For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, $1,996,000, to remain available until expended.

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

No funds provided in this Act may be expended for emergency to prepare for, issue, or process procurement documents for programs or projects for which appropriations have not been made.

In addition to other authorities set forth in this Act, the Secretary may accept fees and contributions from public and private sources, to be deposited in a contributed funds account, and may use the proceeds and any contributions in cooperation with other Federal, State or private agencies or concerns.

Economical, regulatory

For necessary expenses in carrying out the activities of the Office of Hearings and Appeals, $1,996,000, to remain available until expended.

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $2,388,814,000, together with any amounts otherwise available from unencumbered balances of unexpended funds appropriated or available for obligation in fiscal year 2002, to remain available until expended, of which such sums may be available for expenditures for the operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: Provided further, That the amounts col-lected under section 122 of the Indian Health Care Improvement Act: Provided further, That funds provided in this Act may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

Indian Health facilities

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including personnel; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; for the provision of direct and ancillary services, including the facts and circumstances relied upon in support of the proposed project.

For necessary expenses in carrying out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and service activities of the Indian Health Service, $362,854,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribe tribally recognized by the United States or the Indian Health Service Act with respect to the Indian Health Service, $2,388,814,000, together with any amounts otherwise available from unencumbered balances of unexpended funds appropriated or available for obligation in fiscal year 2002, to remain available until expended, of which such sums may be available for expenditures for the operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: Provided further, That the funds provided in this Act may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

Indian health facilities

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including personnel; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; for the provision of direct and ancillary services, including the facts and circumstances relied upon in support of the proposed project.

For necessary expenses in carrying out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and service activities of the Indian Health Service, $362,854,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribe tribally recognized by the United States or the Indian Health Service Act with respect to the Indian Health Service, $2,388,814,000, together with any amounts otherwise available from unencumbered balances of unexpended funds appropriated or available for obligation in fiscal year 2002, to remain available until expended, of which such sums may be available for expenditures for the operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: Provided further, That the funds provided in this Act may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

Indian health facilities

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including personnel; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; for the provision of direct and ancillary services, including the facts and circumstances relied upon in support of the proposed project.

For necessary expenses in carrying out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and service activities of the Indian Health Service, $362,854,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction or renovation of health facilities for the benefit of an Indian tribe or tribe tribally recognized by the United States or the Indian Health Service Act with respect to the Indian Health Service, $2,388,814,000, together with any amounts otherwise available from unencumbered balances of unexpended funds appropriated or available for obligation in fiscal year 2002, to remain available until expended, of which such sums may be available for expenditures for the operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: Provided further, That the funds provided in this Act may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account.

Indian health facilities

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including personnel; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; for the provision of direct and ancillary services, including the facts and circumstances relied upon in support of the proposed project.
Fund, available until expended, to be used by the Interior for demolition, rehabilitation, and construction of small ambulatory facilities: Provided further, That notwithstanding the provisions of title III, section 306, of the Indian Health Care Improvement Act (Public Law 94–432) as amended, contracts authorized under title I of the Indian Self-Determination and Education Assistance Act of 1975, as amended, may be used toward construction of or after completion of the project will the Federal Government have any rights or title to any real or personal property acquired as a part of the contract: Provided further, That $2,333,000 shall be made available for the Sisseton Wahpeton Sioux Tribe Indian Health Services clinic in Sisseton, South Dakota, and $9,167,000 shall be made available for the small ambulatory facilities program.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations made to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under U.S.C. 5505, as amended, for passenger motorcycles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefore as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

In accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, through contracts or grants, along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility provider and shall be available for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and for uniforms or allowances therefore as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities.

Reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead costs for provision of goods, services, or technical assistance. The appropriation structure for the Indian Health Service may not be altered without advance approval of the House and Senate Committees on Appropriations.

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 available until expended: Provided, That funds provided in this act or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Navajo or Hopi Indian Relocation to evict 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 replacement home is provided for such household: Provided further, That no relocatee will be provided with more than one new or replacement home: Provided further, That all relocatees will relocate only to certified eligible relocatees who have selected and received an approved homeste on the Navajo reservation or 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 Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498, as amended (20 U.S.C. 56 part A), $4,490,000.

SMITHSONIAN INSTITUTION

PAYMENT TO THE INSTITUTE

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and research programs; maintenance, alteration, operation, lease (for terms not to exceed 30 years), and protection of buildings, facilities, and approaches; not to exceed $10,000,000 for services as authorized by 5 U.S.C. 3101; up to five replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees, $401,192,000, of which funds appropriated for the 2001 Smithsonian renovation program, collections acquisition, exhibition reinstallation, the National Museum of the American Indian, the repatriation of skeletal remains program, research equipment, information management, and Latino programming shall remain available until expended, and including such funds as may be necessary to support American overseas research centers at a total of $125,000 for the Council of American Overseas Research Centers: Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: 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 rent payments may be deducted 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 the Smithsonian Federal guarantee of, a transfer of risk to, or an obligation of, the Federal Government: Provided further, That no appropriated funds may be used for 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 buildings.

REPAIR, RESTORATION AND ALTERATION OF FACILITIES

For necessary expenses of maintenance, repair, restoration, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), including not to exceed $10,000,000 for services as authorized by 5 U.S.C. 3101, $67,900,000, to 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, 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 reallocation of funds under conditions not acceptable by the Board of Regents of recommendations received from the Science Commission.

None of the funds available to the Smithsonian Institution, as authorized by law, for the advance written approval of the House and Senate Committees on Appropriations in accordance with
NATIONAL FOUNDATION FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, $1,900,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): Provided, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under provisions of subsections 11(a)(1) 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

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

CHALLENGE AMERICA FUNDS

For necessary expenses as authorized by Public Law 89–209, as amended, $17,000,000 for support for arts education and public outreach activities: Provided, That funds herein appropriated may be used to plan, prepare, or offer for sale timber except as otherwise provided by law.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 89–209, as amended, $36,028,000, 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 of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, pursuant to existing law, $14,220,000, to remain available until expended: Provided, That contracts awarded for repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contract qualifications as well as price.

CHALLENGE AMERICA FUNDS

For necessary expenses of repair, restoration and renovation of buildings and contents thereof, and maintenance, pursuant to sections 5(c) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

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

COMMISSION OF FINE ARTS

For expenses necessary as authorized by Public Law 99–190, as amended, $7,253,000: Provided, That all appointed members of the Commission shall be compensated at a rate not to exceed the daily equivalent of the annual rate of pay for positions at level V of the Executive Schedule for positions engaged in the actual performance of duties.

UNITED STATES HOLocaust MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $36,028,000, of which $1,900,000 for the museum’s repair and rehabilitation program and $1,264,000 for the museum’s exhibitions program shall remain available until expended.

PRESIDIO TRUST

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, $23,125,000 shall be available to the Presidio Trust, to remain available until expended.

SECTION III—GENERAL PROVISIONS

SEC. 301. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts under which such expenditures are published in the Congressional Record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 302. No part of any appropriation under this Act shall be available to the Secretary of the Interior, the Secretary of Agriculture for the leasing of oil and natural gas by non-competitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 2001.

SEC. 303. None of the funds provided in this Act may be obligated or expended to the Secretary of Agriculture for the leasing of oil and natural gas by non-competitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 2001.

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

SEC. 305. None of the funds provided in this Act for any department or agency may be obligated or expended to the Secretary of Agriculture for the leasing of oil and natural gas by non-competitive bidding on publicly owned lands within the boundaries of the Shawnee National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 2001.

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

SEC. 307. None of the funds in this Act may be used to plan, prepare, or offer for sale timber from trees classified as giant sequoia (Sequoiadendron giganteum) which are located on National Forest System or Bureau of Land Management lands in a manner different than such sales were conducted in fiscal year 2001.

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

SEC. 309. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to present pedestrian use of such bridge, when such pedestrian use is consistent with generally accepted safety standards.
SEC. 310. (a) LIMITATION OF FUNDS.—None of the funds otherwise made available to the Secretary of the Interior shall be obligated or expended to carry out this Act unless such funds are provided for in appropriation Acts authorized pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 2002.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, in the case concerned: (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) and sections 2327, 2329, 2331, and 2333 of the Revised Statutes (30 U.S.C. 33, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date. SEC. 311. REPORT.—On September 30, 2002, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing a statement of the actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 2002.

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior may allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and provide funds for such third-party contractors in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

SEC. 312. Notwithstanding any other provision of law, amounts appropriated to or earmarked in committee reports for the Bureau of Indian Affairs and the Indian Health Service by Public Laws 104-134, 104-136, 104-137, 105-107, 106-113, and 106-291 for payments to tribes and tribal organizations for contract support costs associated with self-determination or self-governance compacts, grants, contracts, or annual funding agreements with the Bureau of Indian Affairs or the Indian Health Service as funded by such Acts, are the total amounts available for fiscal years 1994 through 2001 for such purposes, except that, for the Bureau of Indian Affairs, tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, self-governance compacts or annual funding agreements.

SEC. 313. Notwithstanding any other provision of law, for fiscal year 2002 the Secretaries of Agriculture and the Interior are authorized to limit competition for watershed restoration project contracts as part of the “Jobs in the Woods” Program established in Region 10 of the Forest Service to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, northern California and Alaska that have been adversely affected by reduced timber sales on Federal lands. The Secretaries shall consider the benefits to the local economy in evaluating bids and designing procurement mechanisms which maximize economic opportunities for local contractors.

SEC. 314. None of the funds collected under the Recreational Fee Demonstration program may be used to acquire, develop, construct, operate, or construct a visitor center or any other permanent structure without prior approval of the House and the Senate Committees on Appropriations if the estimated total cost of the facility exceeds $500,000.

SEC. 315. Of the funds provided to the National Endowment for the Arts:

(1) The Chairperson shall only award a grant to an individual if an agreement 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, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit agreements 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 grant or the project, 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 in furtherance of the functions of the National Endowment for the Arts and the National Endowment for the Humanities. Any proceeds from such gifts, bequests, or devises, after acceptance of such 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 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that target underserved populations.

(b) In this section:

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

(2) The term “poverty line” means the poverty line as defined by the Office of Management and Budget, and revised annually in accordance with section 673(c) of the Community Services Block Grant Act (42 U.S.C. 9001(2)) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with 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 will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965, the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or awarded to an individual who are otherwise eligible; (2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made to Native American Tribal Governments under the authority of paragraph (1); (3) the Chairperson shall not make grants annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and (4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

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

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

SEC. 320. None of the funds in this Act may be used to support Government-wide administrative functions unless such functions are justified in the budget process and funding is approved by the House and Senate Committees on Appropriations.

SEC. 321. Amounts deposited during fiscal year 2001 in the roads and trails fund provided for in the fourteenth paragraph under the heading ‘‘FUND FOR SERVICE’’ of the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall be used by the Secretary of Agriculture, without regard to the State in which the amounts were derived, to repair or reconstruct roads, bridges, and trails on National Forest System lands or to carry out and administer projects to improve forest health conditions, which may include the removal of hazardous trees, and improving trails on National Forest System lands in the wildland-community interface where there is an abnormally high risk of fire. The projects shall emphasize reducing risks to human safety and public health and property and enhancing ecological functions, long-term forest productivity, and biological integrity. The projects may be carried out with funds from other sources. The funds shall not be expended under this section to replace funds which would otherwise appropriately be expended from the timber salvage fund.

SEC. 322. Other than in emergency situations, none of the funds in this Act may be used to operate telephone answering machines during core business hours unless such answering machines include an option that enables callers to reach a person on-duty with the agency being contacted.

SEC. 323. No timber sale in Region 10 shall be advertised if the indicated rate is deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar: Provided, That sales which are deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar may be advertised upon receipt of a written request by a prospective, informed bidder, who has the opportunity to review transaction evidence, harvesting and harvest cost estimate for that timber. Program accomplishments shall be based on volume sold. Should Region 10 sell, in fiscal year 2002, more than the average annual allowable sale quantity called for in the current Tongass Land Management Plan in sales which are not deficit when appraised under the transaction evidence appraisal system using domestic Alaska values for western red cedar, all of the western red cedar timber from those sales which
is surplus to the needs of domestic processors in Alaska, is surplus to the needs of domestic processors in the contiguous 48 United States at prevailing domestic prices. Should Region 10 sell, in fiscal year 2002, less than the annual average quantity of decadal allowable sale volume called for in the current Tongass Land Management Plan in sales which are not deficit of the additional contracts authorized by this section at any one time does not exceed $100,000,000; and (ii) the aggregate amount of loans guaranteed at such percentage and outstanding under this section at any one time does not exceed $100,000,000; and (iii) the aggregate amount of loans guaranteed at such percentage and outstanding under this section at any one time does not exceed $50,000,000.''

SEC. 327. The authority to enter into stewardship contracts as provided in that section: Provided, That the Secretary of Agriculture is authorized to limit competition for fire and fuel treatment and watershed restoration contracts in the Giant Sequoia National Monument and the Sequoia National Forest. Preference for employment shall be given to dislocated and displaced workers in Tulare, Kern and Fresno Counties, California, for work associated with the establishment of the Giant Sequoia National Monument.

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

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

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

SEC. 331. Section 325 of the Department of the Interior and Related Agencies Appropriations Act, 1999, as included in Public Law 106–277, Division A, title 101(e), is amended by striking ‘‘2001’’ and inserting ‘‘2003’’ and ‘‘2002’’.

SEC. 332. Section 531(c) of the Land Between the Lakes Protection Act of 1998 (16 U.S.C. 660ll–660ll–61(c)) is amended by striking ‘‘2002’’ and inserting ‘‘2003’’.

SEC. 333. LOCAL EXEMPTIONS FROM FOREST SERVICE DEMONSTRATION PROGRAM FEES. Section 6006 of Title 31, United States Code, is amended—

(1) by inserting ‘‘(a) IN GENERAL.—’’ before ‘‘Necessary’’; and

(2) by adding at the end the following:

‘‘(a) LOCAL EXEMPTIONS FROM DEMONSTRATION PROGRAM FEES.—

‘‘(1) IN GENERAL.—Each unit of general local government that lies in whole or in part within the State of Wisconsin, the State of Michigan, or the State of Minnesota, shall be exempt from the terms and conditions of the demonstration program for which the unit is situated, provided that the Secretary shall authorize such an exemption by written order. The Secretary shall authorize such an exemption only if the Secretary determines that—

(A) the local government will provide a minimum of $500,000 in local funds (to be matched by other local or private funds) for demonstration program purposes; and

(B) the use of the proceeds of the demonstration program will not adversely affect the environment or the community;

(2) administration.—The Secretary of Agriculture shall establish a method of identifying persons who are exempt from paying user fees under paragraph (1). This method may include valid form of identification including a drivers license.

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

(1) TERMS AND CONDITIONS.—Subsection (b) is amended—

(A) in paragraph (1), by striking ‘‘2005’’ and inserting ‘‘2015’’; and

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

‘‘(4) GUARANTEE LEVEL.—

‘‘(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), any loan guarantee provided under this section shall not exceed 85 percent of the amount of principal of the loan.

‘‘(B) INCREASED LEVEL ONE.—A loan guarantee may be provided under this section at any one time does not exceed 85 percent, but not more than 90 percent, of the amount of principal of the loan, if—

(i) the aggregate amount of loans guaranteed at such percentage and outstanding under this section at any one time does not exceed $100,000,000; and

(ii) the aggregate amount of loans guaranteed at such percentage and outstanding under this section at any one time does not exceed $100,000,000; and

(iii) the aggregate amount of loans guaranteed at such percentage and outstanding under this section at any one time does not exceed $50,000,000.

‘‘(C) INCREASED LEVEL TWO.—A loan guarantee may be provided under this section in excess of 85 percent, but not more than 95 percent, of the amount of principal of the loan, if—

(1) the aggregate amount of loans guaranteed at such percentage and outstanding under this section at any one time does not exceed $100,000,000; and

(2) the aggregate amount of loans guaranteed at such percentage and outstanding under this section does not exceed $50,000,000.

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

(c) TERMINATION OF GUARANTEE AUTHORITY.—Subsection (k) is amended by striking ‘‘2001’’ and inserting ‘‘2003’’.

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

The Act may be cited as the ‘‘Department of the Interior and Related Agencies Appropriations Act, 2002’’.

AUTHORIZING SENATE OFFICE OF SENATOR JOHN D. ROCKEFELLER IV BE USED TO COLLECT DONATIONS OF CLOTHING

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 134, submitted earlier today by Senators ROCKEFELLER and BYRD.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 134) authorizing that the Senate office of Senator John D. Rockefeller IV be used to collect donations of clothing from July 15, 2001, until July 20, 2001, from concerned Members of Congress and staff to assist the West Virginia families suffering from the recent disaster of flooding and storms.

There being no objection, the Senate proceeded to consider the resolution. Mr. ROCKEFELLER. Madam President, as you may know, my state of