I strongly recommend that the FBI and hand-picked DOJ attorneys from outside Main Justice run this case as we would any matter of such importance and complexity.

We left the conversation on Friday with arrangements to discuss the matter again on Monday. The Attorney General and I spoke today and she asked for a meeting to discuss the “investigative team” and hear our recommendations. The meeting is now scheduled for Wednesday, 12/11/96, which you and Bob Driscoll will attend.

I intend to repeat my recommendations from Friday’s meeting. We should present all of our recommendations for setting up the investigation—both AUSAs and other resources. You and I should also discuss and consider whether on the basis of all the facts and circumstances—including Huang’s recently released letters to the President as well as Radek’s comments—whether I should recommend that the Attorney General reconsider referral to an Independent Counsel.

It was unfortunate that DOJ declined to allow the FBI to play any role in the Independent Counsel referral deliberations. I agree with you that based on the DOJ’s experience over the years—that which has only referred to an Independent Counsel because the FBI and I intervened directly with the Attorney General—it was decided to exclude the FBI from the decision-making process.

Nevertheless, based on information recently reviewed from P/D/DOC, we should determine whether or not an Independent Counsel referral should be made at this time. If so, I will make the recommendation to the Attorney General.

Mr. SPECTER. Mr. President, I ask unanimous consent that an extract of a report from CIA Inspector General Frederick Hitz be printed in the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

We have no reason to believe that the DCIs who were relevant and who were aware of the deficiencies described in this report. But DCIs are obligated to ensure that they are knowledgeable of significant developments related to crucial Agency missions. Sensitive human source reporting on the Soviet Union and Russia during and after the Cold War clearly was such a mission, and certain DCIs must therefore be held accountable for serious shortcomings in that reporting.

Mr. SPECTER. I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Michigan.

PRESCRIPTION DRUGS

Ms. STABENOW. Mr. President, I rise to express grave disappointment and concern about the Secretary of Health and Human Services, Tommy Thompson, indicated he would not implement a bipartisan law passed by this Congress last session. This legislation would open the borders of our country so that American citizens, who pay for a good share of the research done on prescription drugs in this country, to support the development of medications that are desperately needed, could get the best price for American-made, FDA-safety-approved medications from other countries such as Canada.

Last year, Congress passed a bill that says we will no longer protect the prices charged in this country that disadvantage our citizens by stopping us from free commerce across the border. I supported this effort in the House of Representatives. I find it ironic, at a time when our President talks about wanting free trade authority and expanding free trade, that we stop our citizens at the border from being able to benefit from free trade regarding the purchase of prescription drugs.

Yesterday, the Secretary of Health and Human Services said he was concerned about the safety of reimported prescription drugs. We addressed those concerns when the legislation was passed in a bipartisan fashion.

Further, I have introduced legislation called the Medication Equity and Drug Savings Act, S. 215, the MEDS Act, that addresses the safety concerns expressed by former Secretary Shalala. The bill guarantees in the clearest terms that American labels will be used on the wholesale products that come from another country and that there will be complete safety precautions to make sure Americans will be receiving American-made, safe, FDA-approved drugs.

What is the difference in cost for prescription drugs? The difference is clear when I stand in Detroit, MI, and I look across the river, I know that prices for American-made prescription drugs can be cut in half for my constituents with a quick 5 minute drive across the bridge to Canada. In some cases, the savings are even greater. Tamoxifen, a breast cancer treatment drug, is $136 a month in Michigan. Last year, we went to a group of seniors to purchase the exact same medicine; the price was only $15. There is something wrong with this picture.

The bill the Secretary chose not to implement would have begun to address this price difference by opening the borders, to make sure our hospitals, our businesses, and our pharmacists, could develop business relationships with wholesalers in other countries to bring back drugs at a lower cost and make sure our citizens could get medication at lower prices.

Today I urge my colleagues to join together again in a bipartisan way to act. We must guarantee that this law will be put into effect this year, whether it be by passing my legislation, making changes on another bill, or including it in Medicare prescription drug legislation which is so critical. We must act now. Over and over again I hear from families in my State and across our country. Families, seniors, individuals with disabilities, and working people with ailments are all concerned about the high costs of prescription drugs. People have to choose between paying the electric bill, getting their food, or getting their medicine. In the great United States of America, this great country, that should not be happening.

I express grave concern and disappointment about the decision and the information released yesterday by the Secretary. I urge him and invite all my colleagues to join with me to address this issue in a way that will allow opening of the borders to reaffirm competition for the best, lowest price for the safest prescription drugs that are manufactured in this country, that our citizens help to subsidize. Whether through the R&D tax credit, through funding the Federal labs, or through other efforts, taxpayers help to develop these prescriptions. We helped fund the development of the medication, and Americans pay top dollar compared to anybody in the world for these same prescription drugs. It is not right.

It is time now to act to make sure we can truly reduce the costs of one of the most important parts of the health care system today—medicines for our people, for the families of America, We deserve a break. Unfortunately, the roadblock was maintained yesterday. It is time to take down the barrier at the border and allow our people to buy prescription drugs wherever they can get the best price. I urge we act as quickly as possible.

Mr. BURNS. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk pro tempore. Under the previous order, the Senate will begin consideration of H.R. 2217, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies Appropriations Act, 2002

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will begin consideration of H.R. 2217, which the clerk will report.

The assistant legislative clerk read as follows:

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will begin consideration of H.R. 2217, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2217) making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30th, 2002, and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and inserting in lieu thereof 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, 2002, and for other purposes, namely:
Provided further, That persons whose personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account, CONSTRUCTION

For construction for buildings, recreation facilities, roads, trails, and appurtenant facilities, $12,976,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901-6907), not to exceed $400,000 shall be available for administrative expenses and of which $50,000,000 is for the conservation activities defined in section 250(c)(4)(E)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided, That no payment shall be made to other parties: Provided further, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on or before September 30, 2002 such a best made to include an opportunity to enhance the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may provide, in such cooperative agreements under this section to entities that include local nonprofit entities, Youth Conservation Corps or related partnerships, or small, disadvantaged businesses: Provided further, That funds appropriated under this heading may be reimbursed by the United States Fire Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act in connection with wildland fire management activities.

For an additional amount to cover necessary expenses for burned areas rehabilitation and fire suppression by the Department of the Interior, $70,000,000, to remain available until expended, of which $50,000,000 is for wildfire suppression and $20,000,000 is for burned areas rehabilitation funds: Provided further, That the amount appropriated in this paragraph 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 designation of the entire amount of the request 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 the Congress.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $9,978,000, to remain available until expended: Provided, That not more than $5,000,000 shall be recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), to be credited to this account to be available until expended without further appropriation: Provided further, That such sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.) and the amount designated for range improvements from grazing fees and

Title I—Department of the Interior

Management of Land and Resources

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and of lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to Public Law 96–487 (16 U.S.C. 3120), to remain available until expended, of which $1,000,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, defined in section 250(c)(4)(E)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act; of which $4,000,000 shall be available for assessment of the mineral potential of public lands in Alaska pursuant to section 1010 of Public Law 96–487 (16 U.S.C. 3150); and of which not to exceed $1,000,000 shall be derived from the Forest Ecosystem Health and Recovery Fund, to remain available until expended, of which not to exceed $1,000,000 shall be used for the purpose of conducting a fishery survey of the Oregon and California Railroad grant lands.

For expenses necessary for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, $589,421,000, to remain available until expended, of which not to exceed $19,774,000 shall be for the renovation or construction of facilities, roads, trails, and appurtenant facilities, of which not to exceed $1,600,000 shall be for the purpose of conducting a fishery survey of the Oregon and California Railroad grant lands. Provided further, That persons whose personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account, CONSTRUCTION

For construction for buildings, recreation facilities, roads, trails, and appurtenant facilities, $12,976,000, to remain available until expended.

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976, as amended (31 U.S.C. 6901–6907), not to exceed $400,000 shall be available for administrative expenses and of which $50,000,000 is for the conservation activities defined in section 250(c)(4)(E)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided, That no payment shall be made to other parties: Provided further, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on or before September 30, 2002 such a best made to include an opportunity to enhance the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may provide, in such cooperative agreements under this section to entities that include local nonprofit entities, Youth Conservation Corps or related partnerships, or small, disadvantaged businesses: Provided further, That funds appropriated under this heading may be reimbursed by the United States Fire Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act in connection with wildland fire management activities.

For an additional amount to cover necessary expenses for burned areas rehabilitation and fire suppression by the Department of the Interior, $70,000,000, to remain available until expended, of which $50,000,000 is for wildfire suppression and $20,000,000 is for burned areas rehabilitation funds: Provided further, That the amount appropriated in this paragraph 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 designation of the entire amount of the request 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 the Congress.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior for the remedial action, including associated activities, of hazardous waste substances, pollutants, or contaminants pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), $9,978,000, to remain available until expended: Provided, That not more than $5,000,000 shall be recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), to be credited to this account to be available until expended without further appropriation: Provided further, That such sums recovered from or paid by a party in advance of or as reimbursement for remedial action or response activities conducted by the Department pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.) and the amount designated for range improvements from grazing fees and
mineral leasing receipts from Bankhead-Jones lands and Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: Provided, That not to exceed $60,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and terminations of authorizations in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579, as amended, and Public Law 93–153, to remain available until expended: Provided, That notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriated for refund pursuant to section 305(c) of that Act, shall be available until expended and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys advanced from each such action are used on the exact lands damaged which led to the action: Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact lands for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

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

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Land Management shall be available for purchase, erection, maintenance, or reconditioning of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on her certificate, not to exceed $10,000: Provided, That notwithstanding 44 U.S.C. 501, the Bureau may, under applicable cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperators are capable of meeting accepted quality standards: Provided further, That section 201 of title 30, United States Code, is amended:

(1) In section 208(a), by striking the first sentence and inserting, "The holder of each unpatented mining claim on the public domain, or the owner or operator of such mining claim, shall be entitled to receive such amounts as may be necessary for the acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, the National Park Service, the National Marine Fisheries Service, the Fish and Wildlife Service, or the Bureau of Land Management, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

(2) In section 289, by striking "and before Sep-
tember 30, 2005, in lieu thereof" and "and before September 30, 2006", and inserting "and before September 30, 2005";

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, by direct expenditure and economic studies, conservation, management, investigations, protection, and utilization of fishery and wildlife resources, except whales, seals, and sea lions, maintenance of the herd of low-horned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to the management and administration of the National Wildlife Refuge System, to include agreements, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, $845,714,000, to remain available until September 30, 2001, except as otherwise provided herein, of which $31,000,000 is for conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided, That balances in the Federal Infrastructure Improvement account shall be transferred to this appropriation, and shall remain available until expended: Provided further, That not less than $2,000,000 shall be provided to local governments in southern California for planning associated with the Natural Communities Conservation Planning (NCCP) program and shall remain available until expended: Provided further, That not less than $2,000,000 for high priority projects which shall be carried out by the Youth Conservation Corps, defined in section 250(c)(4)(E)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided further, That not to exceed $9,000,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act, as amended, for species that are indigenous to the United States (except for processing petitions, developing a list of proposed species for consideration, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)): Provided further, That not to exceed $400,000,000 for law enforcement, up to $400,000 to remain available until expended, may at the discretion of the Secretary, be used for payment for information, rewards, or the investigation, development and utilization of laws administered by the Service, and miscellaneous and emergency expenses of enforcement activity, authorized or approved by the Secretary and to be accounted for solely on her certificate: Provided further, That the amount provided for environmental contaminants, up to $1,000,000 may remain available until expended for contaminant sample analyses.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the enforcement of law, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; $55,526,000, to remain available until expended.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460h-4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, $10,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for conservation spending category activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits: Provided, That the amount provided herein is for a Landowner Incentive Program authorized by the Secretary that provides matching, competitively awarded grants to States, the District of Columbia, Tribes, Puerto Rico, the United States Virgin Islands, the Northern Mariana Islands, and American Samoa, to establish, or supplement existing, landowner incentive programs that provide technical and financial assistance for the acquisition, rehabilitation, and restoration, to private landowners for the protection and management of habitat to benefit federally listed, imperiled, or candidate species, or other at-risk species on private lands.

STEWARDSHIP GRANTS

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460h-4 through 11), including administrative expenses, and for private conservation efforts to be carried out on private lands, $10,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for conservation spending category activities pursuant to section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of discretionary spending limits: Provided, That the amount provided herein is for the Secretary to establish a Private Stewardship Grants Program to provide grants and other assistance to individuals and groups engaged in private conservation efforts that benefit federally listed, proposed, or candidate species, or other at-risk species.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531–1534), as amended, $91,000,000, to be derived from the Cooperative Endangered Species Conservation Fund, to remain available until expended, and to be for the purposes of discretionary spending limits: Provided, That the amount provided herein is for the Secretary to make available to States, territories, Indian tribes, correctional facilities, or other at-risk species.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715a), $14,410,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, Public Law 101–233, as amended, $42,000,000, to remain available until expended and to be for the conservation activities defined in section 250(c)(4)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

MULTINATIONAL SPECIES CONSERVATION FUND

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appropriations acts for rhinoceros, tiger, Asian elephant, or captive propagation of such species are exempt from any sanctions imposed against any country under section 102 of the Arms Export Control Act (22 U.S.C. 2791a–1).

STATE WILDLIFE GRANTS
EXCLUDING RESCISSION
For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, the Northern Mariana Islands, and American Samoa, under the provisions of the Dingell-Johnson Act of 1950, the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished. $100,000,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 206(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided, That hereafter the appropriations made to the Department of the Interior for the Land and Water Conservation Service shall not be available for this purpose.

NATIONAL RECREATION AND PRESERVATION
For expenses necessary to carry out recreation programs, natural programs, cultural programs, and programs of research, documentation, compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $65,806,000.

URBAN PARK AND RECREATION FUND
For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), $20,000,000, to remain available until expended and to be for the conservation activities defined in section 250(c)(4)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

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), $74,000,000, to be derived from the Historic Preservation Fund, to remain available until expended and to be for the conservation activities defined in section 250(c)(4)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided, That the amount provided $30,000,000 shall be for Save America’s Treasures for priority preservation projects, including preservation of intellectual and cultural artifacts, preservation of historic structures and sites, and buildings to house cultural and historic resources and to provide educational opportunities; and for such grants shall be matched by non-Federal funds: Provided further, That individual projects shall only be eligible for one grant, and all projects to be funded shall be approved by the House and Senate Committees on Appropriations prior to the commitment of grant funds: Provided further, That Save America’s Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior: Provided further, That of the funds provided for Save America’s Treasures may be used for administrative expenses, and staffing for the program shall be derived from the existing staffing levels in the National Park Service.

CONSTRUCTION
For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, $338,585,000, to remain available until expended, of which $60,000,000 is for construction activities defined in section 250(c)(4)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

LAND AND WATER CONSERVATION FUND (RESCISSION)
The contract authority provided for fiscal year 2002 by 16 U.S.C. 460–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE
For expenses necessary to carry out the provisions of the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460–4 through 11), including administrative expenses, and for acquisition of lands and interests, or interests in lands, for the benefit of wildlife and fish, and for acquisition of lands and interests, or interests in lands, for the benefit of proposed wilderness areas, and to be for the conservation activities defined in section 250(c)(4)(E)(iii) of the Balanced Budget and
Emergency Deficit Control Act of 1985, as amended, of which $164,000,000 is for the State assistance program provided for the State Assistance program including $4,000,000 to administer the State assistance program, and of which $11,000,000 shall be for grants, not covering more than 50 percent of the cost of any acquisition to be made with such funds, to States and local communities for purposes of acquiring lands or interests therein within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida, and the Florida Keys, including the areas known as the Frog Pond, the Rocky Glades and the Eight and One-Half Square Mile Area) under terms and conditions deemed necessary to improve the hydrological function of the Everglades watershed; and $16,000,000 may be for project modifications authorized by section 104 of the Everglades National Park and Expansion (S). Provided further, That funds provided under this heading, $982,474,000, of which $64,318,000 shall be available only for cooperation with States or municipalities in performing surveys, research investigations; and of which $16,400,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; $892,474,000, of which $64,318,000 shall be available only for cooperation with States or municipalities in performing surveys, research investigations; and of which $16,400,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; and of which $8,000,000 shall remain available until expended for conducting inquiries into the economic conditions affecting mining and materials processing industries; and of which $23,226,000 shall be available until September 30, 2003 for operation and maintenance of facili- ties and deferred maintenance; and of which $164,424,000 shall be available until September 30, 2003 for the biological research activity and the operation of the Cooperative Research Units: Provided, That none of these funds pro- vided for the biological research activity shall be used to conduct new surveys on private prop- erty, unless specifically approved by the property owner: Provided further, That of the amount provided herein, $25,000,000 is for the conservation activities defined in section 250(c)(4)(E)(viii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities. ADMINISTRATIVE PROVISIONS The amount appropriated for the United States Geological Survey shall be available for the purchase of not to exceed 53 passenger motor vehicles, of which 36 shall be for replacement only, including not to exceed 217 for police-type use, 11 buses, and 8 ambulances: Provided, That none of the funds appropriated for USGS National Park and Expansion (S) may be used to implement an agreement for the redevel- opment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 20 days to a day certain) from the receipt by the Speaker of the House of Rep- resentatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island including the facts and circumstances relied upon in support of the proposed project. None of the funds in this Act may be spent by the United States Geological Survey for activities in direct response to the United Nations Biodiver- sity Convention. The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers’ compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to their private positions for which they are medically able.

United States Geological Survey
SURVEYS, INVESTIGATIONS, AND RESEARCH
For expenses of United States Geological Survey to perform surveys, investiga- tions, and research covering topography, geol- ogy, hydrology, biology, and the mineral and other resources of the United States, its terri- tories and possessions, and other areas as au- thorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permits and Federal Energy Regulatory Commission li- censes; administer the minerals exploration program (30 U.S.C. 641); and publish and dis- seminate scientific data and information; and to conduct inquiries into the economic conditions affecting mining and materials processing industries; and to make public geophysical or other specialized surveys; and for the furnishing of topographic maps and other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compen- sation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and adminis- tration of interstate compacts: Provided, That such activities funded by appropriations herein made may be accomplished through the use of con- tracts, grants, or cooperative agreements as de- fined in 31 U.S.C. 6302 et seq.

Minerals Management Service
Royalty and Other Mineral Management
For expenses necessary for minerals leasing and environmental studies, regulation of indus- try operations, and collection of royalties, as authorized by law; for enforcing laws and regu- lations and collecting minerals taxes; and for the return of royalties, rentals, leases, permits, licenses, and operating contracts; and for matching grants or cooperative agree- ments; including the purchase of not to exceed $4,000,000 for Outer Continental Shelf administration only, $151,933,000, of which $84,021,000, shall be available for royalty management activities; and an amount not to exceed $102,730,000, to be credits to this appropriation and to remain available until expended: Provided further, That receipts resulting from increases to rates in effect on Au- gust 5, 1992, from rate increases to fee collec- tions for Outer Continental Shelf administrative activities performed by the Minerals Manage- ment Service over and above the rates in effect on September 30, 1993, and from additional fees resulting from Outer Continental Shelf lease activities established after September 30, 1993: Pro- vided, That to the extent $102,730,000 in addi- tions to receipts are not realized from the sources of receipts stated above, the amount needed to reach $102,730,000 shall be credited to this appropriation from receipts resulting from rental rates for Outer Continental Shelf leases in effect before August 5, 1993: Provided further, That $3,000,000 for computer acquisitions shall remain available until September 30, 2003: Pro- vided further, That funds appropriated under this heading shall be available only to the extent of in- terest in accordance with 30 U.S.C. 1721(b) and (d): Provided further, That not to exceed $3,000 shall be available for reasonable expenses re- lated to the registration of vessels and for the cleanup of vessel minority interests. Provided further, That notwithstanding any other provision of law, $15,000 under this heading shall be available for re- elevations to wholesale market centers or up- stream pooling points, and to process or other- wise dispose of royalty production taken in kind: Provided further, That MMS may under the royalty- in-kind pilot program use a portion of the revenues from royalty-in-kind sales, without re- gard to fiscal year limitation, to pay for trans- portation to wholesale market centers or up- stream pooling points, and to process or other- wise dispose of royalty production taken in kind: Provided further, That MMS shall ana- lyze and document the expected return in ad- vance of any royalty-in-kind sales to assure to the maximum extent possible that royalty in- come under the pilot program is equal to or greater than royalty income recognized under a comparable royalty-in-value program.

Oil spill Research
For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollu- tion Act of 1990, $6,118,000, which shall be de- rived from the Oil Spill Liability Trust Fund, to remain available until expended.

Office of Surface Mining Reclamation and Enforcement
REGULATION AND TECHNOLOGY
For necessary expenses to carry out the provi- sions of the Surface Mining Control and Re- clamation Act of 1977, Public Law 95-44, as amended, including the purchase of not to exceed 19 passenger motor vehicles, for replace- ment only; $102,144,000: Provided, That the Sec- retary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2002 for civil pen- alties, fines, or interest on such amounts, and from additions to receipts stated above, the amount provided herein may be used to address the costs of the Office of Surface Mining Reclamation and Enforcement.
ABANDONED MINE RECLAMATION FUND

Congressional Record—Senate, July 11, 2001

For necessary expenses to carry out title IV of the Safe, Accountable, Flexible, and Efficient竟用 of transportation, and Reclamation Act of 1977, Public Law 95-87, as amended, in- cluding the purchase of not more than 10 pas- senger motor vehicles for replacement or re- placement for replacement for reservations (25 U.S.C. 360,132,000), to be made available on a (25 U.S.C. 360,132,000), to be made available on a nonreimbursable basis: Provided, That such amounts as may be available to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or an- other agreement with the Bureau prior to or during fiscal year 2002, as authorized by such Act, except that such assistance programs contained in 25 U.S.C. 2503(b): Provided further, that any disputes between the Secretary and any tribe or tribal organization with respect to the disputes provision in 25 U.S.C. 2509(e).

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For the payment of claims to tribes and individuals and for necessary administrative expenses, $69,949,000, to remain available until expended, of which $24,870,000 shall be available for implementation of Indian land and water claim settlements pursuant to Public Laws 101-618 and 102-575, and for im- plementation of other enacted water rights settle- ments; of which $87,950,000 shall be available for future water supplies facilities under Public Law 106-163; of which $21,475,000 shall be avail- able pursuant to Public Laws 99-364, 100-580, 101-263, 101-425, 101-534, and 101-568; and of which $6,254,000 shall be available for the consent decree entered by the U.S. District Court, Western District of Michigan in United States v. Michigan, Case No. 97-143 CV-3.

INDIAN GUARANTEE LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans, $4,500,000, and authorized by the Indian Financing Act of 1974, Public Law 93-638, and of which the amount (together with all inter- est earned thereon) shall remain available until expended; of which $24,670,000 shall be available for implementation of the Indian Self-Determination Act of 1975, as amended, and $25,954,000 shall be available for the construction of the Navajo Indian Irrigation Project pursuant to Public Law 87-483, and $360,132,000, to remain available until expended: Provided, That such amounts as may be 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 pro- vided 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 fiscal year 2003, in implementing new construction, facilities improvement and repair projects in excess of $100,000 that are pro- vided for in the Indian Health Care Improvement Act of 1999, no funds available for the Bureau, other than the amounts provided herein for assistance to public schools under Public Law 103-413, shall be available for the operation of any elementary or secondary school in the State of Alaska. Appropriations made available in this or any other Act for funds obtained under the Bureau shall be available only to the schools in the public school system as of September 1, 1996.
funds available to the Bureau shall be used to support any educational pipeline or incubator beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau school system as of October 1, 1999. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1146 of the Education Consolidated Appropriations Act, 2001), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funds.

In-American Samoa, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Republic of the Marshall Islands, and the Federated States of Micronesia, implementation of on-going operations maintenance needs, improved capability of local operations and maintenance institutions and agencies (including management and vocational education training), and project-specific maintenance (with territorial participation and cost sharing to be determined by the Secretary of the Interior in consultation with each such account) shall provide for a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and have a balance of $1.00 or less: Provided further, That the Secretary shall issue an annual audit report to the Committee on Indian Affairs and to the Appropriations Committees of the Senate and the House of Representatives for the Federal-Indian Trust Funds, and shall submit a report to each of the Committees on Indian Affairs and the Appropriations Committees of the Senate and the House of Representatives for the Federal-Indian Trust Funds. The Secretary shall make such reports available to the Committees on Indian Affairs and the Appropriations Committees of the Senate and the House of Representatives.

For the purpose of implementing the thirteenth amendment to the Constitution of the United States, the Secretary of the Interior, in consultation with the Tribal organizations, shall provide to the States services as authorized by section 101 of the Indian Self-Determination Act (25 U.S.C. 5307).

Department of the Interior and Related Agencies Appropriations Act, 2006, funds available for the operation and employees of a charter school forming functions related to the charter school’s operations and employees of a charter school shall not be treated as Federal employees for purposes of title 5, United States Code (commonly known as the “Federal Tort Claims Act”).

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, $75,450,000, of which: (1) $71,922,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and for control and enforcement; (2) grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)); grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $4,528,000, to remain available until expended for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the General Accounting Office, at its discretion, in accordance with the Special Representatives on Public United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: Provided further, That the amounts provided for technical assistance, not to exceed $2,000,000 shall be available for transfer to the Disaster Assistance Direct Loan Financing Account of the Federal Emergency Management Agency for the purpose of defraying the cost of the repayment obligation of the Government of the Virgin Islands on Community Disaster Loan 441, as required by section 504 of the Congressional Budget Act of 1974, as amended (31 U.S.C. 666c): Provided further, That, of the amounts provided for technical assistance, sufficient funding shall be made available for a grant to the Close Up Foundation: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement for replacement and which may be obtained by law; $23,545,000, to remain available until expended, for grants to the Republic of the Marshall Islands as authorized by law (42 U.S.C. 5170c).

Indian Land Consolidation

For consolidation of fractional interests in Indian lands and expenses associated with determining and redistributing escheated interests in allotted lands, and for necessary expenses to carry out the Indian Land Consolidation Act of 1988, there shall be available for cooperative operation, $10,980,000, to remain available until expended and which may be transferred to the Bureau of Indian Affairs and Departmental Management.

Natural Resources Damage Assessment and Restoration


Administrative Provisions

There is hereby authorized for acquisition from available resources within the Working Capital Fund, 15 aircraft, 10 of which shall be for replacement and which may be obtained by donation, purchase or through available excess surplus Federal property: Provided, That notwithstanding any other provision 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: Provided further, That no programs funded with appropriated funds in the “Departmental Management”, “Office of the Solicitor”, and “Office of Inspector General” may be augmented through the Working Capital Fund or the Consolidated Working Fund.

General Provisions, Department of the Interior

Sec. 101. Appropriations made in this title shall be available, by disbursement or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds are available under the appropriation to the Department of the Interior for emergencies shall have been exhausted: Provided further, That all funds used pursuant to this authority shall be specifically identified and used for “emergency requirements” pursuant to section 251(h)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.
SEC. 102. The Secretary may authorize the expending of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment associated with actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under its jurisdiction. Such funds are available for that purpose and for any purpose that the Secretary determines to be necessary to carry out the provisions of this section.

SEC. 103. Appropriations made in this title shall be available for the operation of warehouses, and other equipment in connection with the use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of the obligation of the funds provided. Provided further, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for wildland fire operations will be exhausted within thirty days: Provided further, That all funds used pursuant to this section are hereby designated by Congress to be "emergency requirements" pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: Provided further, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which they were transferred.

SEC. 104. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever considered necessary, which will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1335 and 1336 of title 31, United States Code: Provided, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 105. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed $500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary, on an advance or post principle; duties, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price higher than to subscribers.

SEC. 106. Annual appropriations made in this title shall be available for services as authorized by laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority.

SEC. 107. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore oil and natural gas preleasing, leasing, and related activities, on lands within the North Aleutian Basin planning area.

SEC. 108. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore oil and natural gas preleasing, leasing, and related activities, on lands within the Western Gulf of Mexico planning area.

SEC. 109. No funds provided in this title may be expended by the Department of the Interior to conduct offshore oil and natural gas preleasing, leasing, and related activities in the eastern Gulf of Mexico 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 Indian Self-Determination and Education Assistance Act (25 U.S.C. 284 et seq.) shall be reimbursed at a level which exceeds the maximum rate of reimbursement provide for in the Indian Self Determination and Education Assistance Act (25 U.S.C. 284 et seq.) 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 in obligations or securities that are guaranteed or insured by the United States, or in a mutual or stock association with the Securities and Exchange Commission which only invest in obligations of the United States or securities that are guaranteed or insured by the United States; and

(2) deposited only into 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. Appropriations made in this Act under the headings Bureau of Indian Affairs and Office of Special Trustee for American Indians and any available unobligated balances from prior appropriations Acts made under the same headings, shall be available for expendi- ture or transfer for Indian trust management activities pursuant to the Trust Management Improvement Project High Level Implementation Plan.

SEC. 113. A grazing permit or lease that expires (or is transferred) during fiscal year 2002 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752). The terms and conditions contained in the expiring permit or lease shall remain in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations. Any sale of rights under a permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applica-
expended to acquire or grow the seeds or seedlings and are available without fiscal year limitation.

SEC. 122. TRIBAL SCHOOL CONSTRUCTION DEMONSTRATION PROGRAM. (a) DEFINITIONS.—In this section:

(1) CONSTRUCTION.—The term ‘‘construction’’, with respect to a tribally controlled school, includes the construction or renovation of that school.

(2) INDIAN TRIBE.—The term ‘‘Indian tribe’’ has the meaning given that term in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450h(e)).

(3) SECRETARY.—The term ‘‘secretary’’ means the Secretary of the Interior.

(4) TRIBALLY CONTROLLED SCHOOL.—The term ‘‘tribally controlled school’’ has the meaning given that term in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511).

(5) DEPARTMENT.—The term ‘‘Department’’ means the Department of the Interior.

(6) DEMONSTRATION PROGRAM.—The term ‘‘demonstration program’’ means the Tribal School Construction Demonstration Program.

(b) DUTIES.—The Secretary shall carry out a demonstration program to provide grants to Indian tribes for the construction of tribally controlled schools.

(c) REQUIREMENTS.—Subject to the availability of appropriations, in carrying out the demonstration program under subsection (b), the Secretary shall award a grant to each Indian tribe that submits an application that is approved by the Secretary under paragraph (2). The Secretary shall ensure that an eligible Indian tribe currently on the Department’s priority list for construction and replacement educational facilities receives the highest priority for a grant under this section.

(1) GRANT APPLICATIONS.—An application for a grant under this section shall:

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

(B) be in such form as the Secretary determines appropriate.

(2) GRANT AGREEMENT.—As a condition to receiving a grant under this section, the Indian tribe and the Secretary shall enter into an agreement with the Mine:

(a) (1) Mine Service Building,

(2) Sewage Treatment Building,

(3) 500,000 gallon water storage tank,

(4) Water Treatment Building/Plant,

(5) Ventilation/Fan Building,

(6) Water Storage Tanks,

(7) Mine Hoist Cage and Headframe,

(8) Miscellaneous Mine-related equipment.

(c) DESCRIPTION OF LAND.—The term ‘‘Mine’’ has the meaning given to that term in section 5211 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450h(c)).

(d) EFFECT OF GRANT.—A grant received under this section shall be in addition to any other funds received by an Indian tribe under any other provision of law. The receipt of a grant under this section shall not affect the eligibility of an Indian tribe receiving funding, or the amount of funding received by the Indian tribe, under the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) or the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

SEC. 123. WHITE RIVER OIL SHALE MINE. (a) DESCRIPTION OF LAND.—The term ‘‘White River Oil Shale Mine’’ means the land described as follows:

(1) T. 10 S., R. 24 E., Salt Lake Meridian, sections 14 through 19, through 30, 31, and 34.

(2) T. 10 S., R. 25 E., Salt Lake Meridian, sections 18 and 19.

(b) USE OF PROCEEDS.—The proceeds of the sale under subsection (a) shall:

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

(2) be available until expended, without further Act of appropriation.

(c) ELIGIBILITY.—Grants awarded under the provisions of subsection (a) shall be available until expended, without further Act of appropriation:

(1) to the Bureau of Land Management for the purpose of generating revenue from the costs of closing and rehabilitating the Mine.

(2) to reimburse the Bureau of Land Management for funds subsequently received from the United States in and to the improvements and equipment described in subsection (b) that are situated on the land described in sub-

section (c) (referred to in this section as the ‘‘Mine’’).

(d) DESCRIPTION OF IMPROVEMENTS AND EQUIPMENT.—The improvements and equipment referred to in subsection (a) are the following improvements and equipment associated with the Mine:

(1) Mine Service Building,

(2) Sewage Treatment Building,

(3) 500,000 gallon water storage tank,

(4) Water Treatment Building/Plant,

(5) Ventilation/Fan Building,

(6) Water Storage Tanks,

(7) Mine Hoist Cage and Headframe,

(8) Miscellaneous Mine-related equipment.

(e) MINE CLOSURE AND REHABILITATION.—The closing and rehabilitation of the Mine (including closing of the mine shafts, site grading, and surface revegetation) shall be conducted in accordance with:

(1) the regulatory requirements of the State of Utah, the Mine Safety and Health Administration, and the Occupational Safety and Health Administration; and

(2) other applicable law.

SEC. 124. The Secretary of the Interior may use or contract for the use of helicopters or motor vehicles on the Sheldon and Hart National Wildlife Refuges for the purpose of capturing and transporting horses and burros. The provisions of subsection (a) of the Act of September 8, 1959 (73 Stat. 470; 18 U.S.C. 47(a)) shall not be applicable to such use. Such use shall be in accordance with the humane procedures prescribed by the Secretary.

SEC. 125. Upon application of the Governor of a State, the Secretary shall:

(1) transfer not to exceed 25 percent of that State’s formula allocation under the heading ‘‘National Park Service, Land Acquisition and State Assistance’’ to the National Park Service for the purpose of acquiring land under the heading ‘‘United States Fish and Wildlife Service, State Wildlife Grants’’ or (2) transfer not to exceed 50 percent of the State’s formula allocation under the heading ‘‘United States Fish and Wildlife Service, State Wildlife Grants’’ to increase the State’s formula allocation under the heading ‘‘National Park Service, Land Acquisition and State Assistance’’.

SEC. 126. Section 819 of Public Law 106–586 is hereby repealed.

SEC. 127. The Moore’s Landing at the Cape Romain National Wildlife Refuge in South Carolina is hereby named for George Garris and shall henceforth be referred to in any law, document, or records of the United States as ‘‘Garris Landing’’.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and range land research as authorized by law, $242,822,000, 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 other

ers, and for forest health management, cooperation, and education and resource conservation activities and conducting an international program as authorized, $287,331,000, to remain available until expended, as authorized by law, of which $100,000,000 is for the Cooperative Urban and Community Forestry, defined in section 250(c)(4)(B)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act. Provided, That none of the funds provided under this heading for the acquisition of lands or interests in lands shall be available until the Senate Committee on Appropriations and the Senate Committee on Appropriations provide to the Secretary, in writing, a list of specific acquisitions to be undertaken with such funds: Provided further, That notwithstanding any other provision of law, of the funds provided under this heading, $5,000,000 shall be made available to the White River Oil Shale Mine. For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, $1,324,491,000, to remain available until expended, subject to an additional 5 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, for the purpose of acquiring such funds: Provided, That the amount of funds provided under this heading for Forest Fire Protection, $5,000,000 shall be allocated to the Alaska Region, in addition to its normal annual allocation, for the purchase of an additional timber for sale, to establish a 3-year timber supply and such funds may be transferred to other appropriations accounts as necessary to carry out the purposes of this Act.

that of the funds provided under this heading for the Nevada and Arizona State Game Management Areas, $5,000,000 shall be provided to the State of Nevada for wildlife management activities, and for the use of funds, including

For necessary expenses for forest fire suppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency re-
the use of contracts, grants, and cooperative agreements to carry out the USDA Forest Service Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: Provided further, That funds provided in this paragraph shall be available for fire suppression activities of the Forest Service: Provided further, That amounts under this heading may be transferred as specified in the report accompanying this Act to the “State and Private Forests Program”. (A) Forest Service System, the Rangeland and Rangeland Research”, and “Capital Improvement and Maintenance” accounts to fund fire state fire assistance, volunteer fire assistance, and forest health management, vegetation and watershed management, heritage site rehabilitation, wildlife and fish habitat management, trails and facilities maintenance and restoration: Provided further, That transfers of any amounts in excess of those specified shall require approval of the House and Senate Committees on Appropriations in compliance with reprogramming contained in the report accompanying this Act: Provided further, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal government or agency shall be shared, as mutually agreed on by the affected parties: Provided further, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business and employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or disadvantaged businesses: Provided further, That:

(1) In expending the funds provided with respect to this Act for hazardous fuels reduction, the Secretary of the Interior and the Secretary of Agriculture may conduct fuel reduction treatments on Federal lands using all contracting and hiring authorities available to the Secretary of the Interior and the Secretary of Agriculture for hazardous fuels reduction activities under the wildland fire management accounts. Notwithstanding Federal government procurement and contracting laws, the Secretary may conduct fuel reduction treatments on Federal lands using grants and cooperative agreements. Notwithstanding Federal government procurement and contracting laws, in order to provide employment and training opportunities to people in rural communities, the Secretary may award contracts, including contracts for monitoring activities, to:

(A) local private, nonprofit, or cooperative entities;

(B) Youth Conservation Corps crews or related partnerships, with State, local or non-profit youth groups, or small or disadvantaged businesses; provided further, That:

(A) The Secretary of Agriculture may transfer or reimburse funds to the United States Fish and Wildlife Service or the Departments of Interior, or the National Marine Fisheries Service of the Department of Commerce, for the costs of carrying out their responsibilities under the Environmental Protection Act of 1970 (16 U.S.C. 1570et seq.) to consult and confer as required by section 7 of such Act in connection with wildland fire management activities in fiscal years 2001 and 2002; and

(B) Only those funds appropriated for fiscal years 2001 and 2002 to Forest Service (USDA) for wildland fire management are available to the Secretary for the purpose of such transfer or reimbursement.

(C) The amount of the transfer or reimbursement shall be as mutually agreed by the Secretary of Agriculture and the Secretary of the Interior or Secretary of Commerce, as applicable, or their designees. The amount shall in no case exceed the actual costs of consultation and conferencing in connection with wildland fire management activities affecting National Forest System lands.

For necessary actual or contingent expenses for emergency management and public protection during fire suppression, and for emergency rehabilitation and wildfire suppression, and for fire operations is for emergency rehabilitation and wildfire suppression, and for fire suppression is for emergency rehabilitation and wildfire suppression, and for fire operations: Provided, That the entire amount appropriated in this paragraph 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, is to be available only to the extent an official request for a specific dollar amount, that includes designation of the amount of the request as an emergency requirement, is made in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted to the Secretary of the Treasury: For an additional amount to defray obligations previously incurred, $274,147,000.

CAPITAL IMPROVEMENT AND MAINTENANCE For necessary expenses for the Forest Service, not otherwise provided for, $541,286,000, to remain available until expended for construction, reconstruction, maintenance and acquisition of buildings and other facilities, and for construction, reconstruction, repair and maintenance of the Forest Service fleet of aircraft, as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205, of which $61,000,000 is for conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: Provided, That fiscal year 2001 balances in the Federal Infrastructure Improvement account for the Forest Service shall be transferred to and merged with this appropriation and shall remain available until expended: Provided further, That up to $15,000,000 of the funds provided herein for road maintenance shall be available for the decommisioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: Provided further, That no funds shall be expended to decommission any system road until notice and an opportunity for public comment has been provided on each decommisioning project: Provided further, That the Forest Service shall transfer $300,000, appropriated in Public Law 106–291 within the Capital Improvement and Maintenance appropriation, to the State and Private Forestry appropriation, and shall provide these funds in an advance direct lump sum payment to Purdue University for planning and construction of a wildfire tree improvement and generation facility.

LAND ACQUISITION For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 660–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, subject to the priority applicable to the Forest Service, $128,977,000 to be derived from the Land and Water Conservation Fund, to remain available until expended, and for the purposes specified as defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act.

ACQUISITION OF LANDS FOR NATIONAL FORESTS AND RANGELAND RESEARCH For acquisition of lands within the boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forests, Nevada; and San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $1,069,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public bodies, in accordance with 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 rehabilitation, protection, and improvement, 30 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 404(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 on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND REQUESTS FOR FOREST AND RANGELAND RESEARCH For expenses authorized by 16 U.S.C. 1614(b), $92,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCY USES AND TO CONSERVE WILDLIFE For necessary expenses of the Forest Service to manage federal lands in Alaska for subsistence use under title VIII of the Alaska Native Forest Lands Act of 1980 (Public Law 96–487), $5,480,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, FOREST SERVICE Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of not to exceed 132 passenger motor vehicles of which eight will be used primarily for law enforcement purposes and of which 130 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 four airplanes, and the replacement of sufficient aircraft from excess sources to maintain the operable fleet at 195 aircraft for use in Forest Service wildland fire programs and other Forest Service programs: Provided further, That the provisions of existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other improvements necessary for the purposes of such Act; (4) acquisition of land, waters, and interests therein, including the Oscoda-Wurtzville land exchange in Michigan, pursuant to 7 U.S.C. 428a; (5) acquisition of land, waters, and interests therein, including the Toledo-Buena Vista land exchange in Michigan, pursuant to 7 U.S.C. 428a; (6) the cost of uniforms as approved by the Forest Service; (7) purchase of not to exceed 100 aircraft; (8) travel expenses; and (9) the cost of uniforms as approved by the Forest Service; (7) purchase of not to exceed 100 aircraft; (8) travel expenses; and (9) the cost of uniforms as approved by the Forest Service.
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authorized by 5 U.S.C. 5901–5927; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(e).

None of the funds made available under this Act shall be obligated or expended to abolish any position, or for close any regional office for National Forest System Administration under the Forest Service, Department of Agriculture without the consent of the House and Senate Committees on Appropriations.

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for the purpose of carrying out projects on National Forest land in the State of Washington as the Forest Service deems necessary.

Pursuant to section 2(b)(2) of Public Law 98–244, up to $2,650,000 of the funds available to the Forest Service shall be available for matching funds to the National Fish and Wildlife Foundation, as authorized by 16 U.S.C. 730j–730j–9, and 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 programs: Provided, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis the Federal funds advanced by the Forest Service: Provided further, That such contributions may be made 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 2(b)(2) of Public Law 98–244, up to $2,650,000 of the funds available to the Forest Service shall be available for matching funds to the National Fish and Wildlife Foundation, as authorized by 16 U.S.C. 730j–730j–9, and 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 programs: Provided, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis the Federal funds advanced by the Forest Service: Provided further, That such contributions may be made in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States:

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Pursuant to section 2(b)(2) of Public Law 98–244, up to $2,650,000 of the funds available to the Forest Service shall be available for matching funds to the National Fish and Wildlife Foundation, as authorized by 16 U.S.C. 730j–730j–9, and 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 programs: Provided, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis the Federal funds advanced by the Forest Service: Provided further, That such contributions may be made in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States:
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ECONOMIC REGULATION
For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, $1,996,000, to remain available until expended.

STRATEGIC PETROLEUM RESERVE
Appropriations under this Act, transfers of sums may be made to other agencies of the Government for the performance of work for which the appropriation is made.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY
That any contract, agreement, or provision to the Department under this Act may be retained by the Department at such time or for such period as the President shall determine.

ALTERNATIVE FUELS PRODUCTION
Of the unobligated balances under this heading, $2,000,000 are rescinded.

NAVAL PETROLEUM AND OIL SHALE RESERVES
For expenses necessary to carry out naval petroleum and oil shale reserve activities, $17,371,000, to remain available until expended: Provided, That the request for proposals shall be issued no later than one hundred and twenty days following enactment of this Act, proposals shall be submitted no later than ninety days after the issuance of the request for proposals, and the Department of Energy shall make project selections no later than one hundred and twenty days after receipt of proposals: Provided further, That funds shall be expended in accordance with the provisions governing the use of funds contained in the heading "Clean Coal Technology", and of which $150,000,000 is to be made available, after coordination with the appropriate social and environmental costs (30 U.S.C. 3, 1602, and 1603), $604,090,000, to remain available until expended in accordance with the provisions governing the use of funds contained in the heading "Energy Conservation".

INDIAN HEALTH SERVICE
For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and a tribe or tribal organization pursuant to any contract, agreement, or provision to the Department under this Act may be retained by the Department at such time or for such period as the President shall determine.

In support of the proposed project.

That any contract, agreement, or provision to the Department under this Act may be retained by the Department at such time or for such period as the President shall determine.

Indian Catastrophic Health Care Improvement Fund may be used for the purposes of the Indian Health Care Improvement Act:

Of the Indian Health Care Improvement Act:

Of the Indian Health Care Improvement Act:

The Indian Health Service: Provided, That funds appropriated in prior years under the provisions of Public Law 99–509, such sums shall be allocated to the eligible programs as follows: $123,000,000 for Indian health assistance grants and $38,000,000 for State energy conservation grants.

INDIAN HEALTH FACILITIES
For construction, repair, maintenance, improvement, and equipment of health and related
auxiliary facilities, including quarters for personnel, furnishings, reproductions or blueprints, drawings; acquisition of site, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by title I of the Indian Self-Determination and Education Assistance Act of 1975, as amended, may be used rather than grants to fund small ambulatory facility construction projects: Provided further, That if a contract is used, the HHS is authorized to im- merse available funds, and the Indian Health Service is authorized to expend at any time, during construction or after completion of the project, that portion of the Federal Gov- ernment commitment that may be transferred to the tribe or tribal organization without fiscal year limitation.

None of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Fed- eral Register on September 16, 1987, by the De- partment of Health and Human Services, relating to the eligibility for the health care services of the Beneficiary Health Care System, and the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such rule has been published in accordance with the Federal Register and included in an appropriations Act and enacted into law.

Funds made available in this Act are to be ap- portioned to the Indian Health Service as appro- priated in title II, and the appropriation structure set forth in this Act. With respect to functions transferred by the Indian Health Service to tribes or tribal organizations, this Act is inapplicable.

OTHER RELATED AGENCIES

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $15,148,000, to remain avail- able until expended. Provided, That funds pro- vided in this Act or any comparable Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in sig- nificant hardship, those on a standard home, and all others certified as eligible and not included in the pre- ceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to assist any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be provided with more than one home or replacement home: Pro- vided further, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Nav-ajo reservation or selected a replacement resid- ence off the Navajo reservation or selected a new home on the land acquired pursuant to 25 U.S.C. 640d–10.

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American In- dian and Alaska Native Culture and Arts Develop- ment, as authorized by title XV of Public Law 96–438, as amended (20 U.S.C. 56 part A), $4,490,000.

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, prepa- ration, dissemination, and exchange of informa- tion; publication; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, facilities, and approaches; not to ex- ceed $100,000 for services as authorized by 5 U.S.C. 3109; up to five replacement passenger ve- hicles; purchase, rental, repair, and cleaning of uniforms or allowances thereof, including judicial, fire, and police vehicles; purchase, lease, or rental of vehicles; purchase of reprints; purchase, renova- tion and erection of modular buildings and reno- vation of existing facilities; payments for tele- phone service in private residences in the field, when authorized under regulations approved by the Superintendent of the Smithsonian Institution, as authorized by law, including re- pairs, cleaning, and washing of uniforms or allowances thereof, including judicial, fire, and police vehicles; purchase of research equipment, information man- age...
available until expended, and including such funds as may be used 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 furnishing research services or participating in official Smithsonian presentations: Provided further, That the Smithsonian Institution may expend Federal appropriations designated in this Act for lease or rent payments for long term and swing space, as rent payable to the Smithsonian Institution, and such contracts may be deposited into the general trust funds of the Institution to the extent that federally supported activities are housed in the 900 H Street, N.W. building in the District of Columbia: Provided further, That this use of Federal appropriations shall not be construed as debt service, a Federal guarantee of, a transfer of risk to, or an obligation of, the Federal Government: Provided further, That no appropriated funds may be used to service debt which is incurred to finance the costs of acquiring the 900 H Street building or of planning, designing, and constructing improvements to such building.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses for repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, operation, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $68,967,000, of which not to exceed $3,026,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses for repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, operation, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the Smithsonian Institution, as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, operation, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the Smithsonian Institution, as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, operation, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $68,967,000, of which not to exceed $3,026,000 for the special exhibition program shall remain available until expended.

CONSTRUCTION

For necessary expenses for construction, $25,000,000, 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 proposed expansion of current space or new facility without consultation with the House and Senate Appropriations Committees.

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

None of the funds in this or any other Act may be used to make any changes to the existing Smithsonian science programs, including closure of facilities, relocation of staff or redefinition of functions and programs, without approval of the Executive Secretary of the Commission received from the Science Commission.

None of the funds available to the Smithsonian may be reprogrammed without the advance written approval of the House and Senate Committees on Appropriations in accordance with the procedures contained in House Report No. 105-163.

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, as authorized by section 7(c) of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $70,000 for services as authorized by 5 U.S.C. 3109, $87,900,000, to remain available until expended.

Woodrow Wilson International Center for Scholars

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1969, as amended, including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $7,796,000.

National Foundation on the Arts and the Humanities

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $98,234,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to sections 6(c) and 5(g) of the Act, for program support, 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, $15,622,000, to remain available until expended, of which $11,622,000 shall be available to the National Endowment for the Arts 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, devises of money, and other property accepted by the chairman or by grantees of the Endowment authorized under section 11(a)(2)(A) 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

GRANTS AND ADMINISTRATION

For carrying out subtitle C of the Museum and Library Services Act of 1996, as amended, $26,899,000, to remain available until expended.

CHALLENGE AMERICA ARTS FUND

For necessary expenses as authorized by Public Law 89–209, as amended, $17,000,000 for support for arts education and public outreach activities to be administered by the National Endowment for the Arts, 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 16 U.S.C. 1312: 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

SALARIES AND EXPENSES

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

NATIONAL CULTURAL ARTS AND CULTURAL AFFAIRS BUSINESS STRENGTHENING ACT (20 U.S.C. 956), as amended, $1,174,000: Provided, That none of the funds appropriated to carry out the provisions of this Act may be used to support any entity which is not available to the National Endowment for the Arts.

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

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the National Park Service (40 U.S.C. 801 et seq.), as authorized by law, $3,310,000: Provided, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Commission Act of 1982 (40 U.S.C. 71-71i), including services as authorized by law, $26,899,000, to remain available until expended.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the United States Holocaust Memorial Museum, as authorized by Public Law 106–292 (36
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SEC. 315. Of the funds provided to the National Endowment for the Humanities—

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

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant program, except a grant to a national arts group, regional arts group, or national arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct actively independent of the recipient grant recipient. Nothing in this section 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. 316. 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 property or services in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities in pursuance of such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account to the credit of the appropriate endowment for the purposes specified in each case.

SEC. 317. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, funds appropriated by 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 serve underserved populations.

(b) In this section:

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

(2) The term “poverty line” means the poverty line (as defined by the Office of Management and Budget) from time to time, or such alternative measure as the Chairperson determines in the context of this section.

(c) Funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) The Chairperson shall establish a grant competition 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 fifteen percent, in any single fiscal year, to any such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) The Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category.

U.S.C. 2301–2310), $36,028,000, of which $1,900,000 shall be available for competitive bidding on publicly owned lands and $1,000,000 shall be available for the leasing of oil and natural gas by non-competitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest.

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

SEC. 303. No part of any appropriation contained in this Act shall remain available for obligations made by the Secretary of the Interior for the fiscal year ending September 30, 1994, or for obligation in the fiscal year ending September 30, 1995.

SEC. 304. No part of any assessment and the basis therefor are available for fiscal years 1994 through 2001 for competitive bidding on publicly owned lands unless advance notice of the availability or are able to tour several States;

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

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant program, except a grant to a national arts group, regional arts group, or national arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct actively independent of the recipient grant recipient. Nothing in this section 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. 316. 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 property or services in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities in pursuance of such gifts, bequests, or devises, after acceptance by the National Endowment for the Arts or the National Endowment for the Humanities, shall be paid by the donor or the representative of the donor to the Chairman. The Chairman shall enter the proceeds in a special interest-bearing account to the credit of the appropriate endowment for the purposes specified in each case.

SEC. 317. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, funds appropriated by 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 serve underserved populations.

(b) In this section:

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

(2) The term “poverty line” means the poverty line (as defined by the Office of Management and Budget) from time to time, or such alternative measure as the Chairperson determines in the context of this section.

(c) Funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) The Chairperson shall establish a grant competition 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 fifteen percent, in any single fiscal year, to any such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) The Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category.
FROM THE DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2002

SEC. 250. The Forest Service, in consultation with the Department of Labor, shall review Forest Service concessionaires under the terms and conditions of the 1987 amendments to the Uniform Federal Accessibility Standards before signing any new contracts or renewing any existing contracts subject to the same terms and conditions as provided for in that section. Provided, That any new contracts authorized by this section shall be allocated to Region 1 and at least 3 to Region 6.

SEC. 251. None of the funds appropriated by this Act shall be available to defray the cost of processing authorizations to occupy and use Federal lands under their control with respect to the Imperial Valley project, in California; to the Eastern High Desert project, in California; to the San Joaquin Valley Aqueduct project, in California; to the White Valley project, in Oregon; to the Animas River project, in New Mexico; to the Vermejo project, in New Mexico; to the Upper Colorado River project, in Colorado; or to the Upper Missouri project, in Montana.

SEC. 252. The Secretary of Agriculture, acting through the Forest Service, shall—

(1) extend the special use permit for the Silvian Creek project, in the Absaroka Beartooth Wilderness Area, Montana, held by Montana State University—Billings for a period of 50 years; and

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


SEC. 254. Section 551(c) of the Land Between the Lakes Protection Act of 1986 (16 U.S.C. 4601–4601a) is amended by striking "2002" and inserting "2004".

SEC. 255. The Secretary of Agriculture, acting through the Forest Service, shall—

(1) extend the special use permit for the Sierra Club project, in the Absaroka Beartooth Wilderness Area, Montana, held by Montana State University—Billings for a period of 50 years; and

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

SEC. 256. The Secretary of Agriculture, acting through the Forest Service, shall—

(1) extend the special use permit for the Sierra Club project, in the Absaroka Beartooth Wilderness Area, Montana, held by Montana State University—Billings for a period of 50 years; and

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

SEC. 257. The Secretary of Agriculture, acting through the Forest Service, shall—

(1) extend the special use permit for the Sierra Club project, in the Absaroka Beartooth Wilderness Area, Montana, held by Montana State University—Billings for a period of 50 years; and

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

SEC. 258. The Secretary of Agriculture, acting through the Forest Service, shall—

(1) extend the special use permit for the Sierra Club project, in the Absaroka Beartooth Wilderness Area, Montana, held by Montana State University—Billings for a period of 50 years; and

(2) solicit public comments at the end of the 50 year period to determine whether another extension should be granted.
Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent the order for the quorum call be terminated.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I am very honored to join with my colleague, the distinguished Senator from Montana, Mr. BURNS, in bringing before the Senate H.R. 2217, the Interior and related agencies bill for fiscal year 2002, as amended, by the Senate Appropriations Committee.

This is the first of the 13 annual appropriations measures to be considered by the Senate this year. In my opinion, this is a well-crafted bill. It balances both the needs of the American people and the resources available to the committee. We only have so much money available, and we ain't going to spend what we ain't got.

That being the situation then, I urge my colleagues to adopt this bill in a timely fashion so we can proceed to conference with the House of Representatives. We have gotten a late start to this year and we have to work hard and long to catch up. Darkness may have fallen, from time to time, before we catch up on these appropriations bills.

H.R. 2217 provides more than $1.2 billion in much-needed funding to attack the deferred maintenance problems at our national parks, our national wildlife refuges, our national forests, and other federal recreational facilities across the country. The bill would provide $480 million to the National Park Service, $180 million to the Fish and Wildlife Service, $78 million to the Bureau of Land Management, and $541 million to the Forest Service for literally hundreds, hundreds and hundreds of important maintenance projects.

In addition, the bill restores $35 million in abandoned mine clean-up funds that were unwisely proposed to be cut by the administration. We are not going down that road, Mr. President. It restores nearly $80 million in proposed cuts to the budget of the U.S. Geological Survey, a matter of great importance to many of our colleagues. The bill fully funds the construction needs of the next six schools on the priority list of the Bureau of Indian Affairs, while increasing funding for the Indian Health Service. It increases funding for important energy research programs overseen by Department of Energy, another issue of particular importance to those from the West. Finally, this bill provides nearly $895 million in funding for various cultural agencies: agencies such as the Smithsonian Institution, the National Gallery of Art, the Kennedy Center for the Performing Arts, the National Endowment for the Arts, the National Endowment for the Humanities, and the Office of Museum Services.

I am proud of the fact that the committee has kept its previous commitment and has fully funded the Conservation Spending Category established in title VIII of last year's Interior appropriations bill. Included in that amount is $406 million for federal land acquisition; $221 million for State and other conservation programs such as endangered species programs and wetland conservation programs; $137 million for historic preservation programs; an additional $50 million for the Payment-In-Lieu-of-Taxes program; and $180 million for Federal infrastructure improvements.

This is a well-balanced bill, given the demands placed on the committee as a result of 1,799 Member requests versus the resources available to it. Despite that, I know there are Members who are passionate about some of the programs funded in this bill, and they would like to increase funding in one area or another. I appreciate that. I respect the right of every Member to come to the floor and offer such an amendment. But let me unfurl the warning flag. As reported by the Appropriations Committee, this bill is fully consistent with the 302(b) allocation provided to the Interior Subcommittee.

In short, in plain, simple, mountain language, that means there is no extra money on the table waiting to be spent—none, no extra money waiting on the table, waiting to be spent.

Friends, Romans, countrymen, lend me your ears: There is no extra money on the table. Any amendment proposing to increase spending in one area of the bill will have to be offset with a cut in some other area. Any Senator who wishes to add money may have to think whether or not he wants to take that money away from CONRAD BURNS or the minority leader or the majority leader or the humble slave, ROBERT C. BYRD.

With respect to offsets, let me add that Senator BURNS and I, as managers of this bill, will generally oppose amendments which propose to cut the so-called travel and administrative expenses accounts.

The agencies funded in this bill have done a good job generally in trimming these expenses to the bone, and unless Members are willing to offer real, honest to goodness programmatic cuts as a way to pay for their amendments, we will oppose all bogus offsets.

I urge my colleagues to come to the floor. I have heard it said that some Senators think we are working too hard in the Senate. Let the record show that a great stillness fell over the Chamber upon my saying that. I have heard rumors that some Senators are concerned that we are working too late, too long, too hard.

It is mortifying to hear such rumors. I can remember when for Easter Sunday we were out on Friday and came back here on Monday. We didn't use to have so-called "breaks." We were also in session Monday through Fridays, and sometimes we were in on Saturdays.

God made the universe—all of creation, the beasts of the fields, the fowl of the air, fruits and herb yielding seed—and he made man, not in 3 days. He didn't have a 3-day work week.

We have gotten used to 3-day work-weeks here; come in late on Tuesday, vote late on Tuesday, vote late on Wednesday, vote Thursday, be out Friday, out Saturday, and out Sunday. God said keep the Sabbath day holy. But that is not why the Senate lets out on Sunday.

Let us not be stunned if we are asked to work a little later or a little longer. I would be happy to start voting on Monday and vote late on Friday. I would just as soon be here as to be at home on Saturday mopping the floor.

Let some of these Senators learn how to mop the floor for their wives. Then they, too, will probably be married 64 years, as I have been. Mop the floor, keep the wrists and the fingers strong. There is no arthritis in my fingers. They tremble, but the bones are strong. The wrists are strong. You would be surprised how many men I can wrestle to their knees with these strong wrists. These strong wrists come from mopping the floors. Yes. I mop the bathroom. I mop the hall. I mop the bedroom. I mop the utility room. I vacuum. I dust. It is good for me. It keeps me humble. I even clean the commodes around my house. Things have changed in this country. It used to be that we always had a maid for the inside of the house and went outside to the toilet. But anymore we eat on the outside of the House and go inside to the toilet.

A Senator? Surely, a Senator would be concerned about working a little longer or a little later. We have become spoiled. It is all right for Senator REID and me to become spoiled on Fathers' Day. But to say that we don't want to vote on Mondays, and we don't want to vote on Tuesdays until after the conference—we didn't even have weekly conferences here when I was majority whip. We Democrats didn't have conferences every Tuesday. We didn't need them.

But when I ran for the office of United States Senator for the eighth consecutive 6-year term, I didn't say just sign me up for 3 days a week. I didn't tell the majority leader when I was sworn in here, don't count on me on any Fridays or Saturdays. I didn't say that.

I hope this is mere rumor that I hear that certain Senators have been complaining that they have been working
to long, too late, too many days a week. I hope the majority leader will keep us in late tonight. I hope he will keep us in late tomorrow night, if we don't finish this bill. I hope he will say we will be in Friday, and with votes, if we don't finish this bill today. And if we aren't finished by Saturday, I hope the leader will say: Let's go at it, boys. We will finish in Saturday.

But if there is a Senator who is complaining about working too hard, Mr. Majority Whip, tell them where my office is. While we are on this bill, I am for working. I want to get this bill finished. We have 12 more appropriations bills behind this bill.

I urge my colleagues to come to the floor today to offer any amendment they may have and to allow us to conclude debate on this measure no later than this bill. For, I can be w. a. L. Byrd and my little dog, Billy Byrd. The bill and report have been available for more than a week, and Senator Burns and I are here ready and willing to work with our colleagues.

Mr. President, at this time, my colleague, Mr. Burns, for his steady hand and for the leadership he has demonstrated in the markup, in the hearings on the bill, and for his splendid cooperation, for his always charitable attitude toward other Senators, and for his fairness, I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I thank my good friend and colleague from West Virginia, the chairman of the Interior Appropriations Subcommittee. I am recommending that this body pass the Interior appropriations bill for fiscal year 2002.

I join my colleague in what he said in relation to folks who would complain about working too much. I come from an agricultural background. I was raised on a small farm in northwest Missouri. My dad always had a little saying: When you look like a mule, you've got to work like one. So I guess I have hired on for the duration.

We will get this bill completed. I was lucky enough to hold the chairmanship of this Interior Subcommittee earlier this year, and I made it a priority to move this bill forward in a non-controversial and bipartisan way. I was extremely pleased to learn, when the Senator from West Virginia took control of the gavel, that he also shared this vision. He and his staff have been extremely gracious in dealing with all the requests before the subcommittee.

The bill up for consideration is a delicate balance of meeting our Nation's needs while remaining fiscally responsible.

Not everyone will be happy with every portion of this bill—it has never happened with this particular piece of legislation since I have been in the Senate for the last 12 years—but I can guarantee you, the bill is extremely fair. We had to make some tough choices, but I believe those who have worked with us to put this bill together will agree that the chairman has done an exemplary job in dealing with the resources we had available to us in the subcommittee.

The bill before us provides over $18.5 billion in budget authority. This number is $343 million above the President's request; however, it is over $470 million less than has been requested by the House of Representatives and almost $420 million below last year's appropriations for the same activities.

The unprecedented and unsustainable increases of previous years have been checked, but we have still upheld our commitments as stewards to our public lands.

If time will allow, I would like to highlight some of the accomplishments in this bill.

The Bureau of Land Management receives a substantial increase in funding to help address our Nation's energy needs while balancing these needs with the ongoing maintenance necessary to keep our public lands healthy.

Initiatives of which I am especially proud include an increase in excess of $15 million over last year's level for energy and minerals management to help address the current backlog in energy-related permitting, an increase above the budget request for noxious weed research, control, and outreach, and the highest funding level ever for the payments in lieu of taxes account.

Let me tell you, I am especially thankful to our chairman. Noxious weeds is not a great—for the lack of another word—"sexy" issue. When you start talking about things around Washington, DC, folks do not think a lot about weeds, but they are something that we deal with across this Nation. We use the payments in lieu of taxes, which means in the areas of counties that have a big preponderance of BLM land, they are paid, as if taxes will be collected on that land, by the Government. In other words, if the Federal Government has made the choice they want to own that land, then they have to pay taxes like everybody else—county taxes—that go to support schools, public services, roads, and other demands of local government.

Our commitment to the Nation's wild spaces is continued in the U.S. Fish and Wildlife Service budget, which has received a $32 million increase over last year's level, which allows us to address habitat needs while working with private landowners through brand new initiatives such as the Landowner Incentive Program. These new initiatives will allow us to focus on a new area of working across land-ownership lines to do what is best to help the species and their needs.

The National Park Service remains one of my top priorities. After all, I have two of the really crown jewels of the National Park System in my State: Yellowstone Park, of which part is in the State of our friends to the south, in Wyoming, and Glacier National Park. It receives an increase of almost $161 million above a year ago. This funding helps address our crumbling infrastructure in our most treasured public areas while increasing our assistance to States to protect the areas that are high on their priority lists.

I am also pleased the bill provides $11 million for grants to preserve Civil War battlefields.

Also, within the Bureau of Indian Affairs, no other priority is higher on my list than the education of our Native American children. We have been able to continue our aggressive attack on the construction backlog of schools in Indian country by providing funds to replace the next six schools on the Bureau of Indian Affairs' replacement list. Again, the chairman has done an admirable job in attempting to meet the request for the increase in the operating funds available to tribally controlled community colleges. It remains one of my top priorities, and I hope to work with the chairman to increase the funding level even further in future years.

We have seen great strides made, especially in the 2-year colleges on our reservations. In fact, the gentleman who operates one of the tribal colleges in our State is probably one of the best educators I have ever known, and the impact he has had on his people on that reservation has been tremendous. Additionally, I am pleased that we have been able to match the President's request for trust reform and management issues. And there are many.

The Forest Service's largest initiative in recent years is the new Interagency Fire Plan. We have continued to support the efforts of the Bureau of Land Management and the Forest Service to address the dangerous buildup of fuel in our national forests and adjacent lands.

Fire operations will continue to drain hundreds of millions of dollars again this year as we enter another historic fire year, but the investment in hazardous fuel reductions will pay off tenfold in future years.

Last year was a devastating fire year in the West. We are still experiencing drought in those areas. We can expect fires again this year.

Unfortunately, the Department of Energy received massive proposed cuts in this year's budget request. However, I believe the chairman has restored these accounts in a very responsible manner. Working with the rest of the committee and me, he has focused the energy agenda toward technologies that will increase efficiency and the cleanliness of our aging power infrastructure, while addressing the negative impacts of power generation.
We have started a new clean fuels initiative and increased our research in methods to control and capture greenhouse gases. The conservation accounts under the Department of Energy also receive substantial increases over last year, including an addition of over $60 million from last year’s weatherization assistance, and large increases to make our buildings and transportation methods more efficient.

Finally, the conservation spending category created in last year’s final appropriations negotiations has been retained, and the compromise of last year has been upheld both in the spirit and in the execution. The bill contains $1.32 billion for the conservation spending category, continuing our focus on protecting our wild areas while taking care of our publicly owned facilities.

Clearly, a bill of this magnitude and outlays is difficult to craft, especially considering the volume of requests that we field in this Subcommittee every year and those with which we have to deal. I thank the chairman for his willingness to address the requests of all Members to the best of his ability. I urge our colleagues to recognize his generosity and take a hard look at the bottom line prior to attempting to amend this bill.

I also ask our colleagues to respect our collective request that legislative riders be avoided so we can get this bill to the President as soon as possible.

Mr. CONRAD. Mr. President, I am pleased to rise today in support of H.R. 2217, the Interior and Related Agencies Appropriations Act for Fiscal Year 2002.

The Senate provides $18.5 billion in nonemergency discretionary budget authority including an advance appropriation into 2001 of $36 million, which will result in new outlays in 2002 of $11.5 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the Senate bill total $17.6 billion in 2002. Of that total, $1.32 billion in budget authority and $1.03 billion in outlays falls under the new cap for conservation spending. The remaining amount counts against the general purpose cap for discretionary spending. The Senate bill is within its Section 302(b) allocations for both general purpose and conservation spending.

In addition, the Senate bill provides new emergency spending authority of $235 million for wildland fire management, which will result in outlays of $167 million. In accordance with standard budget practice, the budget committee will adjust the appropriations committee’s allocation for emergency spending at the end of conference.

I commend Chairman BYRD and Senator STEVENS for their bipartisan effort in moving this and other appropriations bills quickly, in order to meet our responsibilities to maintain an effective federal government. Their bill limits the use of the contentious legislative riders that have hampered its predecessor, and provides vital funding to manage our nation’s natural resources, to support better and more efficient use of our energy supplies, and to meet our commitments to Native American tribes.

I urge the adoption of the bill.

Mr. President, I ask for unanimous consent that a table displaying the budget committee scoring of this bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

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<th>H.R. 2217, INTERIOR AND RELATED AGENCIES, 2002</th>
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<td>Spending comparisons—Senate-reported bill (in millions of dollars)</td>
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<td>General purpose</td>
<td>Conservation</td>
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<td>Senate-reported bill:</td>
<td>Budget Authority</td>
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<td>Senate-reported bill compared to—</td>
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Notes: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions, including removal of emergency funding ($125 million in budget authority and $147 million in outlays) and inclusion of 2002 advance appropriation of $36 million (budget authority and outlays). The Senate Budget Committee increased the Senate 302(b) allocation for emergencies when a bill is reported out of conference. Prepared by SBC Majority Staff, 7-10-01.

Mr. CONRAD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, will the Senate from West Virginia yield for a comment?

Mr. BYRD. Yes.

Mr. REID. Mr. President, around here it is easy for us to forget people. I want the record to reflect what a good job Slade Gorton did on this bill during the time he had the chair of this subcommittee. Slade is not in the Senate anymore. The record should be précéded with the fact that he did an outstanding job when he was chairman of the subcommittee.

He was eminently fair, preeminently knowledgeable of the bill. In conferences, he knew everything that a Senator ought to know about the projects and the items at issue between the two Houses. I have never seen a Senator who has been as fair as Slade.

Along this line, let me say that on yesterday, and the day before, we worked hard to complete the supplemental appropriations bill. Senator STEVENS is the former chairman of the Appropriations Committee in the Senate, about whom I have no hesitancy in saying, he was the best chairman of the Appropriations Committee that I have seen in my 43 years in the Senate, including ROBERT BYRD. I have no hesitancy, not a bit, in lauding a Republican. I have no hesitancy in saying, "He is a better man than I am, Gunga Din."

I have seen some great chairmen of this committee, the Appropriations Committee. Senator Stevins, to me, was the finest Senator, the best Senator with whom I have ever served in my 43 years in the Senate. He was chairman of the Appropriations Committee at one time. There have been other great Senators, such as Senator Stennis of Mississippi. He was always courteous, always the gentleman. Then there was Senator Mark Hatfield.

But times have changed and chairmen have to change in accordance with the times and the circumstances. So in our time, in our day, TED STEVENS is the best. I don’t mind thinking I might have been second. But I won’t dare say that. It is a bit like Publius Cornelius Scipio Africanus Major, who defeated Hannibal in the Battle of Zama in 202 B.C. He met Hannibal at Ephesus, and they walked together upon one occasion and he asked Hannibal, "Who was the greatest general?" Hannibal thought for a moment, and then he said, "Pyrrhus the Greek from Epirus was the greatest. The second was Alexander. The third was I, Hannibal."

Whereupon, Scipio Africanus Major asked, "Where would you have placed yourself if I had not defeated you at
Zama?” Hannibal thought for a moment, and then said, “I would have been first.

I did have the good fortune to chair this committee for 6 years. But Ted Stevens I salute. He is a Republican, yes, but a great one, a fine gentleman, a gentleman always, somebody who keeps his word. And he doesn’t put politics at the apex of all things that matter. Well, with his assistance and his leadership, on yesterday we passed the supplemental appropriations bill. The President requested $6.5 billion and that bill did not exceed that request one thin dime.

The Senators’ amendments were offset. The amendments that Senators offered and were considered, if they were adopted, if they had to do with money, were offset. Senators had offsets—meaning it is a very good thing when it goes to the House to do our offsets, not “waste, fraud and abuse.” There is no doubt but that there is some waste, fraud, and abuse in the budget in every department, I would say, in this Government. But we don’t offset with false offsets. We had every one of them appropriately offset.

There wasn’t a single amendment designated as an “emergency” in this Senate. The President had complained about the use of “emergencies.” Mr. Stevens and I believe there is a time and place for emergencies, yes, but there is no question but that the designation of “emergency” has been overdone in both Houses. And in the supplemental appropriations bill that passed the House, there are $473 million in emergencies. Not $1 in the bill that passed the Senate was designated as an emergency.

Where is the President going to stand on this when the bill goes to conference? I hope he will let us know. What is his position going to be with regard to the amendments that were in the Republican-controlled House bill? The first question that was ever asked in the history of the human race was, when God entered the Garden of Eden in the shadow of the evening, in the cool of the day, and he started looking for Adam. Adam had hidden himself, and God said: “Adam, where art thou?” That was the first question ever asked in the history of mankind. “Adam, where art thou?”

So, if I might, in my small way as a direct descendent of Adam, let me ask the question of the President: Mr. President, where art thou in regard to the $473 million in emergencies that are contained in the House-passed bill? Let us know, Mr. President, where art thou? If I get a chance to ask the President, I am going to say: Mr. President, where art thou with respect to the $473 million that was added as emergencies in the House bill? Where art thou? Let us know, Mr. President, what you would like to know.

In any event, that is the kind of bill we passed in this Senate. No emergencies, not one Indianhead copper penny above the President’s request, not one! Mr. Stevens and I had cooperation of the Senators on both sides of the aisle. I could not resist the opportunity to say without Ted Stevens and his help, his assistance, his leadership on that bill, the cooperation of Senators and staff on both sides, the help of our distinguished Democratic whip, and our leaders, we could not have accomplished that. So I take this opportunity to compliment our colleagues.

AMENDMENT NO. 877

Mr. BYRD. Mr. President, I send a technical amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:
The Senator from West Virginia [Mr. BYRD] proposes an amendment numbered 877.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the amendment and that it be adopted.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To make a technical correction)

on page 152, line 4, strike “$72,640,000” and insert “$72,640,000.”

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the amendment and that it be adopted.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there further debate on the amendment? If not, the question is on agreeing to the amendment.

The amendment (No. 877) was agreed to.

Mr. BYRD. Mr. President, Senator Burns and I are here. We are at our posts of duty. We are ready to entertain any requests for an amendment by any Senator. The clock is running.

Mr. BURNS. We are open for business.

Mr. BYRD. The sign is out: Open for business. Senator Burns and I join in urging the leadership and all Senators to let us know of any amendments Senators intend to offer by no later than 4 p.m. today, and it will be my hope that at 4 p.m. we can close out the window for amendments. I hope all Senators within the sound of my voice and all staffs within the reach of our joint voice will be alerted to the fact that when the clock strikes 4 this afternoon, we expect to close out the window on all amendments.

Mr. REID. Will the Senator from West Virginia yield for a comment?

Mr. BYRD. Absolutely; gladly.

Mr. REID. As directed by the two managers of this bill, we have asked both Cloakrooms to clear their request: that there be a filing of amendments by 4 o’clock today, which gives people ample time, many hours. It was announced even prior to the break that the Interior bill would be the first bill brought up, and we even indicated when it would be brought up. So I hope we can get this cleared right away.

I say to my friend, the junior Senator from Montana, who has done such a good job in getting this bill to this point, the holding over on that side. Maybe if we go into a quorum call Senator Burns will be gracious enough to see if he can move this along. Until that happens, my experience is this bill is in a flounder.

Mr. BYRD. I thank the distinguished whip.

Mr. BURNS. Mr. President, it is my hope that we can do this by 4 o’clock this afternoon. There is no need for us to dillydally around here when we have other things to do. I only have one thing I have to do at 2 o’clock this afternoon. I have to introduce a couple of judges who have been nominated to the Montana district court system. By the time I get that done, 4 o’clock should be gone.

We should be talking about amendments right now. There is no reason why we cannot move this bill to final conclusion tomorrow.

Mr. REID. I believe the Senator from West Virginia still has the floor, if I can make another comment.

Mr. BYRD. Surely.

Mr. REID. It is my thought, if the two managers agree, that at 12:30 p.m., if there is still a problem with hotlining, a unanimous consent request be made and if anybody objects to it, they are going to have to come here in person to object to it. That is my suggestion. On a bill as important as this, we need to have the Senators, not the staff lurking in some of these rooms around the Capitol complex making objections for their Senators.

After we go into a quorum call, upon consulting with the two managers, I make the suggestion that perhaps that is what we should do.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Nevada, the majority whip, for his suggestion. I like it. We have just heard Senator Burns voice his opinion.

Mr. BURNS. We will do everything we can to get that taken care of. We do not want to close anybody out either, understanding the sensitivity of that. I believe we have made a reasonable request. I thank the chairman.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD. Mr. President, there being no Senators seeking recognition and having discussed the following request with the distinguished majority whip and the distinguished manager on