CONGRESSIONAL RECORD—SENATE
July 27, 1999

LEVIN (AND DeWINE) AMENDMENT NO. 1356
(Ordered to lie on the table.)
Mr. LEVIN (for himself and Mr. DeWINE) submitted an amendment intended to be proposed by them to the bill (H.R. 2466) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes; as follows:

On page 10, line 23, strike “River:” and insert “River,” of which $400,000 shall be available for grants under the Great Lakes Fish and Wildlife Restoration Program, and of which $114,280,000 shall be available for general administration: “.

GORTON AMENDMENT NO. 1357
Mr. GORTON proposed an amendment to the bill, H.R. 2466, supra; as follows:

Strike all after the enacting clause and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MANAGEMENT OF PUBLIC LANDS AND RESOURCES
For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, roads, trails, and appurtenant facilities, $12,418,000, to remain available until expended:

For expenses necessary to implement the Act of October 1, 1994, 108 Stat. 2238 (43 U.S.C. 1451), $43,529,000, to remain available until expended, for purposes of the preceding sentence, a bond or (series of) bond(s) issued to refund a bond shall be treated as being issued on the date of issuance of the refunded bond, if the refunding bond meets the requirements of subsections (1), (II), and (III) of section 145a(12)(A)(i)(I) of the Internal Revenue Code of 1986.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2000
addition, $33,529,000 for Mining Law Administration program, operating, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation; and funds from fees received from the sale of mining index rights, and from comminution site rental fees established by the Bureau for the cost of administering communication site activities: Provided, That protection, and are available without fiscal year limitation.

WILDLAND FIRE MANAGEMENT
For necessary expenses for fire preparedness, suppression operations, emergency re-habilitation and hazardous fuels reduction by the Department of the Interior, $237,305,000, to remain available until expended, of which not to exceed $5,025,000 shall be for the renovation or construction of fire facilities: Provided, That such funds are also available for repayment of advances to States and to Federal fire agencies from which funds were previously transferred for such purposes: Provided further, That unobligated balances of amounts previously appropriated to the Department of the Interior for the renovation or construction of fire facilities under the Department of the Interior Firefighting Fund may be transferred and merged with this appropriation: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856f (in effect before the date of the enactment of this Act), funds made available in sections 205, 206, and 318(d) of Public Law 94–579, to remain available until expended:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, including payment to the States Property, may be credited to the appropriation from which funds were expended: Provided, That notwithstanding 31 U.S.C. 1305(a)(1) and 1305(c) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund. RANGEMENT
For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 1801 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 1801 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 1801 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES
For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, and for activities in conjunction with use authorizations, and for rehabilitation of damaged property, such
July 27, 1999

CONGRESSIONAL RECORD—SENATE

17921

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

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

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715a), $10,000,000.

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 2304–2310), to remain available until expended.


For expenses necessary to carry out the North American Wetlands Conservation Act Public Law 101–285, as amended, $15,000,000, to remain available until expended.

WILDLIFE CONSERVATION AND APPRECIATION FUND

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

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 70 passenger motor vehicles, of which 61 are for replacement only (including 36 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for purchase of real property and $1 for each option; facilities incident to such public recreational uses on reservation areas; and to carry out the objectives described in subsections (c)(2)(A), (c)(2)(B)(i), (c)(2)(B)(ii), (c)(2)(B)(iii), and (c)(2)(B)(iv) of the Endangered Species Act, as amended, $1,000,000, to remain available until expended.

Cooperative Endangered Species Conservation Bank Fund

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

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 2304–2310), to remain available until expended.


For expenses necessary to carry out the North American Wetlands Conservation Act Public Law 101–285, as amended, $15,000,000, to remain available until expended.

WILDLIFE CONSERVATION AND APPRECIATION FUND

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

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 70 passenger motor vehicles, of which 61 are for replacement only (including 36 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for purchase of real property and $1 for each option; facilities incident to such public recreational uses on reservation areas; and to carry out the objectives described in subsections (c)(2)(A), (c)(2)(B)(i), (c)(2)(B)(ii), (c)(2)(B)(iii), and (c)(2)(B)(iv) of the Endangered Species Act, as amended, $1,000,000, to remain available until expended.

Cooperative Endangered Species Conservation Bank Fund

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

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 2304–2310), to remain available until expended.


For expenses necessary to carry out the North American Wetlands Conservation Act Public Law 101–285, as amended, $15,000,000, to remain available until expended.
National Park Service

Operation of the National Park System

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not less than $1,000,000 for high priority projects within the scope of the approved program, and for the Youth Conservation Corps as authorized by 16 U.S.C. 1706, $1,355,176,000, of which $8,800,000 is for research, planning and interagency coordination in support of lands acquisition for Everglades restoration shall remain available until expended, and of which not to exceed $8,000,000, to remain available until expended, is to be derived from the special fee account established pursuant to title V, section 5201 of Public Law 100–203.

National Recreation and Preservation

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, inter-park national affairs, statutory or contractual agreements, and for the general administration, not otherwise provided for, $49,951,000: Provided, That notwithstanding any other provision of law, the National Park Service may hereafter recover all fees, including administrative expenses, and for acquisition of lands or waters, or interest therein, or for the issuance of any permit or authority applicable to the National Park Service, $84,525,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which $500,000 is to administer the State assistance program.

Administrative Provisions

Appropriations for the National Park Service shall be available for the purchase of not to exceed 321 police-type vehicles, or of which 238 shall be for replacement only, including not to exceed 312 for police-type use, 12 buses, and 6 ambulances: Provided, That activities funded by the Mineral Leasing Program shall be available until expended, and of which $5,000,000 is to be derived from the special fee account established pursuant to title V, section 5201 of Public Law 100–203.

Historic Preservation Fund

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $42,412,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2001, of which $8,422,000 pursuant to section 507 of Public Law 104–333 shall remain available until expended.

Construction

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Federal Power Act, and the Comprehensive Everglades Restoration Project, and Expansion Act of 1989, $221,003,000, to remain available until expended, of which $1,100,000 shall be for realignment of the Denali National Park entrance road: Provided, That $4,000,000 for the Wheeling National Heritage Area and $1,000,000 for Montgomery shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 170a: Provided further, That notwithstanding any other provision of law, a single procurement for the construction of visitor facilities at Brockway, Canyonlands National Park, and Preserve may be issued which includes the full scope of the project: Provided further, That the solicitation and the contract shall contain the clause ''availability of funds'' found at 48 CFR 52.223-18.

Land and Water Conservation Fund (Recission)

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

Land Acquisition and State Assistance

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, for the establishment of park units, including administrative expenses, and for environmental compliance and review, including not to exceed 312 for police-type use, 12 buses, and 6 ambulances: Provided, That the solicitation and the contract shall contain the clause ''availability of funds'' found at 48 CFR 52.223-18.

Land and Water Conservation Fund

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, for the establishment of park units, including administrative expenses, and for environmental compliance and review, including not to exceed 312 for police-type use, 12 buses, and 6 ambulances: Provided, That the solicitation and the contract shall contain the clause ''availability of funds'' found at 48 CFR 52.223-18.

Land and Water Certification, and such funds shall remain available until expended, and of which not to exceed $8,000,000, to remain available until expended, is to be derived from the special fee account established pursuant to title V, section 5201 of Public Law 100–203.

National Recreation and Preservation

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, inter-park national affairs, statutory or contractual agreements, and for the general administration, not otherwise provided for, $49,951,000: Provided, That notwithstanding any other provision of law, the National Park Service may hereafter recover all fees, including administrative expenses, and for acquisition of lands or waters, or interest therein, or for the issuance of any permit or authority applicable to the National Park Service, $84,525,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which $500,000 is to administer the State assistance program.

Administrative Provisions

Appropriations for the National Park Service shall be available for the purchase of not to exceed 321 police-type vehicles, or of which 238 shall be for replacement only, including not to exceed 312 for police-type use, 12 buses, and 6 ambulances: Provided, That activities funded by the Mineral Leasing Program shall be available until expended, and of which $5,000,000 is to be derived from the special fee account established pursuant to title V, section 5201 of Public Law 100–203.

Historic Preservation Fund

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), $42,412,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2001, of which $8,422,000 pursuant to section 507 of Public Law 104–333 shall remain available until expended.

Construction

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Federal Power Act, and the Comprehensive Everglades Restoration Project, and Expansion Act of 1989, $221,003,000, to remain available until expended, of which $1,100,000 shall be for realignment of the Denali National Park entrance road: Provided, That $4,000,000 for the Wheeling National Heritage Area and $1,000,000 for Montgomery shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 170a: Provided further, That notwithstanding any other provision of law, a single procurement for the construction of visitor facilities at Brockway, Canyonlands National Park, and Preserve may be issued which includes the full scope of the project: Provided further, That the solicitation and the contract shall contain the clause ''availability of funds'' found at 48 CFR 52.223-18.

Land and Water Conservation Fund (Recission)

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

Land Acquisition and State Assistance

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460–4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, for the establishment of park units, including administrative expenses, and for environmental compliance and review, including not to exceed 312 for police-type use, 12 buses, and 6 ambulances: Provided, That the solicitation and the contract shall contain the clause ''availability of funds'' found at 48 CFR 52.223-18.
provided, That $3,000,000 for computer acquisitions shall remain available until September 30, 2001: Provided further, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721(b) and (d): Provided further, That not to exceed $3,000 shall be available for expenses related to promoting volunteer beach and marine cleanup activities: Provided further, That notwithstanding any other provision of law, $15,000 of this amount shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due, for pay amounts owed to Indian allottees or Tribes, or to correct prior unrecoverable erroneous payments.

final research

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 6201 of the Oil Pollution Act of 1990, $6,118,000, which shall be credited to the Oil Spill Insurance Trust Fund, to remain available until expended.

Office of Surface Mining Reclamation and Enforcement

regulation and technology

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, and the Dams Act, for the purchase of not exceeding 10 passenger motor vehicles, for replacement only; $95,891,000: Provided, That the Secretary of the Interior, pursuant to regulations promulgated for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending conferences directly or through grants to States, moneys collected in fiscal year 2000 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: Provided further, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending conferences directly or through grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appropriations Acts for fiscal years 1982 to 2000: Provided, That grants to minimum program States will be $1,500,000 per State in fiscal year 2000: Provided further, That of the funds herein appropriated, except that of the amounts used for the emergency program authorized by section 410 of Public Law 95–87, as amended, of which no more than 25 percent shall be used for emergency reclamation projects under this proviso shall not exceed $11,000,000: Provided further, That not to exceed $1,000,000 of unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 percent limitation per State and may be used without limitation due to the allocation of funds appropriated for emergency reclamation projects to the extent the Secretary determines that the provisions of this Act are not necessary: Provided further, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent of payment received from a delinquent debt owed to the United States Government for pay for contracts to collect these debts: Provided further, That such funds made available under this provision of Public Law 97–365 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That the State of Maryland may set aside the greater of $1,000,000 or 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977, as amended, (30 U.S.C. 1250 et seq.), as amended, the Education Amendments of 1978 (25 U.S.C. 2001–2008, not to exceed $44,160,000 within any fiscal year), and the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 2001–2008), not to exceed $44,160,000 within any fiscal year, to enter into agreements with certain Indian tribes or Tribal organizations for administrative cost grants associated with the operation of Bureau-funded schools: Provided further, That prior year unexpended balances of funds from any tribe which remain unobligated as of September 30, 2001, may be transferred during fiscal year 2002 to an Indian tribe to assist in funding the total of such tribe within the tribe’s trust fund account: Provided further, That any such unobligated balances not so transferred shall expire on September 30, 2002.

construction

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including the construction of facilities by, and services by contract; acquisition of lands, and interests in lands; and preparation of plans for federal facilities, $12,000,000, to remain available until expended: Provided, That such funds as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: Provided further, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: Provided further, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: Provided further, That for the fiscal year 2000, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to tribally controlled grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the administrative and asset requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: Provided further, That such amounts as may be available for the construction and administration of the Bureau of Indian Affairs Comprehensive School Improvement Program may be transferred to the Bureau of Indian Affairs: Provided further, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation.

Bureau of Indian Affairs

operation of Indian programs

For expenses necessary for the operation of Indian programs, including, without limitation, the National Indian Tuition Program, as authorized by 25 U.S.C. 2008, not to exceed $44,160,000 within any fiscal year, to cover the road program management costs of the Bureau: Provided further, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: Provided further, That for the fiscal year 2000, in implementing new construction or facilities improvement and repair project grants in excess of $100,000 that are provided to tribally controlled grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the administrative and asset requirements and Cost Principles for Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: Provided further, That such amounts as may be available for the construction and administration of the Bureau of Indian Affairs Comprehensive School Improvement Program may be transferred to the Bureau of Indian Affairs: Provided further, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation.

Bureau of Indian Education

For expenses necessary for the operation of Indian educational programs, including the Snyder Act, as amended (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which the amount (with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects, except that not to exceed 10 percent of the total of its title IV grants are deposited in an acid mine drainage abatement and treatment fund, the State of Maryland must first complete an investigation of Indian programs and Reclamation Act priority one projects.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, including the Snyder Act, as amended (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which the amount (with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects, except that not to exceed 10 percent of the total of its title IV grants are deposited in an acid mine drainage abatement and treatment fund, the State of Maryland must first complete an investigation of Indian programs and Reclamation Act priority one projects.

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BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, including the Snyder Act, as amended (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which the amount (with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects, except that not to exceed 10 percent of the total of its title IV grants are deposited in an acid mine drainage abatement and treatment fund, the State of Maryland must first complete an investigation of Indian programs and Reclamation Act priority one projects.
For the cost of guaranteed loans, $4,500,000, as authorized in the Financial Assistance Act of 1974, as amended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congress of 1974: Provided further, That the Secretary shall be available to sub-
divide total loan principal, any part of which is to be guaranteed, not to exceed $59,682,000.

In addition, for administrative expenses to carry out the guaranteed loan programs, $504,000.00

Administrative Provisions

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

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian guaranteed loan program fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 229 passenger motor vehicles, of which not to exceed 1207 shall be available for replacement only.

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

In the event any tribe returns appropria-
tions made available by this Act to the Bu-
reau of Indian Affairs for distribution to 
other tribes, this action shall not diminish the Federal government’s trust responsi-
ibility to that tribe, or the government-to-
government relationship between the United States and the tribe that the tribe’s ability to access future appropriations.

Notwithstanding any other provision of law, not to exceed $20,545,000 shall be available for expenses for the Republic of Palau as provided by Public Law 99-238, and for economic assistance and nec-
sesary expenses for the Republic of Palau as provided for in sections 221, 223, 225, and 227 of the Compact of Free Association, and for economic assistance and nec-

essary expenses for the Republic of Palau as provided for in sections 221, 223, 225, and 227 of the Compact of Free Association, and for economic assistance and nec-


Provided further, That the funds for the pro-
gram of operations and maintenance im-
provement are appropriated to institu-
tionalize routine operations and mainte-
nance improvement of capital infrastructure in American Samoa, Guam, the Virgin Is-
lands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia through as-
sessments of long-range operations mainte-
nance needs, improved capability of local op-
erations and maintenance institutions and agencies (including management and voca-
tional education training), and project-spe-
cific maintenance (with territorial participa-
tion and cost sharing to be determined by 
the Secretary based on the individual terri-
rial’s commitment to timely maintenance of its capital assets): Provided further, That the beginning of the fiscal year for which the funds provided under this heading in this Act or previous appropriations Acts may be used as non-Fed-
eral matching funds for the purpose of haz-
ard mitigation grants shall be pursuant to section 104 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

Impact of Free Association

For economic assistance and necessary ex-
penses for the Federated States of Micronesia and the Republic of the Marshall Is-
lands as provided for in sections 122, 221, 223, and 227 of the Compact of Free Associ-
ation, and for economic assistance and nec-

essary expenses for the Republic of Palau as provided for in sections 221, 223, 225, and 227 of the Compact of Free Association, and for economic assistance and nec-

essary expenses for the Republic of Palau as provided for in sections 221, 223, 225, and 227 of the Compact of Free Association, and for economic assistance and nec-


Provided further, That the funds for the pro-
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provement are appropriated to institu-
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sessments of long-range operations mainte-
nance needs, improved capability of local op-
erations and maintenance institutions and agencies (including management and voca-
tional education training), and project-spe-
cific maintenance (with territorial participa-
tion and cost sharing to be determined by 
the Secretary based on the individual terri-
rial’s commitment to timely maintenance of its capital assets): Provided further, That the beginning of the fiscal year for which the funds provided under this heading in this Act or previous appropriations Acts may be used as non-Fed-

For necessary expenses for maintenance of the Department of the Interior, $57,250,000, of which: (1) $53,075,000 shall be available until expended for assistance to territories under the jurisdiction of the De-
artment of the Interior, $67,250,000, of which: (1) $63,075,000 shall be available until expended for assistance to territories, including maintenance assistance, disaster assistance, Insular Affairs management costs, coral reef ini-
tiatives, improvement of systemic and project-specific maintenance (with territorial participa-
tion and cost sharing to be determined by 
the Secretary based on the individual terri-
rial’s commitment to timely maintenance of its capital assets): Provided further, That the beginning of the fiscal year for which the funds provided under this heading in this Act or previous appropriations Acts may be used as non-Fed-
eral matching funds for the purpose of haz-
ard mitigation grants shall be pursuant to section 104 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).
until expended, of which not to exceed $500,000 shall be available for administrative expenses: Provided, That the Secretary may enter into a cooperative agreement, which shall not be subject to Public Law 93-638, as amended, having the effect of authorizing the Department of the Interior to develop a reservation-wide system for establishing the fair market value of various types of lands and improvements to govern the amounts offered for acquisition of fractional interests: Provided further, That no funds shall be made available under this authority for the development of oil and gas leasing areas.

SEC. 109. Appropriations made in this title shall be available for acquisition of fractional interest in lands in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997-2002.

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

SEC. 111. Advance payments made under this title to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Controlled Schools Act of 1968 (25 U.S.C. 2501 et seq.) may be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the purposes of the grant, compact, or annual funding agreement so long as such funds are—

1. Invested by the Indian tribe, tribal organization, or consortium only in obligations of the United States, or obligations or securities that are guaranteed or insured by the United States, or mutual (or other) savings and loan associations and similar obligations of the United States, or in obligations of any State, the District of Columbia, or any political subdivision thereof, or in obligations of agencies, instrumentalities, or organizations of the United States, or in obligations of any State, the District of Columbia, or any political subdivision thereof, or in obligations of any political subdivision of a State, or in obligations of any combination of the United States and any State, the District of Columbia, any political subdivision thereof, or in obligations of any combination of the United States and any political subdivision of a State.

2. Invested only in accounts that are insured by an agency or instrumentality of the United States, or are fully collateralized to ensure protection of the funds, even in the event of a bank failure.

SEC. 112. (a) Employees of Helium Operations, Bureau of Land Management, entitled to severance pay under 5 U.S.C. 5595, and employees on retirement of the Secretary of the Interior, and, or the Secretary may pay, the total amount of the severance pay to the employee in a lump sum.
Employees paid severance pay in a lump sum and subsequently reemployed by the U.S. Government shall be subject to the repayment provisions of 5 U.S.C. 5595(a)(1) and (3), except that any repayment shall be made to the Helium Fund.

(b) Helium Operations employees who elect to continue health benefits after separation shall be liable for not more than the required employee contributions under 5 U.S.C. 8306(a)(1)(A). The Helium Fund shall pay for 18 months the remaining portion of required contributions.

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

(d) In the case of the annual lease renewal termination provisions of 5 U.S.C. 6306(d)(1)(B), the cessation of helium production and sales, and other related Helium Program activities shall be considered an event that is an exigency of public business under, and annual leave that is lost during leave years 1997 through 2001 because of 5 U.S.C. 6304 (regardless of whether such leave was scheduled in advance or due to separation from the Helium Program employee to a position of the executive branch outside of the Helium Program shall be liquidated by payment to the employee of an amount equal to the lump sum from the Helium Fund for such leave.

(e) Benefits under this section shall be paid from the Helium Fund in accordance with section 4(a)(3) of the Helium Privatization Act of 1996. Funds may be made available to Helium Program employees who are or will be separated before October 1, 2002 because of the cessation of helium production and sales and other related activities. Retraining benefits, including retraining and relocation incentives, may be paid for retraining commencing on or after the second anniversary of the separation from the Helium Program employee to a position of the executive branch outside of the Helium Program.

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

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

SEC. 114. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travelers through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System with such unit to develop guidelines and permits for such activity appropriate to that unit.

SEC. 115. Notwithstanding any other provision of law, the Secretary is authorized to permit persons, firms or organizations engaged in commercial, cultural, educational, or recreational activities (as defined in section 612a of title 49, United States Code) not currently occupying such space to use courtyards, auditoriums, meeting rooms, and other spaces in the main and south Interior building complex, Washington, D.C., the maintenance, operation, and protection of which has been delegated to the Secretary by Golden Gate National Recreation Area pursuant to the Federal Property and Administrative Services Act of 1949, and to assess reasonable charges therefor, subject to such procedures as the Secretary deems appropriate for such uses. Charges may be for the space, utilities, maintenance, repair, and other services. Charges for such space and services may be at rates equivalent to the prevailing commercial rate for comparable space and services devoted to a similar purpose in the vicinity of the main and south Interior building complex, Washington, D.C., for which charges are being assessed. The Secretary may without further appropriation hold, administer, and use such proceeds as comes within the Departmental Management Working Capital Fund to offset the operation of the buildings under his jurisdiction, whether dedicated or of other use, and for related purposes, until expended.

SEC. 116. (a) In this section—

(1) the term "Huron Cemetery" means the lands that form the cemetery that is popularly known as the Huron Cemetery, located in Kansas City, Kansas, as described in subsection (b)(3); and

(2) the term "Secretary" means the Secretary of the Interior.

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

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

(A) for religious and cultural uses that are compatible with the use of the lands as a cemetery; and

(B) as a burial ground.

(c) The description of the lands of the Huron Cemetery shall be that described in paragraph (3).

The tract of land in the NW quarter of sec. 10, T. 11 S., R. 25 E., of the sixth principal meridian, in Wyandotte County, Kansas (as surveyed and marked on the ground on August 15, 1888, by William Miller, Civil Engineer and Surveyor), described as follows:

"Commencing on the northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 10; "Thence South 28 poles to the 'true point of beginning'; "Thence South 71 degrees East 10 poles and 18 links; "Thence South 18 degrees and 30 minutes West 28 poles; "Thence West 11 and one-half poles; "Thence North 19 degrees 15 minutes East 31 poles and 15 feet to the 'true point of beginning', containing 2 acres or more."

The Secretary may authorize any governmental entity for all or part of the property within the Huron Cemetery to enter into agreements or compacts pursuant to the Indian Self-Determination Act (as amended) with any person, firm, association, organization, corporation, or governmental entity for all or part of the property within Port Barker administered by the Secretary as part of Golden Gate National Recreation Area. The proceeds of the agreements or leases shall be retained by the Secretary and such proceeds shall be available, without future appropriation, for the preservation, restoration, operation, maintenance and interpretation and related expenses incurred with respect to Port Barker properties. None of the funds provided in this Act or any other Act may be used for pre-design, design or engineering for the removal of the Ewia or Glines Canyon Dams, or for the acquisition of either the lands or waters on which such dams are located.

SEC. 120. All properties administered by the National Park Service at Fort Baker, Golden Gate National Recreation Area, and leases, concessions, permits and other agreements associated with such properties shall be exempt from all taxes and special assessments, except sales tax, by the State of California and its political subdivisions, including the City and County of Sausalito. Such areas of Port Barker shall remain under exclusive federal jurisdiction.

SEC. 121. Notwithstanding any provision of law, the Secretary of the Interior is authorized to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (42 U.S.C. 300l), with any person, firm, association, organization, corporation, or governmental entity for all or part of the property within Fort Baker administered by the Secretary as part of Golden Gate National Recreation Area. The proceeds of the agreements or leases shall be retained by the Secretary and such proceeds shall be available, without future appropriation, for the preservation, restoration, operation, maintenance and interpretation and related expenses incurred with respect to Fort Baker properties. None of the funds provided in this Act or any other Act may be used for pre-design, design or engineering for the removal of the Ewia or Glines Canyon Dams, or for the acquisition of either the lands or waters on which such dams are located.

SEC. 123. (a) SHORT TITLE.—This section may be cited as the "Battle of Midway National Memorial Study Act".

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

(1) September 2, 1997, marked the 52nd anniversary of the United States victory over Japan in World War II.

(2) The Battle of Midway proved to be the turning point in the war in the Pacific, as United States Navy forces inflicted such severe losses on the Imperial Japanese Navy during the battle that the Imperial Japanese Navy never again took the offensive against the United States or the allied forces.

(3) The Battle of Midway, which took place on June 4, 1942, an outnumbered force of the United States Navy, consisting of 29 ships and other units of the Armed Forces under the command of Admiral Nimitz, out-maneuvered and out-fought 350 ships of the Imperial Japanese Navy.

(4) It is in the public interest to study and acknowledge the heroic deeds of the United States Navy, at Midway, which was established as a national memorial to the Battle of Midway to express the enduring gratitude of the
American people for victory in the battle and to inspire future generations of Americans with the heroism and sacrifice of the members of the Armed Forces who achieved that victory.

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

(c) PURPOSE.—The purpose of this Act is to require a study of the feasibility and suitability of designating the Midway Atoll as a National Memorial to the Battle of Midway within the boundary of the Midway National Wildlife Refuge. The study of the Midway Atoll and its environs shall include, but not be limited to, identification of interpretative opportunities for the educational and inspirational benefit of present and future generations, and of the unique and significant circumstances involving the defense of the island by the United States in World War II and the Battle of Midway.

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

(1) IN GENERAL.—Not later than six months after the date of enactment of this Act, the Secretary of the Interior shall, acting through the Director of the National Park Service and in consultation with the Director of the United States Fish and Wildlife Service and in consultation with Midway Memorial Foundation, Inc. (hereafter referred to as the “Foundation”), and Midway Phoenix Corporation, carry out a study of the suitability and feasibility of establishing Midway Atoll as a national memorial to the Battle of Midway.

(2) CONSIDERATIONS.—In studying the establishment of Midway Atoll as a national memorial to the Battle of Midway under paragraph (1), the Secretary shall address the following:

(A) The appropriate federal agency to manage such a memorial, and whether and under what conditions, to lease or otherwise allow the Foundation or another appropriate entity to administer, maintain, and fully utilize the lands (including any equipment, facilities, infrastructure, and other improvements) of Midway Atoll if designated as a national memorial.

(B) Whether designation as a national memorial would conflict with current management of the area as a wildlife refuge and whether, and under what circumstances, the needs and requirements of the wildlife refuge should take precedence over the needs and requirements of a national memorial on Midway Atoll.

(C) Whether, and under what conditions, to permit the use of the facilities on Sand Island for purposes other than a wildlife refuge or a national memorial.

(D) Whether to impose conditions on public access to Midway Atoll as a national memorial.

(3) REPORT.—Upon completion of the study required under paragraph (1), the Secretary shall submit to the Committee on Energy and Natural Resources of the United States Senate and the Committee on Resources of the House of Representatives, a report on the study, which shall include any recommendations for further legislative action. The report shall also include an inventory of all known past and present facilities and structures of historical significance on Midway Atoll and on Sand Island. The report shall include a description of each historic facility and structure and a discussion of how each will contribute to the designation and interpretation of a national memorial.

(e) CONTINUING DISCUSSIONS.—Nothing in this Act shall be construed to delay or prohibit discussions between the Foundation, the United States Fish and Wildlife Service or any other government entity regarding the future role of the Foundation on Midway Atoll.

Sec. 124. No Federal lands included within the boundary of Lake Roosevelt National Recreation Area as designated by the Secretary of the Interior on April 5, 1990 (Lake Roosevelt Cooperative Management Agreement) were utilized as of March 31, 1997, for grazing purposes pursuant to a permit issued by the National Park Service, the Secretary of the Interior, or any person to whom the lands shall be entitled to renew said permit under such terms and conditions as the Secretary may prescribe, for the lifetime of the permit or 20 years, whichever is less.

Sec. 125. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds on the basis of identified, unmet needs. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than ten percent in fiscal year 2000.

Sec. 126. None of the Funds provided in this Act shall be available to the Bureau of Indian Affairs or the Department of the Interior to transfer land into trust status for the Shoalwater Bay Indian Tribe in Clark County, Washington, unless and until the tribe and the county reach a legally enforceable agreement that addresses the financial impact of new development on the county, school district, fire district, and other local governmental entities and the impact on zoning and development.

Sec. 127. None of the funds provided in this Act shall be available to the Department of the Interior to implement Secretarial Order 3206, issued June 5, 1997.

Sec. 128. Of the funds appropriated in title V of the Fiscal Year 1998 Interior and Related Agencies Appropriation Act, Public Law 105-83, the Secretary shall provide up to $2,000,000 in the form of a grant to the Fairbanks, North Star Borough to construct facilities on undeveloped parcels along the banks of the Chena River for the purpose of establishing an urban greenbelt within the Borough. The Secretary may accept the funds appropriated in title V up to $1,000,000 in the form of a grant to the Municipality of Anchorage for the acquisition of approximately 34 acres of wetlands adjacent to a municipal park in Anchorage (the Jewel Lake Wetlands).

Sec. 129. Funds sufficient to cover the cost of preparation of an Environmental Impact Statement are hereby redirected from the funds appropriated in the fiscal year 1999 Department of Interior Appropriations Bill, Bureau of Indian Affairs, Safety of Dams Construction Account, Weber Dam. These funds are directed to be used for completion of an environmental impact statement to facilitate resolution of fish passage issues associated with the reconstruction of the Weber Dam and Reservoir on the Walker River Paiute Reservation in Nevada. The analysis on which the Secretary based her determination (1) an evaluation of whether any reservoir, and if so what capacity reservoir, is needed to assure that the water rights of the Walker River Paiute Reservation in Nevada are not impaired by conflicts with surface water; (2) an evaluation of the feasibility and cost of constructing a new off stream reservoir as a replacement for Weber Dam and the impact of converting Weber Dam into an off stream reservoir; and (4) an evaluation of the feasibility and cost of serving the Walker River Paiute Reservation in Nevada with groundwater. The BIA is directed to work through the Bureau of Reclamation, either via contract or memorandum of understanding, to complete this environmental impact statement within 18 months of enactment of this act. No contract for construction or reconstruction of the Weber Dam shall be awarded until such Environmental Impact Statement is completed. In addition, $125,000 of the funds appropriated in fiscal year 1999 to the Bureau of Indian Affairs, the Coeur d’Alene Band of Indians, and the Shoalwater Bay Indian Tribe, shall be directed to the Walker River Paiute Tribe in exploring the feasibility of establishing a Tribal-operated Lahontan cutthroat trout hatchery on the Walker River, in recognition of the negative impacts on the tribe associated with delay in reconstruction of Weber Dam.

TITLE II—RELATED AGENCIES

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $197,441,000, to remain available until expended.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, cooperative forestry, and education and land conservation activities, $196,765,000, to remain available until expended, as authorized by law.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for administrative expenses associated with the management of funds provided under the headings “Forest and Rangeland Research”, “State and Private Forestry”, “National Forest System”, “Wildfire Management”, “Reconstruction and Construction”, and “Land Acquisition”, $2,239,051,000, to remain available until expended.

WILDFIRE MANAGEMENT

For necessary expenses for fire suppression activities on National Forest System lands, for emergency fire suppression on adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, $560,980,000, to remain available until expended: Provided, That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes: Provided further, That notwithstanding any other provision of law, up to $1,000,000 of funds appropriated under this amendment may be used for Fire Science Research in support of the Joint Fire Science Program: Provided further, That the Secretary may authorize the expenditure of $500,000 from other appropriations accounts previously transferred, including the use of contracts, grants, and cooperative agreements, available to execute the Forest Service and Rangeland Research Implementation Act, are also available in the utilization of these funds for Fire Science Research.
For an additional amount to cover necessary emergency expenditures, suppression of insects and disease, and to carry out the emergency provisions of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, $12,000,000, to remain available until expended; Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended; Provided further, That these funds shall be available only to the extent an official budget request for a specific dollar amount, that includes designating the funds as an emergency requirement pursuant as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress. 

RECONSTRUCTION AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, $362,095,000, to remain available until expended for construction, reconstruction, maintenance and acquisition of lands and interests in lands, and for construction, reconstruction, repair and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 590a, 590b, 590l through 11, (including unauthorized roads not part of the transportation system, which are no longer needed: Provided further, That up to $15,000,000 of the funds provided herein for road maintenance shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: Provided further, That any unexpended balances of amounts previously appropriated for Forest Service Reconstruction and Construction as well as any unobligated balances remaining in the National Forest System appropriation in the facility maintenance and trail maintenance extended budget line items at the end of fiscal year 1999 may be transferred to and made a part of this appropriation.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act (as amended), including administration expenses, and for acquisition of land for forests, waterfowl, and recreational and other purposes, and for construction, including administrative expenses, and for the acquisition of land or waterfowl or other interests therein, in accordance with statutory authority applicable to the Forest Service, $37,170,000, to be derived from the Land and Water Conservation Fund, to remain available until expended: Provided, That subject to valid existing rights, all Federal or other lands and interests in lands within the New World Mining District comprising approximately 26,223 acres, more or less, which are described in a Federal Register notice dated August 19, 1997 (62 F.R. 4136–4137), are hereby withdrawn from all forms of entry, appropriation, and disposal under the public land laws, and from location, entry and patent under the mining laws, and from disposition under all mineral and geothermal leasing laws.

ACQUISITION OF LANDS FOR NATIONAL FORESTS

For acquisition of lands within the exterior boundaries of the National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, Utah, for the purpose of acquiring lands and interests therein, pursuant to 7 U.S.C. 2225, and not to exceed $1,069,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND SYSTEMS

For acquisition of lands, such sums, as shall be derived from funds deposited by State, county, municipal governments, public school districts, or other public school authorities under the provisions of section 4 of the act of December 4, 1967, as amended (16 U.S.C. 484a), to remain available until expended.

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitaion, soil conservation, including a minimum of 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic live-stock on lands in National Forests in the sixteen Western States, pursuant to section 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with the on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND REQUESTS FOR FOREST SERVICE

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

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of not to exceed 110 passenger motor vehicles of which 15 will be used primarily for law enforcement purposes and of which 109 shall be for replacement; acquisition of 25 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft; the purchase of not to exceed three for replacement only, and acquisition of sufficient aircraft from excess sources to maintain the operable fleet at 213 aircraft for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and the cost of uniforms as authorized by 5 U.S.C. 5901–5902; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of lands, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c). None of the funds made available under this Act shall be obligated or expended to acquire any interest therein, to move or close any regional forest management unit, or to acquire lands or waterfowl or other interests therein, except as necessary to carry out the purposes of the Act; Provided, That the Foundation may hold Federal funds made available to the Foundation as non-Federal funds:

The Forest Service shall be available for the purpose of ensuring that the non-Federal matching funds:

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $2,250,000 may be advanced to a non-Federal recipient for a project at the discretion of the Secretary of Agriculture, to be used for preparation of timber sales using clearcutting or other forms of even-aged management in hardwood stands in the Chickasaw National Forest, Ohio. 

Funds available to the Forest Service shall be available to conduct a program of not less than $1,000,000 for high priority projects in the interior West, which shall be carried out by the Land and Water Conservation Fund of the Department of Agriculture as authorized by the Act of August 13, 1970, as amended by Public Law 95–353. 

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

To the greatest extent possible, and in accordance with the Final Amendment to the Shawnee National Forest Plan, none of the funds available in this Act may be used for a lump sum transfer of funds from the administrative expenses of the National Forest Foundation to the Forest Service. 

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $2,500,000 may be advanced to a non-Federal recipient for a project at the discretion of the Secretary of Agriculture, to be used for preparation of timber sales using clearcutting or other forms of even-aged management in hardwood stands in the Shawnee National Forest, Illinois. 

None of the funds made available under this Act shall be obligated or expended to acquire any interest therein, to move or close any regional forest management unit, or to acquire lands or waterfowl or other interests therein, except as necessary to carry out the purposes of the Act; Provided, That the Foundation shall acquire, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service; Provided further, That the Foundation may advance Federal funds made available to the Foundation as non-Federal funds made available but not immediately disbursed and may use any interest or other investment income earned (before, on, or after the date of enactment of this Act) on Federal funds to carry out the purposes of Public Law 101–593: Provided further, That such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. 

Pursuant to section 202(b)(2) of Public Law 98–473, of the funds available to the Forest Service shall be available for matching funds to the National Fish and Wildlife decimals.
Wildlife Foundation, as authorized by 16 U.S.C. 3701–3709, may be advanced in a lump sum as Federal financial assistance without regard to when expenses are incurred, for projects on or benefitting National Forest System lands or related to Forest Service research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations, and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1606), performed under the minerals and materials science programs at the Albany Research Center in Oregon, $390,975,000, to remain available until expended, of which $24,000,000 shall be derived from unobligated balances in the Biomass Energy Development account: Provided, That no part of the interest made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

ALTERNATIVE FUELS PRODUCTION (INCLUDING TRANSFER OF FUNDS)

Moneys received as investment income on the principal amount in the Great Plains Project Trust at the Norwest Bank of North Dakota, in such sums as are earned as of October 1, 1999, shall be deposited in this account and immediately transferred to the general fund of the Treasury. Moneys received as revenue sharing from operation of the Great Plains Gasification Plant and settlement payments shall be immediately transferred to the general fund of the Treasury.

NAVAL PETROLEUM AND OIL SHALE RESERVES

The requirements of 10 U.S.C. 7430(d)(2)(B) shall not apply to fiscal year 2000: Provided, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

ENERGY CONSERVATION

For necessary expenses in carrying out energy conservation activities, $682,817,000, to remain available until expended, of which $25,000,000 shall be derived by transfer from unobligated balances in the Biomass Energy Development account: Provided, That $166,000,000 shall be for use in energy conservation programs as defined in section 3003(c) of Public Law 99–599 (15 U.S.C. 4507): Provided further, That notwithstanding section 3003(d)(2) of Public Law 99–599, such sums shall be allocated to the eligible programs as follows: $129,000,000 for weatherization assistance grants and $33,000,000 for State energy conservation grants.

ECONOMIC REGULATION

For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, $2,000,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), $159,000,000, to remain available until expended: Provided, That the Secretary of Energy hereafter may transfer to the SPR Petroleum Account such funds as may be

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necessary to carry out drawdown and sale of strategic petroleum reserves initiated under section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241) from any funds available to the Department of Energy under this Act or previous appropriations Acts, all funds transferred pursuant to this authority must be replenished as promptly as possible from oil sale receipts pursuant to the drawdown and sale.

ENERGY INFORMATION ADMINISTRATION

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

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

None of the funds made available to the Department of Energy under this Act shall be used to pay for wages or benefits, or contributions from public and private sources, and to prosecute projects in cooperation with other agencies, Federal, State, private or foreign: Provided, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of programs of hospital insurance or construction of new facilities): Provided further, That funding contained herein, and in any earlier appropriations Acts for scholarship programs provided in the Indian Self-Determination Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 2001: Provided further, That amounts received by tribes and tribal organizations shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: Provided further, That notwithstanding any other provision of law, of the amounts provided herein, not to exceed $200,000 shall be for payments to tribes and tribal organizations for construction or grant support costs associated with contracts, grants, self-governance compacts or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1994, as amended, prior to or during fiscal year 2000:

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and estimates; purchase of equipment, supplies, and materials for construction; purchase of real property; purchase, renovation and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities funded by the Public Health Service, $4,189,210,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, or renovation of facilities for the benefit of an Indian tribe or tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities:

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5315, hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation, and erection of modular buildings and existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary of Health and Human Services, otherwise as authorized by 5 U.S.C. 5901-5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities: Provided, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, and to charge and recover fees from patients along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: Provided further, That notwithstanding any other law or regulation, funds transferred from other departments or agencies to the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 91–638, and further, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: Provided further, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title III of the Indian Self-Determination and Education Assistance Act, Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title III of such Act: Provided further, That amounts received by tribes and tribal organizations shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: Provided further, That notwithstanding any other provision of law, of the amounts provided herein, not to exceed $300,781,000 shall be for payments to tribes, tribal organizations, or the Secretary of Health and Human Services for services provided under section 108 of the Indian Health Care Improvement Act: Provided further, That funds provided in this Act may be used for one-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: Provided further, That in accord-
enacted into law: Provided further, That funds made available under this Act for use in connection with the relocation of the National Health Service as appropriate in this Act, and accounted for in the appropriation structure set forth in this Act: Provided further, That with respect to functions performed by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide grants to those tribes or Indian entities pursuant to the Indian Self-Determination and Education Assistance Act, 25 U.S.C. 459 note, for the purpose of supporting operations or services available to members of such tribes or Indian entities, and grants of such amounts as may be necessary to support the relocation of the National Health Service and the Indian Health Service may not be altered or diminished in any way: Provided further, That reimbursements for training, technical assistance, or services provided by the Indian Health Service shall contain total costs, including direct, administrative, and overhead costs associated with the provision of goods, services, or technical assistance: Provided further, That funds appropriated herein are available for repair and renovation of buildings and facilities at the Smithsonian Institution and the National Zoological Park, by contract or otherwise, $4,400,000, to remain available until expended.  

REPAIR AND RESTORATION OF BUILDINGS  

For necessary expenses of repair and restoration of buildings owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $10,000 for services as authorized by 5 U.S.C. 3109, $35,000,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or restoration of buildings of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.  

CONSTRUCTION  

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

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION  

None of the funds in this or any other Act may be used to initiate the design for any new, replacement, or expanded space or new facility without consultation with the House and Senate Appropriations Committees.  

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

NATIONAL GALLERY OF ART  

SALARIES AND EXPENSES  

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses, $45,250,000, to remain available until expended.  

SMITHSONIAN INSTITUTION  

SALARIES AND EXPENSES  

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; restoration, treatment, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, not to exceed $100,000 for services authorized by 5 U.S.C. 3109; up to 5 replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees, $694,582,000, of which not to exceed $1,000,000 is for the National Portrait Gallery of the Smithsonian Institution and renovation program, collections acquisition, Museum Support Center equipment and move, equipment and construction; not to exceed $4,000,000 for the National Museum of the American Indian, the reparation of skeletal remains program, research equipment, information management, and Latino public programs; not to exceed $3,026,000, to remain available until expended, and including such funds as may be necessary to support American overseas research centers and a total of $125,000 for the Council of American Overseas Research Centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.  

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK  

For necessary expenses of planning, construction, and awarded contracts for the acquisition of buildings and facilities at the National Zoological Park, by contract or otherwise, $4,400,000, to remain available until expended.  

REPAIR AND RESTORATION OF BUILDINGS  

For necessary expenses of repair and restoration of buildings owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $10,000 for services as authorized by 5 U.S.C. 3109, $35,000,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or restoration of buildings of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.
NATIONAL ENDOWMENT FOR THE HUMANITIES
GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $97,550,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, $14,150,000, to remain available until expended, of which $10,150,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h):

Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

INSTITUTE OF MUSEUM AND LIBRARY SERVICES
OFFICE OF MUSEUM SERVICES
GRANTS AND ADMINISTRATION

For carrying out subtitle C of the Museum and Library Services Act of 1996, as amended, $23,905,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: Provided further, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses.

COMMISSION OF FINE ARTS

For expenses necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), $1,078,000: Provided, That beginning in fiscal year 2000 and thereafter, the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 104–33 (20 U.S.C. 956a(a)), as amended, $7,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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

NATIONAL CAPITAL PLANNING COMMISSION

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71–71i), including services as authorized by 5 U.S.C. 590a, None of the funds in this Act may be obligated by a grantee of any amount provided in this Act for a grant program; and none of the funds in this Act shall be available for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and Agriculture follow appropriate reprogramming guidelines: Provided, That all appointed members will be compensated at a rate not to exceed the rate for level IV of the Executive Schedule.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

For expenses of the Holocaust Memorial Council, as authorized by Public Law 96–388 (36 U.S.C. 1401), as amended, $33,286,000, of which $1,575,000 for the museum’s repair and rehabilitation program and $1,264,000 for the museum’s exhibitions program shall remain available until expended.

PRESIDENT TRUST

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $24,400,000 shall be available to the President Trust, to remain available until expended, of which up to $1,040,000 may be for the cost of guaranteed loans, as authorized by section 104(d) of the Act: Provided, That such costs, including the cost of modifying such loans, shall be deemed administrative expenses under the provisions of the Omnibus Parks and Public Lands Management Act of 1996: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $200,000,000.

TITLE III—GENERAL PROVISIONS

Sec. 3. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

Sec. 302. No part of any appropriation under this Act shall be available to the Secretary of the Treasury pursuant to section 104(d)(3) of the Act, in an amount not to exceed $3,000,000.

CONGRESSIONAL RECORD—SENATE

July 27, 1999

SEC. 306. No assessments may be levied or orders to pay assessments issued under this Act against any program, budget activity, sub- or project, or to any officer or employee of such department or agency except as otherwise provided by law.

Sec. 308. None of the funds in this Act may be used for the cost of guaranteed loans or other financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(3) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $24,400,000 shall be available to the President Trust, to remain available until expended, of which up to $1,040,000 may be for the cost of guaranteed loans, as authorized by section 104(d) of the Act: Provided, That such costs, including the cost of modifying such loans, shall be deemed administrative expenses under the provisions of the Omnibus Parks and Public Lands Management Act of 1996: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $200,000,000.

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

Sec. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not completed.

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

Sec. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or any other personal service to any officer or employee of such department or agency except as otherwise provided by law.

Sec. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis thereof is provided to the Committees on Appropriations and are approved by such Committees.

Sec. 307. (a) COMPLIANCE WITH BUY AMERICAN POLICY.

None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (51 U.S.C. 2001–2004), popularly known as the ‘‘Buy American Act’’.

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $24,400,000 shall be available to the President Trust, to remain available until expended, of which up to $1,040,000 may be for the cost of guaranteed loans, as authorized by section 104(d) of the Act: Provided, That such costs, including the cost of modifying such loans, shall be deemed administrative expenses under the provisions of the Omnibus Parks and Public Lands Management Act of 1996: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed $200,000,000.

Sec. 302. No part of any appropriation under this Act shall be available to the Secretary of the Treasury pursuant to section 104(d)(3) of the Act, in an amount not to exceed $3,000,000.

TITLE III—GENERAL PROVISIONS

Sec. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive Order issued pursuant to existing law.

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

Sec. 303. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which congressional action is not completed.

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

Sec. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or any other personal service to any officer or employee of such department or agency except as otherwise provided by law.

Sec. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis thereof is provided to the Committees on Appropriations and are approved by such Committees.
site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned, the application for recognition filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 3235 and 3236 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 43) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2000, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 709(b) of the Continuing Appropriations Act, 1997 (Public Law 104-208). In the absence of such a report, the provisions of this section shall apply to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 313. Notwithstanding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 103-138, 103-332, 104-134, 104-208, 105-83, and 105-277 for payments to tribes and tribal organizations for contract support costs associated with self-determination contracts, compacts and grants, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are available for fiscal years 1994 through 1999 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 314. Notwithstanding any other provision of law, for fiscal year 2000 the Secretary of Agriculture and the Interior are authorized to limit reimbursement for wildfire and restoration project contracts as part of the “Jobs in the Woods” component of the President’s Forest Plan for the Pacific Northwest or the Jobs in the Woods Program established in Region 10 of the Forest Service to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, Idaho, California, and Alaska that have been affected by reduced timber harvesting on Federal lands.

SEC. 315. None of the funds collected under the Royalty Relief Act of 1987 may be used to construct a visitor center or any other permanent structure without prior approval of the House Appropriations Committee. No appropriation may be used in the facility if the estimated total cost of the facility exceeds $500,000.

SEC. 316. (a) None of the funds made available in this Act shall be expended or obligated to complete and issue the five-year program under the Forest and Rangeland Renewable Resources Planning Act.

SEC. 317. None of the funds made available in this Act shall be expended or obligated for the Naval Research Laboratory for projects or programs that serve underserved populations.

(b) In this section:

(1) The term “underserved population” means a population of individuals who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or geographic isolation.

(2) The term “poverty line” means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 606(a) of the Community Services Block Grant Act (42 U.S.C. 9902(a))) applicable to a family of the size involved.

SEC. 318. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual or organization for a grant or award to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

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

SEC. 319. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such gifts, bequests, or devises of money and other property or services for the benefit of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises of money and other property or services may be used for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

SEC. 320. No part of any appropriation contained in this Act shall be expended or obligated to complete and issue the five-year program under the Forest and Rangeland Renewable Resources Planning Act.

SEC. 321. None of any appropriation contained in this Act shall be expended or obligated to complete and issue the five-year program under the Forest and Rangeland Renewable Resources Planning Act.

SEC. 322. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(b) With funds appropriated by this Act to carry out section 5 of the National Endowment for the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

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

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

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

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

SEC. 324. Notwithstanding any other provision of law, none of the funds provided in this Act to the Indian Health Service or Bureau of Indian Affairs may be used to enter into any new or expanded self-determination contract or grant or self-governance compact pursuant to the Indian Self-Determination and Education Assistance Act of 1975, as amended, for any activities not previously covered by such contracts, compacts, or grants.

SEC. 325. This Act is repealed.

SEC. 326. HARDWOOD TECHNOLOGY TRANSFER AND APPLIED RESEARCH. (a) The Secretary of Agriculture may require the "Secretary" or "agriculture" to mean the Secretary of Agriculture. The Institute may require a person that is assessed or otherwise authorized to generate revenue using the authority provided herein. Any revenue received as part of the operation of the Institute shall be deposited into a special account in the Treasury of the United States, known as the "Hardwood Technology Transfer and Applied Research Fund", which shall be available, subject to appropriation, for purposes of this section, including, but not limited to, the Cooperative Forestry Assistance Act of 1978, as amended (16 U.S.C. 2101 et seq.), the Forest and Rangeland Renewable Resources Research Act of 1978, as amended (16 U.S.C. 1600–1614).

(b) In carrying out this authority, the Secretary may enter into grants, contracts, and cooperative agreements with public and private agencies, organizations, corporations, institutions and individuals. The Secretary shall provide for the reimbursement of costs incurred by the Cooperative Forestry Assistance Act of 1978, as amended (16 U.S.C. 2101 et seq.), and the Forest and Rangeland Renewable Resources Research Act of 1978, as amended (16 U.S.C. 1600–1614).

(c) The Secretary is hereby and hereafter authorized to conduct technology transfer and development, training, dissemination of information and applied research in the management, processing and utilization of the hardwood forest resource. This authority is in addition to any other authorities which may be available to the Secretary, including, but not limited to, the Cooperative Forestry Assistance Act of 1978, as amended (16 U.S.C. 2101 et seq.), and the Forest and Rangeland Renewable Resources Research Act of 1978, as amended (16 U.S.C. 1600–1614). (d) The Secretary is hereby and hereafter authorized to conduct technology transfer and development, training, dissemination of information and applied research in the management, processing and utilization of the hardwood forest resource. This authority is in addition to any other authorities which may be available to the Secretary, including, but not limited to, the Cooperative Forestry Assistance Act of 1978, as amended (16 U.S.C. 2101 et seq.), and the Forest and Rangeland Renewable Resources Research Act of 1978, as amended (16 U.S.C. 1600–1614). (e) The Secretary is hereby and hereafter authorized to conduct technology transfer and development, training, dissemination of information and applied research in the management, processing and utilization of the hardwood forest resource. This authority is in addition to any other authorities which may be available to the Secretary, including, but not limited to, the Cooperative Forestry Assistance Act of 1978, as amended (16 U.S.C. 2101 et seq.), and the Forest and Rangeland Renewable Resources Research Act of 1978, as amended (16 U.S.C. 1600–1614). (f) The Secretary is hereby and hereafter authorized to conduct technology transfer and development, training, dissemination of information and applied research in the management, processing and utilization of the hardwood forest resource. This authority is in addition to any other authorities which may be available to the Secretary, including, but not limited to, the Cooperative Forestry Assistance Act of 1978, as amended (16 U.S.C. 2101 et seq.), and the Forest and Rangeland Renewable Resources Research Act of 1978, as amended (16 U.S.C. 1600–1614).
(2) Funds deposited into the special account in accordance with section 331 of Public Law 106–525, including deposits provided pursuant to section 333 of the Act of September 30, 2000, shall be available only in the fiscal year 2001.

(3) Notwithstanding the provisions of section 332 of Public Law 105–333, the Secretary of the Interior shall not be required to make a determination of the amount of the fee to be paid by a landowner under section 332 of Public Law 106–525, if such amount is determined by an appraisal, and the Secretary determines that such amount is not less than the fair market value of the land or interest in land described in the purchase option. If mutual agreement cannot be reached on one or more panel members, selection of the remaining panel members shall be by blind draw once each party has been allowed the opportunity to strike up to 10 names in a sealed envelope from a list of 20 names selected on either list. Of the funds available to the Forest Service, up to $15,000 shall be available to the Federal Center for Dispute Resolution to cover the initial cost of establishing this program. Once established, costs of administering the program shall be borne by the Forest Service, but shall not exceed $5,000 a year.

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(4) Qualifications of Third-Party Neutrals.—Each appraiser selected by the Federal Dispute Resolution Center, in addition to possessing substantial experience working with federal land purchases, shall possess qualifications consistent with state regulatory requirements that meet the intent of Title XI, Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

(5) Arbitration Process.—If a landowner and the Forest Service are unable to reach a negotiated settlement on value within the 180-day period, the landowner may request arbitration of the purchase option. The landowner shall notify the Secretary in writing of the request for arbitration. The arbitration panel shall be comprised of federal land purchase experts with substantial experience working with federal land purchases to serve as third-party neutrals in the event arbitration is requested by a landowner. Selection of the arbitration panel shall be made by mutual agreement of the Forest Service and landowner. If mutual agreement cannot be reached, one or more panel members shall be an active member in the program (Interagency Land Acquisition Conference 1992). In no event, shall the cost of employing the arbitration panel exceed $3,000.


SEC. 333. Title III, section 3001 of Public Law 106–525, as amended by inserting after the word "Alabama," the following phrase "in fiscal year 1999 or 2000."
shall make a determination to adopt or reject the arbitration panel’s advisory decision and notify the landowner and the CRGNSA of this determination within 45 days of receipt of the advisory decision.

(j) ABILITY.—Notwithstanding the fact that arbitration pursuant to this Act has occurred nor the recommendation of the arbitration panel shall be admissible in any court or administrative proceeding.

(k) EXPIRATION DATE.—This Act shall expire on October 1, 2002.

SEC. 339. A project undertaken by the Forest Service under the Recreation Demonstration Program as authorized by Section 315 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1996, as amended, shall not result in:

(1) displacement of the holder of an authorization to provide commercial recreation services on Federal lands. Prior to initiating any project, the Secretary shall consult with potentially affected holders to determine what impacts the project may have on the holders. Any modifications to the authorization shall be made within the terms and conditions of the authorization and authorities of the impacted agency.

(2) the return of a commercial recreation service for operation upon Federal lands. When such services have been provided in the past by a private sector provider, except when:

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

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

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

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

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2000”.

REED (AND KENNEDY) AMENDMENT NO. 1358
(Ordered to lie on the table.)

Mr. REED (for himself and Mr. KENNEDY) submitted an amendment in lieu of the bill, H.R. 2466, supra; as follows:

On page 94, line 7, strike “$86,000,000” and insert “$91,000,000”.

On page 132, between lines 20 and 21, insert the following:

SEC. 3. (a) The total discretionary amount made available by this Act is reduced by $5,000,000: Provided, That the reduction pursuant to this subsection shall be made by reducing by a uniform percentage the amount made available for travel, supplies, and printing expenses to the agencies funded by this Act.

(b) Not later than 30 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Senate Appropriations of the House of Representatives and the Senate a listing, by account, of the amounts of the reductions made pursuant to subsection (a).

GORTON AMENDMENT NO. 1359

Mr. GORTON proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 78, line 19 of the bill, strike “under this Act or previous appropriations Acts.” and insert in lieu thereof the following: “under this or any other Act.”

MURRAY (AND OTHERS) AMENDMENT NO. 1360

Mrs. MURRAY (for herself, Mr. DURBIN, and Mr. KERRY) proposed an amendment to the bill, H.R. 2466, supra; as follows:

On page 122, strike lines 1 through 15.

REID (AND OTHERS) AMENDMENT NO. 1361

Mr. REID (for himself, Mr. CRAIG, and Mr. BRYAN) proposed an amendment to amendment to amendment No. 1360 proposed by Mrs. MURRAY to the bill, H.R. 2466, supra; as follows:

In lieu of the language proposed to be stricken, insert:

SEC. 2. MILLSITES OPINION.

(a) PROHIBITION ON MILLSITES LIMITATIONS.—Section 3811 of the Forest Service Manual (dated November 7, 1997, by the Solicitor of the Department of the Interior concerning millsites under the general mining law (referred to in this section as “millsites”), in accordance with the millsite provisions of the Bureau of Land Management’s Manual Sec. 3861.1.B (dated 1991), the Bureau of Land Management Handbook for Mineral Examiners H-3890–1, page III–8 (dated 1989), and section 2811.33 of the Forest Service Manual (dated 1986), the Department of the Interior and the Department of Agriculture shall not, for any fiscal year, limit the number or acreage of millsites based on the ratio between the number or acreage of millsites and the number or acreage of associated lode or placer claims with respect to any patent application grandfathered pursuant to Section 312 of this Interior Appropriations Act of: any operation or property for which a plan of operations has been approved by the Secretary of the Interior prior to October 1, 2000; or any subsequent amendment or modification to such approved or submitted plan.

(b) No RATIFICATION.—Nothing in this Act shall be construed as an explicit or tacit ratification, endorsement or approval of the opinion.

LIEBERMAN AMENDMENTS NOS. 1362–1364

(Ordered to lie on the table.)

Mr. LIEBERMAN submitted three amendments intended to be proposed by him to the bill, H.R. 2466, supra; as follows:

AMENDMENT No. 1362
On page 18, line 16, strike “$86,025,000” and insert “$86,025,000”.

On page 19, before the period, insert the following: “: $389,975,000 shall be used for the preservation of the Mark Twain House in Connecticut”.

On page 63, line 1, strike “$1,239,051,000” and insert “$1,237,551,000”.

On page 63, line 6, before the period, insert the following: “: Provided, That, of the amounts made available under this heading, not more than $227,400,000 may be used for timber sales management”.

AMENDMENT No. 1364
On page 18, line 16, strike “$86,525,000” and insert “$86,525,000”.

On page 18, line 19, before the period, insert the following: “: Provided, That, of which not less than $2,000,000 shall be used to purchase 668 acres of land in Connecticut, known as “Trout Brook Valley”, from the Aspetuck Land Trust.”

On page 63, line 1, strike “$1,239,051,000” and insert “$1,237,551,000”.

On page 63, line 6, before the period, insert the following: “: Provided, That, of the amounts made available under this heading, not more than $226,900,000 may be used for timber sales management”.

TAXPAYER REFUND ACT OF 1999

ABRAHAM (AND WYDEN) AMENDMENT NO. 1365
(Ordered to lie on the table.)

Mr. ABRAHAM (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by them to the bill, S. 1429, supra; as follows:

On page 371, between lines 16 and 17, insert:

SEC. 1. EXPANSION OF DEDUCTION FOR COMPUTER DONATIONS TO SCHOOLS.

(a) EXTENSION OF AGE OF ELIGIBLE COMPUTERS.—Section 170(e)(6)(B)(ii) (defining qualified elementary or secondary educational contribution) is amended—

(1) by striking “2 years” and inserting “3 years”, and

(2) by inserting “for the taxpayer’s own use” after “constructed by the taxpayer”.

(b) REACQUIRED COMPUTERS ELIGIBLE FOR DONATION.—

(1) IN GENERAL.—Section 170(e)(6)(B)(iii) (defining qualified elementary or secondary educational contribution) is amended by inserting “: the person from whom the donor reacquires the property,” after “the donor.”

(2) CONFORMING AMENDMENT.—Section 170(e)(6)(B)(ii) is amended by inserting “or reacquired” after “acquired”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions made in taxable years ending after the date of the enactment of this Act.

SEC. 2. CREDIT FOR COMPUTER DONATIONS TO SCHOOLS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business-related credits), as amended by this Act, is amended by adding at the end the following:

“SEC. 45E. CREDIT FOR COMPUTER DONATIONS TO SCHOOLS.

“(a) GENERAL RULE.—For purposes of section 38, the school computer donation credit determined under this section is an amount equal to 30 percent of the qualified elementary or secondary educational contributions made by the taxpayer during the taxable year.

“(b) QUALIFIED ELEMENTARY OR SECONDARY EDUCATIONAL CONTRIBUTION.—For purposes of