funds herein provided up to  
17 \$18,000,000 may be used for the emergency program au-  
18 thorized by section 410 of Public Law 95-87, as amended,  
19 of which no more than 25 per centum shall be used for  
20 emergency reclamation projects in any one State and  
21 funds for Federally-administered emergency reclamation  
22 projects under this proviso shall not exceed \$11,000,000:  
23 *Provided further*, That prior year unobligated funds appro-  
24 priated for the emergency reclamation program shall not  
25 be subject to the 25 per centum limitation per State and  
26 may be used without fiscal year limitation for

1 ~~(40)~~ Federal emergency projects: *Provided further*, That  
2 pursuant to Public Law 97-365, the Department of the  
3 Interior is authorized to utilize up to 20 per centum from  
4 the recovery of the delinquent debt owed to the United  
5 States Government to pay for contracts to collect these  
6 debts.

7 BUREAU OF INDIAN AFFAIRS

8 OPERATION OF INDIAN PROGRAMS

9 For operation of Indian programs by direct expendi-  
10 ture, contracts, cooperative agreements, and grants in-  
11 cluding expenses necessary to provide education and wel-  
12 fare services for Indians, either directly or in cooperation  
13 with States and other organizations, including payment of  
14 care, tuition, assistance, and other expenses of Indians in  
15 boarding homes, or institutions, or schools; grants and  
16 other assistance to needy Indians; maintenance of law and  
17 order; management, development, improvement, and pro-  
18 tection of resources and appurtenant facilities under the  
19 jurisdiction of the Bureau of Indian Affairs, including pay-  
20 ment of irrigation assessments and charges; acquisition of  
21 water rights; advances for Indian industrial and business  
22 enterprises; operation of Indian arts and crafts shops and  
23 museums; development of Indian arts and crafts, as au-  
24 thorized by law; for the general administration of the Bu-  
25 reau of Indian Affairs, including such expenses in field

1 offices; maintaining of Indian reservation roads as defined  
2 in section 101 of title 23, United States Code; and con-  
3 struction, repair, and improvement of Indian housing,  
4 ~~(41)\$1,527,786,000~~ \$1,525,399,000, of which  
5 ~~(42)\$199,000~~ \$208,000 shall be for cyclical maintenance  
6 of tribally owned fish hatcheries and related facilities; and  
7 of which \$297,000 shall be for a grant to the Close Up  
8 Foundation; ~~(43)~~and of which not to exceed \$103,323,000  
9 shall be for payments to tribes and tribal organizations for  
10 indirect costs associated with contracts or grants or com-  
11 pacts authorized by the Indian Self-Determination Act of  
12 1975, as amended; and of which not to exceed  
13 \$330,111,000 shall be for school operations costs of Bu-  
14 reau-funded schools and other education programs which  
15 shall become available for obligation on July 1, 1995, and  
16 shall remain available for obligation until September 30,  
17 1996; and of which not to exceed ~~(44)\$72,680,000~~  
18 \$72,580,000 shall be for higher education scholarships,  
19 adult vocational training, and assistance to public schools  
20 under the Act of April 16, 1934 (48 Stat. 596), as amend-  
21 ed (25 U.S.C. 452 et seq.), which shall remain available  
22 for obligation until September 30, 1996; and of which  
23 ~~(45)\$75,902,000~~ \$75,735,000 shall remain available until  
24 expended, including \$16,206,000 for trust funds manage-  
25 ment, \$19,083,000 for housing improvement,

1 ~~(46)~~\$30,169,000 \$30,002,000 for road maintenance,  
2 \$2,332,000 for attorney fees, \$1,983,000 for litigation  
3 support, \$4,934,000 for self-governance tribal compacts,  
4 and \$1,195,000 for the Navajo-Hopi Settlement Program:  
5 *Provided*, That payments of funds obligated as grants to  
6 schools pursuant to Public Law 100-297 shall be made  
7 ~~(47)~~on July 1 not later than July 31 and December 1  
8 in lieu of the payments authorized to be made on October  
9 1 and January 1 of each calendar year: *Provided further*,  
10 That funds made available to tribes and tribal organiza-  
11 tions through contracts or grants obligated during fiscal  
12 year 1995 as authorized by the Indian Self-Determination  
13 Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.), or  
14 grants authorized by the Indian Education Amendments  
15 of 1988 (25 U.S.C. 2001 and 2008A) shall remain avail-  
16 able until expended by the contractor or grantee: *Provided*  
17 *further*, That of the funds provided, \$7,500,000 shall re-  
18 main available until expended, for the Indian Self-Deter-  
19 mination Fund, which shall be available for the transi-  
20 tional costs of initial or expanded tribal contracts, grants  
21 or cooperative agreements with the Bureau of Indian Af-  
22 fairs under the provisions of the Indian Self-Determina-  
23 tion Act: *Provided further*, That none of the funds appro-  
24 priated to the Bureau of Indian Affairs shall be expended  
25 as matching funds for programs funded under section

1 103(b)(2) of the Carl D. Perkins Vocational Education  
2 Act: *Provided further*, That none of the funds in this Act  
3 shall be used by the Bureau of Indian Affairs to transfer  
4 funds under a contract with any third party for the man-  
5 agement of tribal or individual Indian trust funds until  
6 the funds held in trust for all such tribes or individuals  
7 have been audited and reconciled to the earliest possible  
8 date, the results of such reconciliation have been certified  
9 by an independent party as the most complete reconcili-  
10 ation of such funds possible, and the affected tribe or indi-  
11 vidual has been provided with an accounting of such  
12 funds: *Provided further*, That notwithstanding any other  
13 provision of law, the statute of limitations shall not com-  
14 mence to run on any claim, including any claim in litiga-  
15 tion pending on the date of this Act, concerning losses to  
16 or mismanagement of trust funds, until the affected tribe  
17 or individual Indian has been furnished with the account-  
18 ing of such funds from which the beneficiary can deter-  
19 mine whether there has been a loss: *Provided further*, That  
20 to provide funding uniformity within a Self-Governance  
21 Compact, any funds provided in this Act with availability  
22 for more than one year may be reprogrammed to one year  
23 availability but shall remain available within the Compact  
24 until expended: *Provided further*, That notwithstanding  
25 any other provision of law, Indian tribal governments may,

1 by appropriate changes in eligibility criteria or by other  
2 means, change eligibility for general assistance or change  
3 the amount of general assistance payments for individuals  
4 within the service area of such tribe who are otherwise  
5 deemed eligible for general assistance payments so long  
6 as such changes are applied in a consistent manner to in-  
7 dividuals similarly situated: *Provided further*, That any  
8 savings realized by such changes shall be available for use  
9 in meeting other priorities of the tribes: *Provided further*,  
10 That any such change must be part of a comprehensive  
11 tribal plan for reducing the long-term need for general as-  
12 sistance payments: *Provided further*, That any such tribal  
13 plan must incorporate, to the greatest extent feasible, cur-  
14 rently existing social service, educational training, and em-  
15 ployment assistance resources prior to changing general  
16 assistance eligibility or payment standards which would  
17 have the effect of increasing the cost of general assistance:  
18 *Provided further*, That any net increase in costs to the  
19 Federal government which result solely from tribally in-  
20 creased payment levels and which are not part of such a  
21 comprehensive tribal plan shall be met exclusively from  
22 funds available to the tribe from within its tribal priority  
23 allocation: *Provided further*, That any forestry funds allo-  
24 cated to a tribe which remain unobligated as of September  
25 30, 1995, may be transferred during fiscal year 1996 to

1 an Indian forest land assistance account established for  
2 the benefit of such tribe within the tribe's trust fund ac-  
3 count: *Provided further*, That any such unobligated bal-  
4 ances not so transferred shall expire on September 30,  
5 1996: *Provided further*, That notwithstanding any other  
6 provision of law, no funds available to the Bureau of In-  
7 dian Affairs, other than the amounts provided herein for  
8 assistance to public schools under the Act of April 16,  
9 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.),  
10 shall be available to support the operation of any elemen-  
11 tary or secondary school in the State of Alaska in fiscal  
12 year 1995: *Provided further*, That within the funds con-  
13 tained in this Act, only the following new schools may re-  
14 ceive initial funding pursuant to the provisions of 25  
15 U.S.C. 2001(k) or 2505(a)(1)(C) and (D): Trenton and  
16 Sault Ste. Marie**(48)**: *Provided further*, That except for  
17 these initially funded new schools, for which current enroll-  
18 ment data shall be used, the amount made available for the  
19 Indian school equalization program may be allocated based  
20 on the number of weighted student units for the previous  
21 school year, with adjustments as approved by the Sec-  
22 retary**(49)**: *Provided further*, That funds made available,  
23 in this Act and hereafter, for schools funded by the Bureau  
24 of Indian Affairs shall only be available to the 187 schools

1 *which will be in the Bureau of Indian Affairs school system*  
2 *as of September 1, 1995.*

3 CONSTRUCTION

4 For construction, major repair, and improvement of  
5 irrigation and power systems, buildings, utilities, and  
6 other facilities, including architectural and engineering  
7 services by contract; acquisition of lands and interests in  
8 lands; and preparation of lands for farming,  
9 ~~(50)\$131,030,000~~ *\$123,230,000*, to remain available until  
10 expended: *Provided*, That \$1,500,000 of the funds made  
11 available in this Act shall be available for rehabilitation  
12 of tribally owned fish hatcheries and related facilities: *Pro-*  
13 *vided further*, That such amounts as may be available for  
14 the construction of the Navajo Indian Irrigation Project  
15 and for other water resource development activities related  
16 to the Southern Arizona Water Rights Settlement Act may  
17 be transferred to the Bureau of Reclamation: *Provided*  
18 *further*, That not to exceed 6 per centum of contract au-  
19 thority available to the Bureau of Indian Affairs from the  
20 Federal Highway Trust Fund may be used to cover the  
21 road program management costs of the Bureau of Indian  
22 Affairs: *Provided further*, That any funds provided for the  
23 Safety of Dams program pursuant to 25 U.S.C. 13 shall  
24 be made available on a non-reimbursable basis: *Provided*  
25 *further*, That not to exceed \$6,000,000 of contract author-  
26 ity and liquidating cash available in fiscal year 1995 from

1 the Federal Highway Trust Fund may be used for the ac-  
2 quisition of road construction equipment(51): *Provided*  
3 *further, That funds currently obligated for rehabilitation*  
4 *and construction on the Gila River Indian Reservation may*  
5 *be used to purchase and pump water during fiscal year*  
6 *1995(52): Provided further, That notwithstanding any*  
7 *other provision of law, the Secretary of the Interior shall*  
8 *use the Administrative and Audit Requirements and Cost*  
9 *Principles for Assistance Programs contained in 43 CFR*  
10 *Part 12 as regulatory guidance, including but not limited*  
11 *to the provisions relating to the application and payment*  
12 *procedures, to implement new construction or facilities im-*  
13 *provement project grants in excess of \$100,000 that are pro-*  
14 *vided to tribally controlled grant schools under Public Law*  
15 *100–297, as amended: Provided further, That the Secretary*  
16 *shall evaluate applications to determine whether there is*  
17 *sufficient organizational management, engineering and fi-*  
18 *nancial management capabilities to assure that the con-*  
19 *struction project will conform to appropriate Federal, trib-*  
20 *al, State and local building standards and requirements in-*  
21 *cluding 25 USC 2005(a): Provided further, That the costs*  
22 *will be fair and reasonable: Provided further, That where*  
23 *these capabilities are determined by the Secretary to be in-*  
24 *sufficient, the Secretary may provide technical assistance*  
25 *subject to the availability of appropriations, or will follow*

1 *the procedures in Public Law 93-638, as amended, in Sec-*  
 2 *tion 105(a): Provided further, That the Secretary is to in-*  
 3 *sure that personnel authorized to award and administer*  
 4 *new construction or facilities improvement project grants*  
 5 *in excess of \$100,000 under Public Law 100-297 are prop-*  
 6 *erly trained and qualified.*

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

9 For miscellaneous payments to Indian tribes and in-  
 10 dividuals and for necessary administrative expenses,  
 11 ~~(53)\$82,896,000~~ \$77,096,000, to remain available until  
 12 expended; of which ~~(54)\$78,851,000~~ \$73,051,000 shall be  
 13 available for implementation of enacted Indian land and  
 14 water claim settlements pursuant to Public Laws 87-483,  
 15 97-293, 101-618, 102-374, 102-441, 102-575, and  
 16 103-116, and for implementation of other enacted water  
 17 rights settlements, including not to exceed \$8,000,000,  
 18 which shall be for the Federal share of the Catawba Indian  
 19 Tribe of South Carolina Claims Settlement, as authorized  
 20 by section 5(a) of Public Law 103-116; and of which  
 21 \$1,045,000 shall be available pursuant to Public Laws  
 22 98-500, 99-264, and 100-580; and of which \$3,000,000  
 23 shall be available (1) to liquidate obligations owed tribal  
 24 and individual Indian payees of any checks canceled pur-  
 25 suant to section 1003 of the Competitive Equality Bank-  
 26 ing Act of 1987 (Public Law 100-86 (101 Stat. 659)),

1 31 U.S.C. 3334(b), (2) to restore to Individual Indian  
2 Monies trust funds, Indian Irrigation Systems, and Indian  
3 Power Systems accounts amounts invested in credit  
4 unions or defaulted savings and loan associations and  
5 which were not Federally insured, including any interest  
6 on these amounts that may have been earned, but was  
7 not because of the default, and (3) to reimburse Indian  
8 trust fund account holders for losses to their respective  
9 accounts where the claim for said loss(es) has been re-  
10 duced to a judgment or settlement agreement approved  
11 by the Department of Justice.

12           **(55)** *NAVAJO REHABILITATION TRUST FUND*

13           *For Navajo tribal rehabilitation and improvement ac-*  
14 *tivities in accordance with the provisions of section 32(d)*  
15 *of Public Law 93-531, as amended (25 U.S.C. 640d-30),*  
16 *including necessary administrative expenses, \$2,466,000, to*  
17 *remain available until expended.*

18           TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

19           For payment of management and technical assistance  
20 requests associated with loans and grants approved under  
21 the Indian Financing Act of 1974, as amended,  
22 \$1,970,000.

23           INDIAN DIRECT LOAN PROGRAM ACCOUNT

24           For the cost, as defined in section 13201 of the  
25 Budget Enforcement Act of 1990, including the cost of  
26 modifying loans, of expert assistance loans authorized by

1 the Act of November 4, 1963, as amended, and the cost  
2 of direct loans authorized by the Indian Financing Act of  
3 1974, as amended, \$2,484,000: *Provided*, That these  
4 funds are available to subsidize gross obligations for the  
5 principal amount of direct loans not to exceed  
6 \$10,890,000.

7 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

8 For the cost of guaranteed loans, \$8,784,000, as au-  
9 thorized by the Indian Financing Act of 1974, as amend-  
10 ed: *Provided*, That such costs including the cost of modify-  
11 ing such loans, shall be as defined in section 502 of the  
12 Congressional Budget Act of 1974, as amended: *Provided*  
13 *further*, That these funds are available to subsidize total  
14 loan principal any part of which is to be guaranteed not  
15 to exceed \$46,900,000.

16 In addition, for administrative expenses necessary to  
17 carry out the guaranteed loan program, \$906,000.

18 ADMINISTRATIVE PROVISIONS

19 Appropriations for the Bureau of Indian Affairs (ex-  
20 cept the revolving fund for loans, the Indian loan guaran-  
21 tee and insurance fund, the Technical Assistance of Indian  
22 Enterprises account, the Indian Direct Loan Program ac-  
23 count, and the Indian Guaranteed Loan Program account)  
24 shall be available for expenses of exhibits, and purchase  
25 of not to exceed 255 passenger carrying motor vehicles,  
26 of which not to exceed 210 shall be for replacement only.

## 1 TERRITORIAL AND INTERNATIONAL AFFAIRS

## 2 ADMINISTRATION OF TERRITORIES

3 For expenses necessary for the administration of ter-  
4 ritories under the jurisdiction of the Department of the  
5 Interior, ~~(56)\$83,139,000~~ \$77,339,000 of which (1)  
6 ~~(57)\$78,962,000~~ \$72,962,000 shall be available until ex-  
7 pended for technical assistance, including maintenance as-  
8 sistance, disaster assistance, drug interdiction and abuse  
9 prevention, insular management controls, and brown tree  
10 snake control and research; grants to the judiciary in  
11 American Samoa for compensation and expenses, as au-  
12 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-  
13 ment of American Samoa, in addition to current local rev-  
14 enues, for construction and support of governmental func-  
15 tions; grants to the Government of the Virgin Islands as  
16 authorized by law; grants to the Government of Guam,  
17 as authorized by law; and grants to the Government of  
18 the Northern Mariana Islands as authorized by law (Pub-  
19 lic Law 94-241; 90 Stat. 272); and (2) ~~(58)\$4,177,000~~  
20 \$4,377,000 shall be available for salaries and expenses of  
21 the Office of Territorial and International Affairs: *Pro-*  
22 *vided*, That all financial transactions of the territorial and  
23 local governments herein provided for, including such  
24 transactions of all agencies or instrumentalities estab-  
25 lished or utilized by such governments, ~~(59)shall~~ *may* be

1 audited by the General Accounting Office, (60) *at its dis-*  
2 *cretion*, in accordance with chapter 35 of title 31, United  
3 States Code: *Provided further*, That Northern Mariana Is-  
4 lands Covenant grant funding shall be provided according  
5 to those terms of the Agreement of the Special Represent-  
6 atives on Future United States Financial Assistance for  
7 the Northern Mariana Islands approved by Public Law  
8 99-396, or any subsequent legislation related to Common-  
9 wealth of the Northern Mariana Islands Covenant grant  
10 funding, except that should the Secretary of the Interior  
11 believe that the performance standards of such agreement  
12 are not being met, operations funds may be withheld, but  
13 only by Act of Congress as required by Public Law 99-  
14 396: *Provided further*, That \$1,025,000 of the amounts  
15 provided for technical assistance shall be available for a  
16 grant to the Close Up Foundation: *Provided further*, That  
17 the funds for the program of operations and maintenance  
18 improvement are appropriated to institutionalize routine  
19 operations and maintenance of capital infrastructure in  
20 American Samoa, Guam, the Virgin Islands, the Common-  
21 wealth of the Northern Mariana Islands, the Republic of  
22 Palau, the Republic of the Marshall Islands, and the Fed-  
23 erated States of Micronesia through assessments of long-  
24 range operations and maintenance needs, improved capa-  
25 bility of local operations and maintenance institutions and

1 agencies (including management and vocational education  
2 training), and project-specific maintenance (with terri-  
3 torial participation and cost sharing to be determined by  
4 the Secretary based on the individual territory's commit-  
5 ment to timely maintenance of its capital assets): *Provided*  
6 *further*, That any appropriation for disaster assistance  
7 under this head in this Act or previous appropriations Acts  
8 may be used as non-Federal matching funds for the pur-  
9 pose of hazard mitigation grants provided pursuant to sec-  
10 tion 404 of the Robert T. Stafford Disaster Relief and  
11 Emergency Assistance Act (42 U.S.C. 5170c).

12 TRUST TERRITORY OF THE PACIFIC ISLANDS

13 ~~(61) For expenses necessary for the Department of~~  
14 ~~the Interior in administration of the Trust Territory of~~  
15 ~~the Pacific Islands pursuant to the Trusteeship Agreement~~  
16 ~~approved by joint resolution of July 18, 1947 (61 Stat.~~  
17 ~~397), and the Act of June 30, 1954 (68 Stat. 330), as~~  
18 ~~amended (90 Stat. 299; 91 Stat. 1159; 92 Stat. 495), and~~  
19 ~~grants to the Trust Territory of the Pacific Islands, in~~  
20 ~~addition to local revenues, for support of governmental~~  
21 ~~functions; \$2,900,000, to remain available until expended:~~  
22 ~~*Provided*, That all financial transactions of the Trust Ter-~~  
23 ~~ritory, including such transactions of all agencies or in-~~  
24 ~~strumentalities established or utilized by such Trust Terri-~~  
25 ~~tory, shall be audited by the General Accounting Office,~~

1 in accordance with chapter 35 of title 31, United States  
2 Code.

3 *For expenses necessary for the Department of the Inte-*  
4 *rior in administration of the Trust Territory of the Pacific*  
5 *Islands pursuant to the Trusteeship Agreement approved by*  
6 *joint resolution of July 18, 1947 (61 Stat. 397), and the*  
7 *Act of June 30, 1954 (68 Stat. 330), as amended (90 Stat.*  
8 *299; 91 Stat 1159; 92 Stat. 495), and grants to the Trust*  
9 *Territory of the Pacific Islands, in addition to local reve-*  
10  *nues, for support of governmental functions, \$19,838,000 to*  
11 *be available until expended, including \$18,464,000 for oper-*  
12 *ations of the Government of Palau: Provided, That all fi-*  
13 *nancial transactions of the Trust Territory, including such*  
14 *transactions of all agencies or instrumentalities established*  
15 *or utilized by such Trust Territory, may be audited by the*  
16 *General Accounting Office, at its discretion, in accordance*  
17 *with chapter 35 of title 31, United States Code: Provided*  
18 *further, That all Government operations funds appro-*  
19 *priated and obligated for the Republic of Palau under this*  
20 *account for fiscal year 1995, except for \$692,000 for special*  
21 *programs, shall be credited as an off-set against fiscal year*  
22 *1995 payments made pursuant to the Compact of Free As-*  
23 *sociation (Public Law 99-658), if such Compact is imple-*  
24 *mented before October 1, 1995: Provided further, That not*  
25 *less than \$300,000 of the grants to the Republic of Palau,*

1 *for support of governmental functions, shall be dedicated*  
 2 *to the College of Micronesia in accordance with the agree-*  
 3 *ment between the Micronesian entities.*

4 COMPACT OF FREE ASSOCIATION

5 For economic assistance and necessary expenses for  
 6 the Federated States of Micronesia and the Republic of  
 7 the Marshall Islands as provided for in sections 122, 221,  
 8 223, 232, and 233 of the Compacts of Free Association,  
 9 ~~(62)~~\$25,102,000 *\$20,602,000*, to remain available until  
 10 expended, as authorized by Public Law 99-239~~(63)~~; ~~and~~  
 11 ~~in addition, for special assistance as authorized by Public~~  
 12 ~~Law 101-219, and for economic assistance and necessary~~  
 13 ~~expenses for the Republic of Palau as provided for in Sec-~~  
 14 ~~tions 122, 221, 223, 232, and 233 of the Compact of Free~~  
 15 ~~Association, \$7,556,000, to remain available until ex-~~  
 16 ~~pended, as authorized by Public Law 99-658(64):~~ *Pro-*  
 17 *vided, That the effective date of the Palau Compact for pur-*  
 18 *poses of economic assistance pursuant to the Palau Com-*  
 19 *compact of Free Association, Public Law 99-658, shall be the*  
 20 *effective date of the Palau compact as determined pursuant*  
 21 *to section 101 of Public Law 101-219.*

22 DEPARTMENTAL OFFICES

23 OFFICE OF THE SECRETARY

24 SALARIES AND EXPENSES

25 For necessary expenses of the Office of the Secretary  
 26 of the Interior, \$62,599,000 of which not to exceed \$7,500

1 may be for official reception and representation expenses:  
 2 *Provided*, That of the offsetting collections credited to this  
 3 account, \$1,184,000 are permanently canceled.

4 OFFICE OF THE SOLICITOR

5 SALARIES AND EXPENSES

6 For necessary expenses of the Office of the Solicitor,  
 7 ~~(65)\$35,374,000~~ \$32,548,000.

8 OFFICE OF INSPECTOR GENERAL

9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of Inspector  
 11 General, \$23,985,000.

12 CONSTRUCTION MANAGEMENT

13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of Construction  
 15 Management, \$2,000,000.

16 NATIONAL INDIAN GAMING COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the National Indian Gam-  
 19 ing Commission, pursuant to Public Law 100-497,  
 20 \$1,000,000.

21 ADMINISTRATIVE PROVISIONS

22 There is hereby authorized for acquisition from avail-  
 23 able resources within the Working Capital Fund, 18 air-  
 24 craft, 10 of which shall be for replacement and which may  
 25 be obtained by donation, purchase or through available ex-  
 26 cess surplus property: *Provided*, That notwithstanding any

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

9 GENERAL PROVISIONS, DEPARTMENT OF THE  
10 INTERIOR

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

1 plished by a supplemental appropriation which must be  
2 requested as promptly as possible.

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

1 That appropriations made in this title for fire suppression  
2 purposes shall be available for the payment of obligations  
3 incurred during the preceding fiscal year, and for reim-  
4 bursement to other Federal agencies for destruction of ve-  
5 hicles, aircraft, or other equipment in connection with  
6 their use for fire suppression purposes, such reimburse-  
7 ment to be credited to appropriations currently available  
8 at the time of receipt thereof: *Provided further*, That for  
9 emergency rehabilitation and wildfire suppression activi-  
10 ties, no funds shall be made available under this authority  
11 until funds appropriated to the “Emergency Department  
12 of the Interior Firefighting Fund” shall have been ex-  
13 hausted: *Provided further*, That all funds used pursuant  
14 to this section are hereby designated by Congress to be  
15 “emergency requirements” pursuant to section  
16 251(b)(2)(D) of the Balanced Budget and Emergency  
17 Deficit Control Act of 1985 and must be replenished by  
18 a supplemental appropriation which must be requested as  
19 promptly as possible: *Provided further*, That such replen-  
20 ishment funds shall be used to reimburse, on a pro rata  
21 basis, accounts from which emergency funds were trans-  
22 ferred.

23 SEC. 103. Appropriations made in this title shall be  
24 available for operation of warehouses, garages, shops, and  
25 similar facilities, wherever consolidation of activities will

1 contribute to efficiency or economy, and said appropria-  
2 tions shall be reimbursed for services rendered to any  
3 other activity in the same manner as authorized by sec-  
4 tions 1535 and 1536 of title 31, U.S.C.: *Provided*, That  
5 reimbursements for costs and supplies, materials, equip-  
6 ment, and for services rendered may be credited to the  
7 appropriation current at the time such reimbursements  
8 are received.

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

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

1        SEC. 106. Appropriations made in this title shall be  
2 available for obligation in connection with contracts issued  
3 ~~(66) by the General Services Administration~~ for services  
4 or rentals for periods not in excess of twelve months begin-  
5 ning at any time during the fiscal year.

6        SEC. 107. No funds provided in this title may be ex-  
7 pended by the Department of the Interior for the conduct  
8 of offshore leasing and related activities placed under re-  
9 striction in the President's moratorium statement of June  
10 26, 1990, in the areas of Northern, Central, and Southern  
11 California; the North Atlantic; Washington and Oregon;  
12 and the Eastern Gulf of Mexico south of 26 degrees north  
13 latitude and east of 86 degrees west longitude.

14        SEC. 108. No funds provided in this title may be ex-  
15 pended by the Department of the Interior for the conduct  
16 of leasing, or the approval or permitting of any drilling  
17 or other exploration activity, on lands within the North  
18 Aleutian Basin planning area.

19        SEC. 109. No funds provided in this title may be ex-  
20 pended by the Department of the Interior for the conduct  
21 of preleasing and leasing activities in the Eastern Gulf of  
22 Mexico for Outer Continental Shelf Lease Sale 151 in the  
23 Outer Continental Shelf Natural Gas and Oil Resource  
24 Management Comprehensive Program, 1992-1997.

1        SEC. 110. No funds provided in this title may be ex-  
2        pended by the Department of the Interior for the conduct  
3        of preleasing and leasing activities in the Atlantic for  
4        Outer Continental Shelf Lease Sale 164 in the Outer Con-  
5        tinental Shelf Natural Gas and Oil Resource Management  
6        Comprehensive Program, 1992–1997.

7        SEC. 111. None of the funds in this Act may be used  
8        to publish a National final rule defining the term “valid  
9        existing rights” for purposes of section 522(e) of the Sur-  
10       face Mining Control and Reclamation Act of 1977 or to  
11       publish a final rule disapproving any existing State defini-  
12       tion of valid existing rights.

13       ~~(67)SEC. 112. None of the funds appropriated or~~  
14       ~~otherwise made available pursuant to this Act shall be ob-~~  
15       ~~ligated or expended to accept or process applications for~~  
16       ~~a patent for any mining or mill site claim located under~~  
17       ~~the general mining laws or to issue a patent for any min-~~  
18       ~~ing or mill site claim located under the general mining~~  
19       ~~laws.~~

20       ~~(68)SEC. 113. The provisions of section 112 shall~~  
21       ~~not apply if the Secretary of the Interior determines that,~~  
22       ~~for the claim concerned: (1) a patent application was filed~~  
23       ~~with the Secretary on or before the date of enactment of~~  
24       ~~this Act, and (2) all requirements established under sec-~~  
25       ~~tions 2325 and 2326 of the Revised Statutes (30 U.S.C.~~

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

6 SEC. 114. Of the offsetting collections credited to  
7 public enterprise fund numbered 14-4053 in fiscal year  
8 1995, \$38,000 is permanently cancelled as a result of pro-  
9 curement cost savings.

10 ~~(69)~~SEC. 115. None of the funds available to the Na-  
11 tional Park Service in this Act may be used to process  
12 permits necessary for construction of a bridge to Ellis Is-  
13 land.

14 ~~(70)~~SEC. 116. *Notwithstanding any other provision*  
15 *of law, in fiscal year 1995 and thereafter, appropriations*  
16 *made to the Department of the Interior in this title may*  
17 *be used to fund incrementally research work orders for coop-*  
18 *erative agreements with colleges and universities, State*  
19 *agencies, and nonprofit organizations that overlap fiscal*  
20 *years: Provided, That such cooperative agreements shall*  
21 *contain a statement that "the obligation of funds for future*  
22 *incremental payments shall be subject to the availability*  
23 *of funds."*

24 ~~(71)~~SEC. 117. **EDWARDS AQUIFER.**

25 (a) *FINDINGS.—The Senate finds that—*

1           (1) *in order to avoid a water emergency in*  
2 *South Central Texas, the withdrawal of water from*  
3 *the Edwards Aquifer (designated as a sole source aquifer*  
4 *under title XIV of the Public Health Service Act*  
5 *(commonly known as the “Safe Drinking Water Act”)*  
6 *(42 U.S.C. 300f et seq.) should not be limited without*  
7 *appropriate consideration of the impacts on municipal,*  
8 *agricultural, industrial, and domestic water*  
9 *users;*

10           (2) *section 10(a) of the Endangered Species Act*  
11 *of 1973 (16 U.S.C. 1539(a)) authorizes the Secretary*  
12 *of the Interior to permit the taking of a threatened or*  
13 *endangered species incidental to an otherwise lawful*  
14 *activity, which may include the withdrawal of water*  
15 *from a sole source aquifer; and*

16           (3) *the State of Texas is working, in cooperation*  
17 *with the Department of the Interior and the Department*  
18 *of Justice, to implement the water management*  
19 *plan for the Edwards Aquifer region enacted by the*  
20 *State in 1993.*

21           (b) *SENSE OF THE SENATE.—It is the sense of the Senate*  
22 *that—*

23           (1) *the Secretary of the Interior should take*  
24 *whatever steps are necessary and allowable under law*  
25 *to minimize adverse impacts on users of the Edwards*

1     *Aquifer while conserving threatened and endangered*  
 2     *species, including issuing a permit pursuant to sec-*  
 3     *tion 10(a) of the Endangered Species Act of 1973 (16*  
 4     *U.S.C. 1539(a)); and*

5             *(2) nothing in this section should relieve any*  
 6     *person from any State or local requirement for—*

7                     *(A) water conservation or the development*  
 8             *of alternative water resources; or*

9                     *(B) strategies necessary to reduce demand*  
 10     *on the Edwards Aquifer.*

11     **(72)***SEC. 118. Within the funds provided in the En-*  
 12     *dangered Species Prelisting and Recovery Program for the*  
 13     *Fish and Wildlife Service, there is up to \$500,000 available*  
 14     *to purchase the Greenland highseas fisheries quota of Atlan-*  
 15     *tic salmon for the third and final year of the National Fish*  
 16     *and Wildlife Foundation's Atlantic Salmon Demonstration*  
 17     *Program for the Northeast.*

18                     **TITLE II—RELATED AGENCIES**

19                     **DEPARTMENT OF AGRICULTURE**

20                             **FOREST SERVICE**

21                                     **FOREST RESEARCH**

22     For necessary expenses of forest research as author-  
 23     ized by law, **(73)**~~\$201,780,000~~ *\$198,076,000*, to remain  
 24     available until September 30, 1996.

## 1 STATE AND PRIVATE FORESTRY

2 For necessary expenses of cooperating with, and pro-  
3 viding technical and financial assistance to States, Terri-  
4 tories, possessions, and others and for forest pest manage-  
5 ment activities, cooperative forestry and education and  
6 land conservation activities, ~~(74)\$158,664,000~~  
7 *\$161,511,000*, to remain available until expended, as au-  
8 thorized by law.

## 9 EMERGENCY PEST SUPPRESSION FUND

10 For necessary expenses for emergency suppression of  
11 pests, \$17,000,000, to remain available until expended:  
12 *Provided*, That these funds, or any portion thereof, shall  
13 be available in fiscal year 1995 only to the extent that  
14 the President notifies the Congress of his designation of  
15 any or all of these amounts as emergency requirements  
16 under section 251(b)(2)(D) of the Balanced Budget and  
17 Emergency Deficit Control Act of 1985: *Provided further*,  
18 That Congress hereby designates these amounts as emer-  
19 gency requirements pursuant to section 251(b)(2)(D) of  
20 the Balanced Budget and Emergency Deficit Control Act  
21 of 1985.

## 22 INTERNATIONAL FORESTRY

23 For necessary expenses of international forestry as  
24 authorized by Public Laws 101-513 and 101-624,  
25 \$7,000,000, to remain available until September 30, 1996.

## 1 NATIONAL FOREST SYSTEM

2 (INCLUDING RESCISSION OF FUNDS)

3 For necessary expenses of the Forest Service, not  
4 otherwise provided for, for management, protection, im-  
5 provement, and utilization of the National Forest System,  
6 for ecosystem planning, inventory, and monitoring, and for  
7 administrative expenses associated with the management  
8 of funds provided under the heads "Forest Research",  
9 "State and Private Forestry", "National Forest System",  
10 "Construction", "Forest Service Fire Protection", "Emer-  
11 gency Forest Service Firefighting Fund", and "Land Ac-  
12 quisition" ~~(75)\$1,348,162,000~~ \$1,334,857,000, to remain  
13 available for obligation until September 30, 1996, and in-  
14 cluding 65 per centum of all monies received during the  
15 prior fiscal year as fees collected under the Land and  
16 Water Conservation Fund Act of 1965, as amended, in  
17 accordance with section 4 of the Act (16 U.S.C. 460l-  
18 6a(i)): *Provided*, That unobligated and unexpended bal-  
19 ances in the National Forest System account at the end  
20 of fiscal year 1994, shall be merged with and made a part  
21 of the fiscal year 1995 National Forest System appropria-  
22 tion, and shall remain available for obligation until Sep-  
23 tember 30, 1996: *Provided further*, That up to \$5,000,000  
24 of the funds provided herein for road maintenance shall  
25 be available for the planned obliteration of roads which

1 are no longer needed: *Provided further*, That funds in the  
2 amount of \$12,000,000 provided under this head in prior  
3 years' appropriations Acts for fire management are  
4 rescinded(76): *Provided further*, That timber volume au-  
5 thorized or scheduled for sale during fiscal year 1994, but  
6 which remains unsold at the end of fiscal year 1994, shall  
7 be offered for sale during fiscal year 1995 in addition to  
8 the fiscal year 1995 timber sale volume to the extent pos-  
9 sible.

10 FOREST SERVICE FIRE PROTECTION

11 For necessary expenses for firefighting on or adjacent  
12 to National Forest System lands or other lands under fire  
13 protection agreement, and for forest fire management and  
14 presuppression on National Forest System lands,  
15 (77)\$160,590,000 \$156,908,000, to remain available until  
16 expended: *Provided*, That unexpended balances of  
17 amounts previously appropriated for this purpose under  
18 the heading "Forest Service Firefighting", Forest Service,  
19 may be transferred to and merged with this appropriation  
20 and accounted for as one appropriation for the same time  
21 period as originally enacted.

22 EMERGENCY FOREST SERVICE FIREFIGHTING FUND

23 For necessary expenses for emergency rehabilitation,  
24 presuppression due to emergencies or economic efficiency,  
25 and wildfire suppression activities of the Forest Service,  
26 \$226,200,000, to remain available until expended: *Pro-*

1 *vided*, That such funds are available for repayment of ad-  
 2 vances from other appropriation accounts previously  
 3 transferred for such purposes.

4 CONSTRUCTION

5 For necessary expenses of the Forest Service, not  
 6 otherwise provided for, for construction,  
 7 ~~(78)\$191,740,000~~ \$219,234,000, to remain available until  
 8 expended, of which ~~(79)\$70,367,000~~ \$70,367,000 is for  
 9 construction and acquisition of buildings and other facili-  
 10 ties; and ~~(80)\$121,399,000~~ \$148,867,000 is for construc-  
 11 tion and repair of forest roads and trails by the Forest  
 12 Service as authorized by 16 U.S.C. 532–538 and 23  
 13 U.S.C. 101 and 205: *Provided*, That funds becoming avail-  
 14 able in fiscal year 1994 under the Act of March 4, 1913  
 15 (16 U.S.C. 501) shall be transferred to the General Fund  
 16 of the Treasury of the United States: *Provided further*,  
 17 That not to exceed \$50,000,000, to remain available until  
 18 expended, may be obligated for the construction of forest  
 19 roads by timber purchasers.

20 LAND ACQUISITION

21 For expenses necessary to carry out the provisions  
 22 of the Land and Water Conservation Fund Act of 1965,  
 23 as amended (16 U.S.C. 460l–4–11), including administra-  
 24 tive expenses, and for acquisition of land or waters, or in-  
 25 terest therein, in accordance with statutory authority ap-  
 26 plicable to the Forest Service, ~~(81)\$61,131,000~~

1 *\$60,541,000*, to be derived from the Land and Water Con-  
2 servation Fund, to remain available until expended.

3 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL  
4 ACTS

5 For acquisition of lands within the exterior bound-  
6 aries of the Cache, Uinta, and Wasatch National Forests,  
7 Utah; the Toiyabe National Forest, Nevada; and the An-  
8 geles, San Bernardino, Sequoia, and Cleveland National  
9 Forests, California, as authorized by law, \$1,252,000, to  
10 be derived from forest receipts.

11 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

12 For acquisition of lands, to be derived from funds de-  
13 posited by State, county, or municipal governments, public  
14 school districts, or other public school authorities pursuant  
15 to the Act of December 4, 1967, as amended (16 U.S.C.  
16 484a), to remain available until expended.

17 RANGE BETTERMENT FUND

18 For necessary expenses of range rehabilitation, pro-  
19 tection, and improvement, 50 per centum of all moneys  
20 received during the prior fiscal year, as fees for grazing  
21 domestic livestock on lands in National Forests in the six-  
22 teen Western States, pursuant to section 401(b)(1) of  
23 Public Law 94-579, as amended, to remain available until  
24 expended, of which not to exceed 6 per centum shall be  
25 available for administrative expenses associated with on-

1 the-ground range rehabilitation, protection, and improve-  
2 ments.

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

5 For expenses authorized by 16 U.S.C. 1643(b),  
6 \$89,000, to remain available until expended, to be derived  
7 from the fund established pursuant to the above Act.

8 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

9 Appropriations to the Forest Service for the current  
10 fiscal year shall be available for: (a) purchase of not to  
11 exceed 156 passenger motor vehicles of which 15 will be  
12 used primarily for law enforcement purposes and of which  
13 148 shall be for replacement only; acquisition of 79 pas-  
14 senger motor vehicles from excess sources, and hire of  
15 such vehicles; operation and maintenance of aircraft, the  
16 purchase of not to exceed two for replacement only, and  
17 acquisition of 14 aircraft from excess sources; notwith-  
18 standing other provisions of law, existing aircraft being  
19 replaced may be sold, with proceeds derived or trade-in  
20 value used to offset the purchase price for the replacement  
21 aircraft; (b) services pursuant to the second sentence of  
22 section 706(a) of the Organic Act of 1944 (7 U.S.C.  
23 2225), and not to exceed \$100,000 for employment under  
24 5 U.S.C. 3109; (c) purchase, erection, and alteration of  
25 buildings and other public improvements (7 U.S.C. 2250);  
26 (d) acquisition of land, waters, and interests therein, pur-

1 suant to the Act of August 3, 1956 (7 U.S.C. 428a); (e)  
2 for expenses pursuant to the Volunteers in the National  
3 Forest Act of 1972 (16 U.S.C. 558a, 558d, 558a note);  
4 and (f) for debt collection contracts in accordance with  
5 31 U.S.C. 3718(c).

6       None of the funds made available under this Act shall  
7 be obligated or expended to change the boundaries of any  
8 region, to abolish any region, to move or close any regional  
9 office for research, State and private forestry, or National  
10 Forest System administration of the Forest Service, De-  
11 partment of Agriculture, without the consent of the House  
12 and Senate Committees on Appropriations and the Com-  
13 mittee on Agriculture, Nutrition, and Forestry in the  
14 United States Senate and the Committee on Agriculture  
15 in the United States House of Representatives.

16       Any appropriations or funds available to the Forest  
17 Service may be advanced to the Forest Service Firefight-  
18 ing appropriation and may be used for forest firefighting  
19 and the emergency rehabilitation of burned-over lands  
20 under its jurisdiction: *Provided*, That no funds shall be  
21 made available under this authority until funds appro-  
22 priated to the “Emergency Forest Service Firefighting  
23 Fund” shall have been exhausted.

1       The appropriation structure for the Forest Service  
2 may not be altered without advanced approval of the  
3 House and Senate Committees on Appropriations.

4       Funds appropriated to the Forest Service shall be  
5 available for assistance to or through the Agency for Inter-  
6 national Development and the Office of International Co-  
7 operation and Development in connection with forest and  
8 rangeland research, technical information, and assistance  
9 in foreign countries, and shall be available to support for-  
10 estry and related natural resource activities outside the  
11 United States and its territories and possessions, includ-  
12 ing technical assistance, education and training, and co-  
13 operation with United States and international organiza-  
14 tions.

15       None of the funds made available to the Forest Serv-  
16 ice under this Act shall be subject to transfer under the  
17 provisions of section 702(b) of the Department of Agri-  
18 culture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C.  
19 147b unless the proposed transfer is approved in advance  
20 by the House and Senate Committees on Appropriations  
21 in compliance with the reprogramming procedures con-  
22 tained in the report accompanying this Act.

23       No funds appropriated to the Forest Service shall be  
24 transferred to the Working Capital Fund of the Depart-

1 ment of Agriculture without the approval of the Chief of  
2 the Forest Service.

3       Notwithstanding any other provision of law, any ap-  
4 propriations or funds available to the Forest Service may  
5 be used to disseminate program information to private and  
6 public individuals and organizations through the use of  
7 nonmonetary items of nominal value and to provide  
8 nonmonetary awards of nominal value and to incur nec-  
9 essary expenses for the nonmonetary recognition of private  
10 individuals and organizations that make contributions to  
11 Forest Service programs.

12       Notwithstanding any other provision of law, money  
13 collected, in advance or otherwise, by the Forest Service  
14 under authority of section 101 of Public Law 93-153 (30  
15 U.S.C. 185(1)) as reimbursement of administrative and  
16 other costs incurred in processing pipeline right-of-way or  
17 permit applications and for costs incurred in monitoring  
18 the construction, operation, maintenance, and termination  
19 of any pipeline and related facilities, may be used to reim-  
20 burse the applicable appropriation to which such costs  
21 were originally charged.

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

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

3       None of the funds available in this Act shall be used  
4 for timber sale preparation using clearcutting in hardwood  
5 stands in excess of 25 percent of the fiscal year 1989 har-  
6 vested volume in the Wayne National Forest, Ohio: *Pro-*  
7 *vided*, That this limitation shall not apply to hardwood  
8 stands damaged by natural disaster: *Provided further*,  
9 That landscape architects shall be used to maintain a vis-  
10 ually pleasing forest.

11       Any money collected from the States for fire suppres-  
12 sion assistance rendered by the Forest Service on non-  
13 Federal lands not in the vicinity of National Forest Sys-  
14 tem lands shall be used to reimburse the applicable appro-  
15 priation and shall remain available until expended as the  
16 Secretary may direct in conducting activities authorized  
17 by 16 U.S.C. 2101 (note), 2101-2110, 1606, and 2111.

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

21       Notwithstanding any other provision of law, the For-  
22 est Service is authorized to employ or otherwise contract  
23 with persons at regular rates of pay, as determined by the  
24 Service, to perform work occasioned by emergencies such  
25 as fires, storms, floods, earthquakes or any other unavoid-

1 able cause without regard to Sundays, Federal holidays,  
2 and the regular workweek.

3 ~~(82)None of the funds available in this Act shall be~~  
4 ~~used for preparation of timber sales using clearcutting or~~  
5 ~~other forms of even aged management in hardwood stands~~  
6 ~~in the Shawnee National Forest, Illinois.~~

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

13 None of the funds made available in this Act shall  
14 be used for timber sale planning or scoping using  
15 clearcutting in the Ouachita and Ozark-St. Francis Na-  
16 tional Forests in Arkansas, except for sales that are nec-  
17 essary as a result of natural disaster or a threat to forest  
18 health, or for maintaining or enhancing wildlife habitat,  
19 or habitat for endangered and threatened species, or for  
20 research purposes.

21 Pursuant to section 405(b), and section 410(b) of  
22 Public Law 101-593, of the funds available to the Forest  
23 Service, up to \$1,000,000 for matching funds shall be  
24 available for the National Forest Foundation.

1 Funds appropriated to the Forest Service shall be  
2 available for interactions with and providing technical as-  
3 sistance to rural communities for sustainable rural devel-  
4 opment purposes.

5 **(83)** *The Secretary of Agriculture, acting through the*  
6 *Forest Service, shall reimburse the Agricultural Stabiliza-*  
7 *tion and Conservation Service for administrative costs in-*  
8 *curred under the Stewardship Incentive Program for the*  
9 *actual cost of services provided by the Agricultural Sta-*  
10 *bilization and Conservation Service, except that the total*  
11 *costs shall not exceed 10 percent of the total annual appro-*  
12 *priation for the program.*

13 **(84)** *The Secretary of Agriculture is authorized to uti-*  
14 *lize \$10,600,000 taken from the fiscal year 1995 appro-*  
15 *priated National Forest System account to provide for all*  
16 *costs necessary to prepare, offer and administer completely*  
17 *timber sales other than those funded by the regular fiscal*  
18 *year 1995 timber sales program in regions 2, 3, 8 and 9*  
19 *with a contract term not to exceed one year: Provided, That*  
20 *the Secretary of Agriculture shall execute the contracts*  
21 *funded with his authority so that these funds are offset fully*  
22 *in the same fiscal year by increased receipts net of pay-*  
23 *ments to States, and that an amount not to exceed*  
24 *\$10,600,000 is returned by the Secretary to the account*  
25 *from which the funds were drawn: Provided further, That*

1 *any such sales shall comply with all applicable laws and*  
2 *regulations: Provided further, That transfer of purchaser*  
3 *credits shall not be used in payment for timber sold under*  
4 *this initiative: Provided further, That no timber sales au-*  
5 *thorized under this section shall substitute for timber sales*  
6 *that would otherwise generate receipts contributing to the*  
7 *Congressional Budget Office February 1994 Timber Receipt*  
8 *Baseline for fiscal year 1995: Provided further, That funds*  
9 *shall be returned to the account and available for spending*  
10 *as offsetting collections only if and to the extent that total*  
11 *National Forest Fund timber receipts of the Forest Service*  
12 *(excluding amounts for deposit funds) in fiscal year 1995*  
13 *exceed \$420,000,000: Provided further, That funds provided*  
14 *under this authority remain available to the Secretary until*  
15 *expended.*

16       **(85)** *None of the funds made available to the Forest*  
17 *Service under this Act may be used by the Secretary of Ag-*  
18 *riculture to prescribe and implement regulations relating*  
19 *to law enforcement activities of the Forest Service, unless,*  
20 *notwithstanding section 553 of title 5, United States Code,*  
21 *not later than 90 days before the date on which the Sec-*  
22 *retary prescribes final regulations relating to such activi-*  
23 *ties, the Secretary provides a copy of proposed regulations*  
24 *relating to such activities to the Committee on Agriculture,*  
25 *Nutrition, and Forestry of the Senate and the Committee*

1 *on Agriculture of the House of Representatives for review*  
 2 *and comment by such committees.*

3 DEPARTMENT OF ENERGY

4 CLEAN COAL TECHNOLOGY

5 The first paragraph under this head in Public Law  
 6 101-512, as amended, is further amended by striking the  
 7 phrase “\$100,000,000 on October 1, 1994, and  
 8 \$50,000,000 on October 1, 1995” and inserting  
 9 “\$18,000,000 on October 1, 1994, \$100,000,000 on Octo-  
 10 ber 1, 1995, and \$32,000,000 on October 1, 1996”; and  
 11 by striking the phrase “\$275,000,000 on October 1, 1994,  
 12 and \$100,000,000 on October 1, 1995” and inserting  
 13 “\$19,121,000 on October 1, 1994, \$100,000,000 on Octo-  
 14 ber 1, 1995, and \$255,879,000 on October 1, 1996”: *Pro-*  
 15 *vided*, That not to exceed \$18,000,000 available in fiscal  
 16 year 1995 may be used for administrative oversight of the  
 17 Clean Coal Technology program.

18 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses in carrying out fossil energy  
 21 research and development activities, under the authority  
 22 of the Department of Energy Organization Act (Public  
 23 Law 95-91), including the acquisition of interest, includ-  
 24 ing defeasible and equitable interests in any real property  
 25 or any facility or for plant or facility acquisition or expan-  
 26 sion, ~~(86)\$445,544,000~~ \$436,451,000, to remain available

1 until expended, of which \$17,000,000 shall be derived by  
 2 transfer of unobligated balances from the "SPR petroleum  
 3 account": *Provided*, That no part of the sum herein made  
 4 available shall be used for the field testing of nuclear ex-  
 5 plosives in the recovery of oil and gas.

6                   ALTERNATIVE FUELS PRODUCTION  
 7                   (INCLUDING TRANSFER OF FUNDS)

8       Monies received as investment income on the prin-  
 9 cipal amount in the Great Plains Project Trust at the  
 10 Norwest Bank of North Dakota, in such sums as are  
 11 earned as of October 1, 1994, shall be deposited in this  
 12 account and immediately transferred to the General Fund  
 13 of the Treasury. Monies received as revenue sharing from  
 14 the operation of the Great Plains Gasification Plant shall  
 15 be immediately transferred to the General Fund of the  
 16 Treasury.

17                   NAVAL PETROLEUM AND OIL SHALE RESERVES

18       For necessary expenses in carrying out naval petro-  
 19 leum and oil shale reserve activities, ~~(87)\$193,956,000~~  
 20 *\$187,406,000*, to remain available until expended: *Pro-*  
 21 *vided*, That the requirements of 10 U.S.C. 7430(b)(2)(B)  
 22 shall not apply in fiscal year 1995.

23                   ENERGY CONSERVATION

24       For necessary expenses in carrying out energy con-  
 25 servation activities, ~~(88)\$824,585,000~~ *\$743,741,000*, to  
 26 remain available until expended, including, notwithstand-

1 ing any other provision of law, the excess amount for fiscal  
 2 year 1995 determined under the provisions of section  
 3 3003(d) of Public Law 99-509 (15 U.S.C. 4502): *Pro-*  
 4 *vided*, That ~~(89)\$283,199,000~~ \$265,024,000 shall be for  
 5 use in energy conservation programs as defined in section  
 6 3008(3) of Public Law 99-509 (15 U.S.C. 4507) and shall  
 7 not be available until excess amounts are determined  
 8 under the provisions of section 3003(d) of Public Law 99-  
 9 509 (15 U.S.C. 4502): *Provided further*, That notwith-  
 10 standing section 3003(d)(2) of Public Law 99-509 such  
 11 sums shall be allocated to the eligible programs as follows:  
 12 ~~(90)\$230,800,000~~ \$212,800,000 for the weatherization  
 13 assistance program, ~~(91)\$23,339,000~~ \$23,164,000 for the  
 14 State energy conservation program, and \$29,060,000 for  
 15 the institutional conservation program~~(92)~~, *which shall be*  
 16 *reduced by their proportionate share of the general reduc-*  
 17 *tion to be applied on a pro rata basis against every pro-*  
 18 *gram, project, and activity within this account(93): Pro-*  
 19 *vided further*, That funds provided in this Act for the  
 20 weatherization assistance program in excess of  
 21 \$206,800,000 shall be distributed only according to a new  
 22 formula developed pursuant to Public Law 101-440.

23

## ECONOMIC REGULATION

24

For necessary expenses in carrying out the activities

25

of the Economic Regulatory Administration and the Office

1 of Hearings and Appeals, \$12,437,000, to remain avail-  
2 able until expended.

3 EMERGENCY PREPAREDNESS

4 For necessary expenses in carrying out emergency  
5 preparedness activities, \$8,249,000, to remain available  
6 until expended.

7 STRATEGIC PETROLEUM RESERVE

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses for Strategic Petroleum Re-  
10 serve facility development and operations and program  
11 management activities pursuant to the Energy Policy and  
12 Conservation Act of 1975, as amended (42 U.S.C. 6201  
13 et seq.), \$244,011,000, to remain available until expended,  
14 of which \$90,764,000 shall be derived by transfer of unob-  
15 ligated balances from the “SPR petroleum account”: *Pro-*  
16 *vided*, That appropriations herein made shall not be avail-  
17 able for leasing of facilities for the storage of crude oil  
18 for the Strategic Petroleum Reserve unless the quantity  
19 of oil stored in or deliverable to Government-owned stor-  
20 age facilities by virtue of contractual obligations is equal  
21 to 700,000,000 barrels.

22 SPR PETROLEUM ACCOUNT

23 Notwithstanding 42 U.S.C. 6240(d) the United  
24 States share of crude oil in Naval Petroleum Reserve  
25 Numbered 1 (Elk Hills) may be sold or otherwise disposed  
26 of to other than the Strategic Petroleum Reserve: *Pro-*

1 *vided*, That outlays in fiscal year 1995 resulting from the  
2 use of funds in this account shall not exceed \$9,000,000.

3 ENERGY INFORMATION ADMINISTRATION

4 For necessary expenses in carrying out the activities  
5 of the Energy Information Administration,  
6 ~~(94)\$84,728,000~~ \$84,507,000, to remain available until  
7 expended: *Provided*, That, notwithstanding section 4(d) of  
8 the Service Contract Act of 1965 (41 U.S.C. 353(d)) or  
9 any other provision of law, funds appropriated under this  
10 heading may be used to enter into a contract for end use  
11 consumption surveys for a term not to exceed eight years.

12 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

23 None of the funds made available to the Department  
24 of Energy under this Act shall be used to implement or  
25 finance authorized price support or loan guarantee pro-

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

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

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

3 The Secretary of Energy may transfer to the Emer-  
4 gency Preparedness appropriation such funds as are nec-  
5 essary to meet any unforeseen emergency needs from any  
6 funds available to the Department of Energy from this  
7 Act.

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

12 DEPARTMENT OF HEALTH AND HUMAN  
13 SERVICES

14 INDIAN HEALTH SERVICE

15 INDIAN HEALTH SERVICES

16 For expenses necessary to carry out the Act of Au-  
17 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-  
18 tion Act, the Indian Health Care Improvement Act, and  
19 titles III and XXVII and section 208 of the Public Health  
20 Service Act with respect to the Indian Health Service,  
21 ~~(95)\$1,706,102,000~~ \$1,715,052,000, together with pay-  
22 ments received during the fiscal year pursuant to 42  
23 U.S.C. 300aaa-2 for services furnished by the Indian  
24 Health Service: *Provided*, That funds made available to  
25 tribes and tribal organizations through contracts, grant

1 agreements, or any other agreements or compacts author-  
2 ized by the Indian Self-Determination and Education As-  
3 sistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450), shall  
4 be deemed to be obligated at the time of the grant or con-  
5 tract award and thereafter shall remain available to the  
6 tribe or tribal organization without fiscal year limitation:  
7 *Provided further*, That \$12,000,000 shall remain available  
8 until expended, for the Indian Catastrophic Health Emer-  
9 gency Fund: *Provided further*, That \$351,258,000 for con-  
10 tract medical care shall remain available for obligation  
11 until September 30, 1996: *Provided further*, That of the  
12 funds provided, not less than \$11,603,000 shall be used  
13 to carry out the loan repayment program under section  
14 108 of the Indian Health Care Improvement Act, as  
15 amended: *Provided further*, That funds provided in this  
16 Act may be used for one-year contracts and grants which  
17 are to be performed in two fiscal years, so long as the  
18 total obligation is recorded in the year for which the funds  
19 are appropriated: *Provided further*, That the amounts col-  
20 lected by the Secretary of Health and Human Services  
21 under the authority of title IV of the Indian Health Care  
22 Improvement Act shall be available for two fiscal years  
23 after the fiscal year in which they were collected, for the  
24 purpose of achieving compliance with the applicable condi-  
25 tions and requirements of titles XVIII and XIX of the So-

1 cial Security Act (exclusive of planning, design, or con-  
2 struction of new facilities): *Provided further*, That of the  
3 funds provided, \$7,500,000 shall remain available until ex-  
4 pended, for the Indian Self-Determination Fund, which  
5 shall be available for the transitional costs of initial or ex-  
6 panded tribal contracts, grants or cooperative agreements  
7 with the Indian Health Service under the provisions of the  
8 Indian Self-Determination Act: *Provided further*, That  
9 funding contained herein, and in any earlier appropria-  
10 tions Acts for scholarship programs under the Indian  
11 Health Care Improvement Act (25 U.S.C. 1613) shall re-  
12 main available for obligation until September 30,  
13 1996(96): *Provided further*, That within the funds pro-  
14 vided, \$250,000 shall be available for the recruitment and  
15 training of American Indians for graduate training in the  
16 field of psychology, as authorized in section 217 of the In-  
17 dian Health Care Improvement Act of 1992, Public Law  
18 102-573: *Provided further*, That amounts received by  
19 tribes and tribal organizations under title IV of the Indian  
20 Health Care Improvement Act, as amended, shall be re-  
21 ported and accounted for and available to the receiving  
22 tribes and tribal organizations until expended.

23 INDIAN HEALTH FACILITIES

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

1 including quarters for personnel; preparation of plans,  
2 specifications, and drawings; acquisition of sites, purchase  
3 and erection of modular buildings, and purchases of trail-  
4 ers; and for provision of domestic and community sanita-  
5 tion facilities for Indians, as authorized by section 7 of  
6 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian  
7 Self-Determination Act and the Indian Health Care Im-  
8 provement Act, and for expenses necessary to carry out  
9 the Act of August 5, 1954 (68 Stat. 674), the Indian Self-  
10 Determination Act, the Indian Health Care Improvement  
11 Act, and titles III and XXVII and section 208 of the Pub-  
12 lic Health Service Act with respect to environmental  
13 health and facilities support activities of the Indian Health  
14 Service, ~~(97)\$253,892,000~~ \$253,767,000, to remain avail-  
15 able until expended: *Provided*, That notwithstanding any  
16 other provision of law, funds appropriated for the plan-  
17 ning, design, construction or renovation of health facilities  
18 for the benefit of an Indian tribe or tribes may be used  
19 to purchase land for sites to construct, improve, or enlarge  
20 health or related facilities: *Provided further*, That notwith-  
21 standing any other provision of law a single procurement  
22 for the construction of the Fort Belknap, Montana health  
23 center and satellite clinic and a single procurement for  
24 construction of the White Earth, Minnesota health center  
25 may be issued which includes the full scope of the project:

1 *Provided further*, That the solicitation and the contract  
2 shall contain the clause “availability of funds” found at  
3 48 CFR 52.232.18.

4 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

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

1 Medical Care Recovery Act (42 U.S.C. 2651–53) shall be  
2 credited to the account of the facility providing the service  
3 and shall be available without fiscal year limitation: *Pro-*  
4 *vided further*, That notwithstanding any other law or regu-  
5 lation, funds transferred from the Department of Housing  
6 and Urban Development to the Indian Health Service  
7 shall be administered under Public Law 86–121 (the In-  
8 dian Sanitation Facilities Act) and Public Law 93–638,  
9 as amended: *Provided further*, That funds appropriated to  
10 the Indian Health Service in this Act, except those used  
11 for administrative and program direction purposes, shall  
12 not be subject to limitations directed at curtailing Federal  
13 travel and transportation: *Provided further*, That the In-  
14 dian Health Service shall neither bill nor charge those In-  
15 dians who may have the economic means to pay unless  
16 and until such time as Congress has agreed upon a specific  
17 policy to do so and has directed the Indian Health Service  
18 to implement such a policy: *Provided further*, That, not-  
19 withstanding any other provision of law, funds previously  
20 or herein made available to a tribe or tribal organization  
21 through a contract, grant or agreement authorized by  
22 Title I of the Indian Self-Determination and Education  
23 Assistance Act of 1975 (88 Stat. 2203; 25 U.S.C. 450),  
24 may be deobligated and reobligated to a self-governance  
25 funding agreement under Title III of the Indian Self-De-

1 termination and Education Assistance Act of 1975 and  
2 thereafter shall remain available to the tribe or tribal orga-  
3 nization without fiscal year limitation: *Provided further,*  
4 That none of the funds made available to the Indian  
5 Health Service in this Act shall be used to implement the  
6 final rule published in the Federal Register on September  
7 16, 1987, by the Department of Health and Human Serv-  
8 ices, relating to eligibility for the health care services of  
9 the Indian Health Service until the Indian Health Service  
10 has submitted a budget request reflecting the increased  
11 costs associated with the proposed final rule, and such re-  
12 quest has been included in an appropriations Act and en-  
13 acted into law: *Provided further,* That funds made avail-  
14 able in this Act are to be apportioned to the Indian Health  
15 Service as appropriated in this Act, and accounted for in  
16 the appropriation structure set forth in this Act: *Provided*  
17 *further,* That the appropriation structure for the Indian  
18 Health Service may not be altered without the advance  
19 approval of the House and Senate Committees on Appro-  
20 priations: *Provided further,* That in fiscal year 1995 and  
21 thereafter (a) the Secretary may enter into personal serv-  
22 ices contracts with entities, either individuals or organiza-  
23 tions, for the provision of services in facilities owned, oper-  
24 ated or constructed under the jurisdiction of the Indian  
25 Health Service; (b) the Secretary may exempt such a con-

1 tract from competitive contracting requirements upon ade-  
2 quate notice of contracting opportunities to individuals  
3 and organizations residing in the geographic vicinity of the  
4 health facility; (c) consideration of individuals and organi-  
5 zations shall be based solely on the qualifications estab-  
6 lished for the contract and the proposed contract price;  
7 and (d) individuals providing health care services pursuant  
8 to these contracts are covered by the Federal Tort Claims  
9 Act**(98)**: *Provided further, That notwithstanding any*  
10 *other provision of law, the Indian Health Service clinic in*  
11 *Stilwell, Oklahoma shall be known and designated as the*  
12 *“Wilma P. Mankiller Indian Health Clinic”*: *Provided fur-*  
13 *ther, That any reference in a law, regulation, document,*  
14 *record, map, or other paper of the United States to the clin-*  
15 *ic referenced in the preceding proviso shall be deemed to*  
16 *be a reference to the “Wilma P. Mankiller Indian Health*  
17 *Clinic”***(99)**: *Provided further, That money collected for*  
18 *meals served at Indian Health Service facilities will be*  
19 *credited to the appropriations from which the services were*  
20 *furnished and shall be credited to the appropriation when*  
21 *received***(100)**: *Provided further, That notwithstanding*  
22 *any other provision of law, any locality qualified to select*  
23 *land as a Native village under the Alaska Native Claims*  
24 *Settlement Act (Public Law 92-203 as amended) shall be*  
25 *eligible to participate in the sanitation facilities program:*

1 *Provided further, That such villages shall apply consistent*  
 2 *with the sanitation facilities priorities process: Provided*  
 3 *further, That any funds provided pursuant to such author-*  
 4 *ity shall not exceed the prorata share of the cost of the*  
 5 *project commensurate with the percentage of Alaska Natives*  
 6 *in the population of the affected community.*

7 DEPARTMENT OF EDUCATION

8 OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

9 INDIAN EDUCATION

10 For necessary expenses to carry out, to the extent  
 11 not otherwise provided, title VI of the Elementary and  
 12 Secondary Education Act of 1965, ~~(101)~~as amended by  
 13 the Improving America's Schools Act as passed by the  
 14 House of Representatives on March 24, 1994,  
 15 \$83,500,000: *Provided*, That \$1,735,000 available pursu-  
 16 ant to section 6203 of the Act shall remain available for  
 17 obligation until September 30, 1996.

18 OTHER RELATED AGENCIES

19 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of Navajo and  
 22 Hopi Indian Relocation as authorized by Public Law 93-  
 23 531, ~~(102)\$26,936,000~~ \$24,936,000, to remain available  
 24 until expended: *Provided*, That funds provided in this or  
 25 any other appropriations Act are to be used to relocate

1 eligible individuals and groups including evictees from Dis-  
 2 trict 6, Hopi-partitioned lands residents, those in signifi-  
 3 cantly substandard housing, and all others certified as eli-  
 4 gible and not included in the preceding categories: *Pro-*  
 5 *vided further*, That none of the funds contained in this  
 6 or any other Act may be used by the Office of Navajo  
 7 and Hopi Indian Relocation to evict any single Navajo or  
 8 Navajo family who, as of November 30, 1985, was phys-  
 9 ically domiciled on the lands partitioned to the Hopi Tribe  
 10 unless a new or replacement home is provided for such  
 11 household: *Provided further*, That no relocatee will be pro-  
 12 vided with more than one new or replacement home: *Pro-*  
 13 *vided further*, That the Office shall relocate any certified  
 14 eligible relocatees who have selected and received an ap-  
 15 proved homesite on the Navajo reservation or selected a  
 16 replacement residence off the Navajo reservation or on the  
 17 land acquired pursuant to 25 U.S.C. 640d-10.

18 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE

19 CULTURE AND ARTS DEVELOPMENT

20 PAYMENT TO THE INSTITUTE

21 For payment to the Institute of American Indian and  
 22 Alaska Native Culture and Arts Development, as author-  
 23 ized by Public Law 99-498, as amended (20 U.S.C. 56,  
 24 Part A), ~~(103)\$12,713,000~~ \$9,812,000: *Provided*, That  
 25 notwithstanding any other provision of law, the annual

1 budget proposal and justification for the Institute shall be  
2 submitted to the Congress concurrently with the submis-  
3 sion of the President's Budget to the Congress: *Provided*  
4 *further*, That the Institute shall act as its own certifying  
5 officer.

6 SMITHSONIAN INSTITUTION

7 SALARIES AND EXPENSES

8 For necessary expenses of the Smithsonian Institu-  
9 tion, as authorized by law, including research in the fields  
10 of art, science, and history; development, preservation, and  
11 documentation of the National Collections; presentation of  
12 public exhibits and performances; collection, preparation,  
13 dissemination, and exchange of information and publica-  
14 tions; conduct of education, training, and museum assist-  
15 ance programs; maintenance, alteration, operation, lease  
16 (for terms not to exceed thirty years), and protection of  
17 buildings, facilities, and approaches; not to exceed  
18 \$100,000 for services as authorized by 5 U.S.C. 3109; up  
19 to 5 replacement passenger vehicles; purchase, rental, re-  
20 pair, and cleaning of uniforms for employees;  
21 ~~(104)\$314,454,000~~ \$312,755,000, of which not to exceed  
22 \$32,000,000 for the instrumentation program, collections  
23 acquisition, Museum Support Center equipment and move,  
24 exhibition reinstallation, the National Museum of the  
25 American Indian, the repatriation of skeletal remains pro-

1 gram, research equipment, information management, and  
2 Latino programming shall remain available until expended  
3 and, including such funds as may be necessary to support  
4 American overseas research centers and a total of  
5 \$125,000 for the Council of American Overseas Research  
6 Centers: *Provided*, That funds appropriated herein are  
7 available for advance payments to independent contractors  
8 performing research services or participating in official  
9 Smithsonian presentations.

10 CONSTRUCTION AND IMPROVEMENTS, NATIONAL

11 ZOOLOGICAL PARK

12 For necessary expenses of planning, construction, re-  
13 modeling, and equipping of buildings and facilities at the  
14 National Zoological Park, by contract or otherwise,  
15 ~~(105)\$5,000,000~~ \$3,050,000, to remain available until ex-  
16 pended.

17 REPAIR AND RESTORATION OF BUILDINGS

18 For necessary expenses of repair and restoration of  
19 buildings owned or occupied by the Smithsonian Institu-  
20 tion, by contract or otherwise, as authorized by section  
21 2 of the Act of August 22, 1949 (63 Stat. 623), including  
22 not to exceed \$10,000 for services as authorized by 5  
23 U.S.C. 3109, \$24,000,000, to remain available until ex-  
24 pended: *Provided*, That contracts awarded for environ-  
25 mental systems, protection systems, and exterior repair or  
26 restoration of buildings of the Smithsonian Institution

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

3 CONSTRUCTION

4 For necessary expenses for construction,  
5 ~~(106)\$30,000,000~~ \$29,300,000, to remain available until  
6 expended: *Provided*, That notwithstanding any other pro-  
7 vision of law, a single procurement for the construction  
8 of the National Museum of the American Indian Cultural  
9 Resources Center may be issued which includes the full  
10 scope of the project: *Provided further*, That the solicitation  
11 and the contract shall contain the clause “availability of  
12 funds” found at 48 CFR 52.232.18.

13 NATIONAL GALLERY OF ART

14 SALARIES AND EXPENSES

15 For the upkeep and operations of the National Gal-  
16 lery of Art, the protection and care of the works of art  
17 therein, and administrative expenses incident thereto, as  
18 authorized by the Act of March 24, 1937 (50 Stat. 51),  
19 as amended by the public resolution of April 13, 1939  
20 (Public Resolution 9, Seventy-sixth Congress), including  
21 services as authorized by 5 U.S.C. 3109; payment in ad-  
22 vance when authorized by the treasurer of the Gallery for  
23 membership in library, museum, and art associations or  
24 societies whose publications or services are available to  
25 members only, or to members at a price lower than to the  
26 general public; purchase, repair, and cleaning of uniforms

1 for guards, and uniforms, or allowances therefor, for other  
2 employees as authorized by law (5 U.S.C. 5901–5902);  
3 purchase or rental of devices and services for protecting  
4 buildings and contents thereof, and maintenance, alter-  
5 ation, improvement, and repair of buildings, approaches,  
6 and grounds; purchase of one passenger motor vehicle for  
7 replacement only; and purchase of services for restoration  
8 and repair of works of art for the National Gallery of Art  
9 by contracts made, without advertising, with individuals,  
10 firms, or organizations at such rates or prices and under  
11 such terms and conditions as the Gallery may deem prop-  
12 er, \$53,003,000, of which not to exceed \$3,026,000 for  
13 the special exhibition program shall remain available until  
14 expended.

15 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

16 For necessary expenses of repair, restoration and  
17 renovation of buildings, grounds and facilities owned or  
18 occupied by the National Gallery of Art, by contract or  
19 otherwise, as authorized \$4,431,000, to remain available  
20 until expended: *Provided*, That contracts awarded for envi-  
21 ronmental systems, protection systems, and exterior repair  
22 or renovation of buildings of the National Gallery of Art  
23 may be negotiated with selected contractors and awarded  
24 on the basis of contractor qualifications as well as price.

1 JOHN F. KENNEDY CENTER FOR THE PERFORMING  
2 ARTS  
3 OPERATIONS AND MAINTENANCE

4 For necessary expenses for the operation, mainte-  
5 nance and security of the John F. Kennedy Center for  
6 the Performing Arts, \$10,343,000.

7 CONSTRUCTION

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

12 WOODROW WILSON INTERNATIONAL CENTER FOR  
13 SCHOLARS  
14 SALARIES AND EXPENSES

15 For expenses necessary in carrying out the provisions  
16 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.  
17 1356) including hire of passenger vehicles and services as  
18 authorized by 5 U.S.C. 3109, \$9,878,000.

19 NATIONAL FOUNDATION ON THE ARTS AND THE  
20 HUMANITIES  
21 NATIONAL ENDOWMENT FOR THE ARTS  
22 GRANTS AND ADMINISTRATION

23 For necessary expenses to carry out the National  
24 Foundation on the Arts and Humanities Act of 1965, as  
25 amended, ~~(107)\$141,950,000~~ \$133,903,000 shall be avail-  
26 able to the National Endowment for the Arts for the sup-

1 port of projects and productions in the arts through assist-  
 2 ance to groups and individuals pursuant to section 5(c)  
 3 of the Act, and for administering the functions of the Act,  
 4 to remain available until September 30, 1996.

5 MATCHING GRANTS

6 To carry out the provisions of section 10(a)(2) of the  
 7 National Foundation on the Arts and the Humanities Act  
 8 of 1965, as amended, ~~(108)\$29,150,000~~ \$27,693,000, to  
 9 remain available until September 30, 1996, to the Na-  
 10 tional Endowment for the Arts, of which  
 11 ~~(109)\$12,750,000~~ \$12,113,000 shall be available for pur-  
 12 poses of section 5(l): *Provided*, That this appropriation  
 13 shall be available for obligation only in such amounts as  
 14 may be equal to the total amounts of gifts, bequests, and  
 15 devises of money, and other property accepted by the  
 16 Chairman or by grantees of the Endowment under the  
 17 provisions of section 10(a)(2), subsections 11(a)(2)(A)  
 18 and 11(a)(3)(A) during the current and preceding fiscal  
 19 years for which equal amounts have not previously been  
 20 appropriated.

21 ~~(110)REDUCTION OF FUNDING~~

22 ~~Each amount appropriated or otherwise made avail-~~  
 23 ~~able by this title for "National Endowment for the Arts"~~  
 24 ~~is hereby reduced by 2.0 percent.~~

1 NATIONAL ENDOWMENT FOR THE HUMANITIES  
2 GRANTS AND ADMINISTRATION

3 For necessary expenses to carry out the National  
4 Foundation on the Arts and the Humanities Act of 1965,  
5 as amended, \$151,420,000 shall be available to the Na-  
6 tional Endowment for the Humanities for support of ac-  
7 tivities in the humanities, pursuant to section 7(c) of the  
8 Act, and for administering the functions of the Act, to  
9 remain available until September 30, 1996.

10 MATCHING GRANTS

11 To carry out the provisions of section 10(a)(2) of the  
12 National Foundation on the Arts and the Humanities Act  
13 of 1965, as amended, \$25,963,000, to remain available  
14 until September 30, 1996, of which \$14,000,000 shall be  
15 available to the National Endowment for the Humanities  
16 for the purposes of section 7(h): *Provided*, That this ap-  
17 propriation shall be available for obligation only in such  
18 amounts as may be equal to the total amounts of gifts,  
19 bequests, and devises of money, and other property accept-  
20 ed by the Chairman or by grantees of the Endowment  
21 under the provisions of subsections 11(a)(2)(B) and  
22 11(a)(3)(B) during the current and preceding fiscal years  
23 for which equal amounts have not previously been appro-  
24 priated.

## 1 INSTITUTE OF MUSEUM SERVICES

## 2 GRANTS AND ADMINISTRATION

3 For carrying out title II of the Arts, Humanities, and  
4 Cultural Affairs Act of 1976, as amended, \$28,770,000.

## 5 ADMINISTRATIVE PROVISIONS

6 None of the funds appropriated to the National  
7 Foundation on the Arts and the Humanities may be used  
8 to process any grant or contract documents which do not  
9 include the text of 18 U.S.C. 1913: *Provided*, That none  
10 of the funds appropriated to the National Foundation on  
11 the Arts and the Humanities may be used for official re-  
12 ception and representation expenses.

## 13 COMMISSION OF FINE ARTS

## 14 SALARIES AND EXPENSES

15 For expenses made necessary by the Act establishing  
16 a Commission of Fine Arts (40 U.S.C. 104), \$834,000.

## 17 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

18 For necessary expenses as authorized by Public Law  
19 99–190 (99 Stat. 1261; 20 U.S.C. 956(a)), as amended,  
20 ~~(111)\$7,500,000~~ \$6,648,000.

## 21 ADVISORY COUNCIL ON HISTORIC PRESERVATION

## 22 SALARIES AND EXPENSES

23 For expenses made necessary by the Act establishing  
24 an Advisory Council on Historic Preservation, Public Law  
25 89–665, as amended, ~~(112)\$2,967,000~~ \$2,947,000: *Pro-*

1 *vided*, That none of these funds shall be available for the  
 2 compensation of Executive Level V or higher positions.

3 NATIONAL CAPITAL PLANNING COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses, as authorized by the Na-  
 6 tional Capital Planning Act of 1952 (40 U.S.C. 71–71i),  
 7 including services as authorized by 5 U.S.C. 3109,  
 8 \$5,655,000: *Provided*, That all appointed members will be  
 9 compensated at a rate equivalent to the rate for Executive  
 10 Schedule Level IV.

11 FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Franklin Delano Roo-  
 14 sevelt Memorial Commission, established by the Act of Au-  
 15 gust 11, 1955 (69 Stat. 694), as amended by Public Law  
 16 92–332 (86 Stat. 401), \$48,000, to remain available until  
 17 September 30, 1996.

18 PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

19 ~~(113)~~ SALARIES AND EXPENSES

20 *For necessary expenses, as authorized by section 17(a)*  
 21 *of Public Law 92–578, as amended, \$2,738,000 for operat-*  
 22 *ing and administrative expenses of the Corporation.*

23 PUBLIC DEVELOPMENT

24 For public development activities and projects in ac-  
 25 cordance with the development plan as authorized by sec-

1 tion 17(b) of Public Law 92-578, as amended,  
2 \$4,084,000, to remain available until expended.

3 UNITED STATES HOLOCAUST MEMORIAL COUNCIL

4 HOLOCAUST MEMORIAL COUNCIL

5 For expenses of the Holocaust Memorial Council, as  
6 authorized by Public Law 96-388, as amended,  
7 ~~(114)\$26,660,000~~ \$21,679,000~~(115)~~; of which  
8 \$2,700,000 shall be for repair and rehabilitation projects  
9 and shall remain available until expended.

10 TITLE III—GENERAL PROVISIONS

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

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

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

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

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

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

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

1 (b) SENSE OF CONGRESS; REQUIREMENT REGARD-  
2 ING NOTICE.—

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

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

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

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

4       SEC. 308. The Forest Service and Bureau of Land  
5 Management may offer for sale salvageable timber in the  
6 Pacific Northwest in fiscal year 1995: *Provided*, That for  
7 public lands known to contain the Northern spotted owl,  
8 such salvage sales may be offered as long as the offering  
9 of such sale will not render the area unsuitable as habitat  
10 for the Northern spotted owl: *Provided further*, That tim-  
11 ber salvage activity in spotted owl habitat is to be done  
12 in full compliance with all existing environmental and for-  
13 est management laws.

14       SEC. 309. None of the funds in this Act may be used  
15 to plan, prepare, or offer for sale timber from trees classi-  
16 fied as giant sequoia (*sequoiadendron giganteum*) which  
17 are located on National Forest System or Bureau of Land  
18 Management lands in a manner different than such sales  
19 were conducted in fiscal year 1994.

20       SEC. 310. None of the funds appropriated in this Act  
21 may be used to implement any increase in government  
22 housing rental rates in excess of 10 per centum more than  
23 the rental rates which were in effect on September 1,  
24 1994, for such housing.

1        SEC. 311. None of the funds made available by this  
2 Act may be obligated or expended by the National Park  
3 Service to enter into or implement a concession contract  
4 which permits or requires the removal of the underground  
5 lunchroom at the Carlsbad Caverns National Park.

6        ~~(116)~~ SEC. 312. *Notwithstanding any other provision*  
7 *of law in fiscal year 1995 and thereafter, appropriations*  
8 *made available to the Department of the Interior or Forest*  
9 *Service, Department of Agriculture shall be available to re-*  
10 *imburse the representative (as that term is defined by appli-*  
11 *cable law) of employees who die in the line of duty in the*  
12 *last quarter of fiscal year 1994, and in subsequent fiscal*  
13 *years, for burial costs and related out-of-pocket expenses:*  
14 *Provided, That the amount of such reimbursement may ex-*  
15 *ceed the \$800 limitation in 5 U.S.C. 8134(a): Provided fur-*  
16 *ther, That funds provided pursuant to this authority may*  
17 *not exceed \$10,000 per employee.*

18        ~~(117)~~ SEC. 313. (a)(1) *The head of each agency re-*  
19 *ferred to in paragraph (2) shall submit to the President*  
20 *each year, through the head of the department having juris-*  
21 *diction over the agency, a land acquisition ranking for the*  
22 *agency concerned for the fiscal year beginning after the date*  
23 *of the submittal of the report.*

24        (2) *The heads of agencies referred to in paragraph (1)*  
25 *are the following:*

1           (A) *The Director of the National Park Service in*  
2           *the case of the National Park Service.*

3           (B) *The Director of the Fish and Wildlife Service*  
4           *in the case of the Fish and Wildlife Service.*

5           (C) *The Director of the Bureau of Land Manage-*  
6           *ment in the case of the Bureau of Land Management.*

7           (D) *The Chief of the Forest Service in the case*  
8           *of the Forest Service.*

9           (3) *In this section, the term “land acquisition rank-*  
10          *ing”, in the case of a Federal agency, means a statement*  
11          *of the order of precedence of the land acquisition proposals*  
12          *of the agency, including a statement of the order of prece-*  
13          *dence of such proposals for each organizational unit of the*  
14          *agency.*

15          (b) *The President shall include the land acquisition*  
16          *rankings for a fiscal year that are submitted to the Presi-*  
17          *dent under subsection (a)(1) in the supporting information*  
18          *submitted to Congress with the budget for that fiscal year*  
19          *under section 1105 of title 31, United States Code.*

20          (c)(1) *The head of the agency concerned shall deter-*  
21          *mine the order of precedence of land acquisitions proposals*  
22          *under subsection (a)(1) in accordance with criteria that the*  
23          *Secretary of the Department having jurisdiction over the*  
24          *agency shall prescribe.*

1       (2) *The criteria prescribed under paragraph (1) shall*  
2 *provide for a determination of the order of precedence of*  
3 *land acquisition proposals through consideration of—*

4           (A) *the natural resources located on the land cov-*  
5 *ered by the acquisition proposals;*

6           (B) *the degree to which such resources are threat-*  
7 *ened;*

8           (C) *the length of time required for the acquisi-*  
9 *tion of the land;*

10          (D) *the extent, if any, to which an increase in*  
11 *the cost of the land covered by the proposals makes*  
12 *timely completion of the acquisition advisable;*

13          (E) *the extent of public support for the acquisi-*  
14 *tion of the land;*

15          (F) *such other matters as the Secretary con-*  
16 *cerned shall prescribe; and*

17          (G) *the total estimated costs associated with each*  
18 *land acquisition.*

19 **(118)SEC. 314. WITHDRAWAL OF LANDS FROM TIM-**  
20 **BER MANAGEMENT IN ALASKA.**

21       (a) *FINDINGS.—The Senate funds that—*

22           (1) *The United States Forest Service has begun*  
23 *to implement prescriptive wildlife management meas-*  
24 *ures in the Tongass National Forest that reduce land*  
25 *areas available for multiple use under the Tongass*

1 *Land Management Plan (TLMP), thereby reducing*  
2 *timber harvest volumes in already prepared harvest*  
3 *units.*

4 (2) *The prescriptive measures termed “habitat*  
5 *conservation areas” and “goshawk protective perim-*  
6 *eters” are being used to withdraw lands from timber*  
7 *management which have been evaluated and approved*  
8 *for timber harvest pursuant to the TLMP, National*  
9 *Environmental Policy Act, the Tongass Timber Re-*  
10 *form Act, and the National Forest Management Act.*

11 (3) *Prescriptive management measures intended*  
12 *to protect wildlife population viability should be ac-*  
13 *complished through amendments or revisions to the*  
14 *TLMP adopted in accordance with the process de-*  
15 *scribed in the National Forest Management Act at 16*  
16 *U.S.C. 1604 (d) and (g).*

17 (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*  
18 *ate that funds made available under this Act should not*  
19 *be used to implement management actions (including, but*  
20 *not limited to, prescriptions such as habitat conservation*  
21 *areas and goshawk protective perimeters) which withdrawn*  
22 *lands from timber management or planned timber harvest*  
23 *in the Tongass National Forest, unless such management*  
24 *actions are imposed pursuant to the public participation*

1 *provisions of section 6(d) and other sections of the National*  
 2 *Forest Management Act (16 U.S.C. 1604(d)).*

3       **(119)***SEC. 315. (a) IN GENERAL.—(1) Not later than*  
 4 *30 days after the date of enactment of this Act, the Assistant*  
 5 *Secretary for Indian Affairs of the Department of the Inte-*  
 6 *rior shall prepare and submit to Congress a report on meas-*  
 7 *ures necessary to address problems concerning the physical*  
 8 *structure of Navajo Community College in Shiprock, New*  
 9 *Mexico, consistent with the responsibilities for the facility.*

10       *(2) Nothing in this section is intended to require a*  
 11 *change in priority for funding projects by the Department.*

12       *(b) CONTENT OF REPORT.—The report required under*  
 13 *subsection (a) shall include a detailed list of the resources*  
 14 *that are required to alleviate the health and safety hazards*  
 15 *that have resulted from the poor condition of the structure*  
 16 *described in such subsection.*

17       This Act may be cited as the “Department of the In-  
 18 terior and Related Agencies Appropriations Act, 1995”.

Passed the House of Representatives June 23, 1994.

Attest:               DONNALD K. ANDERSON,  
*Clerk.*

Passed the Senate July 26 (legislative day, July 20),  
 1994.

Attest:               MARTHA S. POPE,  
*Secretary.*

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