

One Hundred Sixth Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Wednesday,
the sixth day of January, one thousand nine hundred and ninety-nine*

An Act

Making appropriations for the Department of the Interior and related agencies
for the fiscal year ending September 30, 2000, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled, That the
following sums are appropriated, out of any money in the Treasury
not otherwise appropriated, for the Department of the Interior
and related agencies for the fiscal year ending September 30, 2000,
and for other purposes, namely:*

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of 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. 3150(a)), \$644,218,000, to remain available until expended, of which \$2,147,000 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 special receipt account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601–6a(i)); and of which \$2,500,000 shall be available in fiscal year 2000 subject to a match by at least an equal amount by the National Fish and Wildlife Foundation, to such Foundation for cost-shared projects supporting conservation of Bureau lands and such funds shall be advanced to the Foundation as a lump sum grant without regard to when expenses are incurred; in addition, \$33,529,000 for Mining Law Administration program operations, including the cost of administering the mining claim fee program; to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from annual mining claim fees so as to result in a final appropriation estimated at not more than \$644,218,000, and \$2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities, and of which \$2,500,000, to remain available

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until expended, is for coalbed methane Applications for Permits to Drill in the Powder River Basin: *Provided*, That unless there is a written agreement in place between the coal mining operator and a gas producer, the funds available herein shall not be used to process or approve coalbed methane Applications for Permits to Drill for well sites that are located within an area, which as of the date of the coalbed methane Application for Permit to Drill, are covered by: (1) a coal lease; (2) a coal mining permit; or (3) an application for a coal mining lease: *Provided further*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors.

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, emergency rehabilitation and hazardous fuels reduction by the Department of the Interior, \$292,282,000, to remain available until expended, of which not to exceed \$9,300,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That unobligated balances of amounts previously appropriated to the "Fire Protection" and "Emergency Department of the Interior Firefighting Fund" may be transferred and merged with this appropriation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That not more than \$58,000 shall be available to the Bureau of Land Management to reimburse Trinity County for expenses incurred as part of the July 2, 1999 Lowden Fire.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus 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.), \$10,000,000, to remain available until expended: *Provided*, That notwithstanding 31 U.S.C. 3302, 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 section 107 or 113(f) of such Act, shall be credited to this account to be available until expended without further appropriation: *Provided further*, That such sums recovered from or paid by any party are not limited to monetary payments and may include stocks, bonds or other personal or real property, which may be retained, liquidated, or otherwise disposed of by the Secretary and which shall be credited to this account.

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CONSTRUCTION

For construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, \$11,425,000, 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), \$135,000,000, of which not to exceed \$400,000 shall be available for administrative expenses: *Provided*, That no payment shall be made to otherwise eligible units of local government if the computed amount of the payment is less than \$100.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, \$15,500,000, to be derived from the Land and Water Conservation Fund, to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands; \$99,225,000, to remain available until expended: *Provided*, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the general fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (50 Stat. 876).

FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND

(REVOLVING FUND, SPECIAL ACCOUNT)

In addition to the purposes authorized in Public Law 102–381, funds made available in the Forest Ecosystem Health and Recovery Fund can be used for the purpose of planning, preparing, and monitoring salvage timber sales and forest ecosystem health and recovery activities such as release from competing vegetation and density control treatments. The Federal share of receipts (defined as the portion of salvage timber receipts not paid to the counties under 43 U.S.C. 1181f and 43 U.S.C. 1181f–1 et seq., and Public Law 103–66) derived from treatments funded by this account shall be deposited into the Forest Ecosystem Health and Recovery Fund.

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RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than \$10,000,000, to remain available until expended: *Provided*, That not to exceed \$600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities 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 appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available 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 collected 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 land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized 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, and dismantlement 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 his certificate, not to exceed \$10,000: *Provided*, That notwithstanding 44 U.S.C. 501, the Bureau may, under cooperative 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 cooperator is capable of meeting accepted quality standards.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, for scientific 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 long-horned cattle on the Wichita Mountains Wildlife Refuge, general administration, and for the performance of other authorized functions related to such resources by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, \$716,046,000, to remain available until September 30, 2001, except as otherwise provided herein, of which \$11,701,000 shall remain available until expended for operation and maintenance of fishery mitigation facilities constructed by the Corps of Engineers under the Lower Snake River Compensation Plan, authorized by the Water Resources Development Act of 1976, to compensate for loss of fishery resources from water development projects on the Lower Snake River, and of which 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*, That not less than \$1,000,000 for high priority projects which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended: *Provided further*, That not to exceed \$6,232,000 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 and issuing proposed and final regulations, 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 of the amount available 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 evidence concerning violations 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 his certificate: *Provided further*, That of the amount provided for environmental contaminants, up to \$1,000,000 may remain available until expended for contaminant sample analyses: *Provided further*, That hereafter, all fines collected by the United States Fish and Wildlife Service for violations of the Marine Mammal Protection Act (16 U.S.C. 1362–1407) and

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implementing regulations shall be available to the Secretary, without further appropriation, to be used for the expenses of the United States Fish and Wildlife Service in administering activities for the protection and recovery of manatees, polar bears, sea otters, and walruses, and shall remain available until expended: *Provided further*, That, notwithstanding any other provision of law, in fiscal year 1999 and thereafter, sums provided by private entities for activities pursuant to reimbursable agreements shall be credited to the “Resource Management” account and shall remain available until expended: *Provided further*, That, heretofore and hereafter, in carrying out work under reimbursable agreements with any State, local, or tribal government, the United States Fish and Wildlife Service may, without regard to 31 U.S.C. 1341 and notwithstanding any other provision of law or regulation, record obligations against accounts receivable from such entities, and shall credit amounts received from such entities to this appropriation, such credit to occur within 90 days of the date of the original request by the Service for payment: *Provided further*, That all funds received by the United States Fish and Wildlife Service from responsible parties, heretofore and hereafter, for site-specific damages to National Wildlife Refuge System lands resulting from the exercise of privately-owned oil and gas rights associated with such lands in the States of Louisiana and Texas (other than damages recoverable under the Comprehensive Environmental Response, Compensation and Liability Act (26 U.S.C. 4611 et seq.), the Oil Pollution Act (33 U.S.C. 1301 et seq.), or section 311 of the Clean Water Act (33 U.S.C. 1321 et seq.)), shall be available to the Secretary, without further appropriation and until expended to: (1) complete damage assessments of the impacted site by the Secretary; (2) mitigate or restore the damaged resources; and (3) monitor and study the recovery of such damaged resources.

CONSTRUCTION

For construction and acquisition of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fishery and wildlife resources, and the acquisition of lands and interests therein; \$54,583,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, a single procurement for the construction of facilities at the Alaska Maritime National Wildlife Refuge may be issued which includes the full scope of the project: *Provided further*, That the solicitation and the contract shall contain the clauses “availability of funds” found at 48 CFR 52.232.18.

LAND ACQUISITION

For expenses necessary to carry out the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, \$50,513,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

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COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

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

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), \$10,779,000.

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, \$15,000,000, to remain available until expended.

WILDLIFE CONSERVATION AND APPRECIATION FUND

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

MULTINATIONAL SPECIES CONSERVATION FUND

For expenses necessary to carry out the African Elephant Conservation Act (16 U.S.C. 4201–4203, 4211–4213, 4221–4225, 4241–4245, and 1538), the Asian Elephant Conservation Act of 1997 (Public Law 105–96; 16 U.S.C. 4261–4266), and the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5301–5306), \$2,400,000, to remain available until expended: *Provided*, That funds made available under this Act, Public Law 105–277, and Public Law 105–83 for rhinoceros, tiger, and Asian elephant conservation programs are exempt from any sanctions imposed against any country under section 102 of the Arms Export Control Act (22 U.S.C. 2799aa–1).

COMMERCIAL SALMON FISHERY CAPACITY REDUCTION

For the Federal share of a capacity reduction program to repurchase Washington State Fraser River Sockeye commercial fishery licenses consistent with the implementation of the “June 30, 1999, Agreement of the United States and Canada on the Treaty Between the Government of the United States and the Government of Canada Concerning Pacific Salmon, 1985”, \$5,000,000, to remain available until expended, and to be provided in the form of a grant directly to the State of Washington Department of Fish and Wildlife.

ADMINISTRATIVE PROVISIONS

Appropriations and funds available to the United States Fish and Wildlife Service shall be available for purchase of not to exceed 70 passenger motor vehicles, of which 61 are for replacement only (including 36 for police-type use); repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed \$1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria,

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buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management and investigation of fish and wildlife resources: *Provided*, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: *Provided further*, That the Service may accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding any other provision of law, the Secretary of the Interior may not spend any of the funds appropriated in this Act for the purchase of lands or interests in lands to be used in the establishment of any new unit of the National Wildlife Refuge System unless the purchase is approved in advance by the House and Senate Committees on Appropriations in compliance with the reprogramming procedures contained in Senate Report 105-56.

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by 16 U.S.C. 1706, \$1,365,059,000, of which \$8,800,000 is for research, planning and interagency coordination in support of land acquisition for Everglades restoration shall remain available until expended, and of which not to exceed \$8,000,000, to remain available until expended, is to be derived from the special fee account established pursuant to title V, section 5201 of Public Law 100-203.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$53,899,000, of which \$2,000,000 shall be available to carry out the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), and of which \$866,000 shall be available until expended for the Oklahoma City National Memorial Trust, notwithstanding 7(1) of Public Law 105-58: *Provided*, That notwithstanding any other provision of law, the National Park Service may hereafter recover all fees derived from providing necessary review services associated with historic preservation tax certification, and such funds shall be available until expended without further appropriation for the costs of such review services: *Provided further*, That no more than \$150,000 may be used for overhead and program administrative expenses for the heritage partnership program.

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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), \$45,212,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2001, of which \$10,722,000 pursuant to section 507 of Public Law 104–333 shall remain available until expended: *Provided*, That of the total 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: *Provided further*, That any individual Save America’s Treasures grant 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 none of the funds provided for Save America’s Treasures may be used for administrative expenses, and staffing for the program shall be available 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, \$224,493,000, to remain available until expended, of which \$885,000 shall be for realignment of the Denali National Park entrance road, of which not less than \$2,000,000 shall be available for modifications to the Franklin Delano Roosevelt Memorial: *Provided*, That \$3,000,000 for the Wheeling National Heritage Area, \$3,000,000 for the Lincoln Library, and \$3,000,000 for the Southwest Pennsylvania Heritage Area shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: *Provided further*, That the National Park Service will make available 37 percent, not to exceed \$1,850,000, of the total cost of upgrading the Mariposa County, California municipal solid waste disposal system: *Provided further*, That Mariposa County will provide assurance that future use fees paid by the National Park Service will be reflective of the capital contribution made by the National Park Service.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2000 by 16 U.S.C. 4601–10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601–4 through 11),

including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$120,700,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which \$21,000,000 is for the State assistance program including \$1,000,000 to administer the State assistance program, and of which \$10,000,000 may be for State grants for land acquisition in the State of Florida: *Provided*, That funds provided for State grants for land acquisition in the State of Florida are contingent upon the following: (1) a signed, binding agreement between all principal Federal and non-Federal partners involved in the South Florida Restoration Initiative which provides specific volume, timing, location and duration of flow specifications and water quality measurements which will ensure adequate and appropriate water supply to all natural areas in southern Florida including all National Parks, Preserves, Wildlife Refuge lands and other areas to attain a restored ecosystem, and which will ensure that water supply systems in the region impacted by the Central and Southern Florida Project receive the appropriate quantity, distribution, quality and timing of water to be delivered from the operation of the Central and Southern Florida Project during, and subsequent to, the implementation of the Central and Southern Florida Project Comprehensive Review Study as set forth in section 528 of the Water Resources Development Act of 1996; (2) the submission of detailed legislative language to the House and Senate Committees on Appropriations that accomplishes this goal; and (3) submission of a complete prioritized non-Federal land acquisition project list: *Provided further*, That if all principal Federal and non-Federal partners in the South Florida Restoration Initiative do not sign the binding agreement described in the preceding proviso within 180 days of the date of the enactment of this Act, the funds provided herein for State grants for land acquisition in the State of Florida may be made available for that purpose upon the approval of both the House and Senate Committees on Appropriations pursuant to established reprogramming procedures: *Provided further*, That after the requirements under this heading have been met, from the funds made available for State grants for land acquisition in the State of Florida the Secretary may provide Federal assistance to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay 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 by the Secretary to improve and restore the hydrological function of the Everglades watershed: *Provided further*, That funds provided under this heading to the State of Florida are contingent upon new matching non-Federal funds by the State and shall be subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades: *Provided further*, That of the amount provided herein \$2,000,000 shall be made available by the National Park Service, pursuant to a grant agreement, to the State of Wisconsin so that the State may acquire land or interest in land for the Ice Age National Scenic Trail: *Provided further*, That of the amount provided herein \$500,000 shall be made available by the National Park Service, pursuant to a grant agreement,

to the State of Wisconsin so that the State may acquire land or interest in land for the North Country National Scenic Trail: *Provided further*, That funds provided under this heading to the State of Wisconsin are contingent upon matching funds by the State.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 384 passenger motor vehicles, of which 298 shall be for replacement only, including not to exceed 312 for police-type use, 12 buses, and 6 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment 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 three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives 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 National Park Service for activities taken in direct response to the United Nations Biodiversity 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 appropriate positions for which they are medically able.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); and publish and disseminate data relative to the foregoing activities; and to conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law and to publish and disseminate data; \$823,833,000, of which \$60,856,000 shall be available only for cooperation with States or municipalities for water resources 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

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\$2,000,000 shall remain available until expended for ongoing development of a mineral and geologic data base; and of which \$137,604,000 shall be available until September 30, 2001 for the biological research activity and the operation of the Cooperative Research Units: *Provided*, That none of these funds provided for the biological research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: *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 48 are for replacement only; reimbursement to the General Services Administration for security guard services; contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations and observation wells; expenses of the United States National Committee on Geology; and payment of compensation and expenses of persons on the rolls of the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: *Provided*, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in 31 U.S.C. 6302 et seq.: *Provided further*, That the United States Geological Survey may hereafter contract directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purposes of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

For expenses necessary for minerals leasing and environmental studies, regulation of industry operations, and collection of royalties, as authorized by law; for enforcing laws and regulations applicable to oil, gas, and other minerals leases, permits, licenses and operating contracts; and for matching grants or cooperative agreements; including the purchase of not to exceed eight passenger motor vehicles for replacement only; \$110,682,000, of which \$84,569,000 shall be available for royalty management activities; and an amount not to exceed \$124,000,000, to be credited to this appropriation and to remain available until expended, from additions to receipts resulting from increases to rates in effect on August 5, 1993, from rate increases to fee collections for Outer Continental Shelf administrative activities performed by the Minerals Management Service

over and above the rates in effect on September 30, 1993, and from additional fees for Outer Continental Shelf administrative activities established after September 30, 1993: *Provided*, That to the extent \$124,000,000 in additions to receipts are not realized from the sources of receipts stated above, the amount needed to reach \$124,000,000 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, 2001: *Provided further*, That funds appropriated under this Act shall be available for the payment of interest in accordance with 30 U.S.C. 1721(b) and (d): *Provided further*, That not to exceed \$3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities: *Provided further*, That notwithstanding any other provision of law, \$15,000 under this heading shall be available for refunds of overpayments in connection with certain Indian leases in which the Director of the Minerals Management Service concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments: *Provided further*, That not to exceed \$198,000 shall be available to carry out the requirements of section 215(b)(2) of the Water Resources Development Act of 1999.

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 Pollution Act of 1990, \$6,118,000, which shall be derived 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 provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not to exceed 10 passenger motor vehicles, for replacement only; \$95,891,000: *Provided*, That the Secretary of the Interior, pursuant to regulations, may use directly or through grants to States, moneys collected in fiscal year 2000 for civil penalties assessed under section 518 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1268), to reclaim lands adversely affected by coal mining practices after August 3, 1977, to remain available until expended: *Provided further*, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, as amended, including the purchase of not more than 10 passenger motor vehicles for replacement only, \$191,208,000, to be derived

from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended; of which up to \$8,000,000, to be derived from the Federal Expenses Share of the Fund, shall be for supplemental grants to States for the reclamation of abandoned sites with acid mine rock drainage from coal mines, and for associated activities, through the Appalachian Clean Streams Initiative: *Provided*, That grants to minimum program States will be \$1,500,000 per State in fiscal year 2000: *Provided further*, That of the funds herein provided up to \$18,000,000 may be used for the emergency program authorized by section 410 of Public Law 95-87, as amended, of which no more than 25 percent shall be used for emergency reclamation projects in any one State and funds for federally administered emergency reclamation projects under this proviso shall not exceed \$11,000,000: *Provided further*, That prior year unobligated funds appropriated for the emergency reclamation program shall not be subject to the 25 percent limitation per State and may be used without fiscal year limitation for emergency projects: *Provided further*, That pursuant to Public Law 97-365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: *Provided further*, That funds made available under title IV of Public Law 95-87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: *Provided further*, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: *Provided further*, That, in addition to the amount granted to the Commonwealth of Pennsylvania under sections 402(g)(1) and 402(g)(5) of the Surface Mining Control and Reclamation Act (Act), an additional \$300,000 will be specifically used for the purpose of conducting a demonstration project in accordance with section 401(c)(6) of the Act to determine the efficacy of improving water quality by removing metals from eligible waters polluted by acid mine drainage: *Provided further*, That the State of Maryland may set aside the greater of \$1,000,000 or 10 percent of the total of the grants made available to the State under title IV of the Surface Mining Control and Reclamation Act of 1977, as amended (30 U.S.C. 1231 et seq.), if the amount set aside is deposited in an acid mine drainage abatement and treatment fund established under a State law, pursuant to which law the amount (together with all interest earned on the amount) is expended by the State to undertake acid mine drainage abatement and treatment projects, except that before any amounts greater than 10 percent of its title IV grants are deposited in an acid mine drainage abatement and treatment fund, the State of Maryland must first complete all Surface Mining Control and Reclamation Act priority one projects.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450 et seq.), as amended, the

Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended, \$1,637,444,000, to remain available until September 30, 2001 except as otherwise provided herein, of which not to exceed \$93,684,000 shall be for welfare assistance payments and notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, not to exceed \$115,229,000 shall be available for payments to tribes and tribal organizations for contract support costs associated with ongoing contracts, grants, compacts, or annual funding agreements entered into with the Bureau prior to or during fiscal year 2000, as authorized by such Act, except that tribes and tribal organizations may use their tribal priority allocations for unmet indirect costs of ongoing contracts, grants, or compacts, or annual funding agreements and for unmet welfare assistance costs; and of which not to exceed \$401,010,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2000, and shall remain available until September 30, 2001; and of which not to exceed \$51,991,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, self-governance grants, the Indian Self-Determination Fund, land records improvement, and the Navajo-Hopi Settlement Program: *Provided*, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, and 25 U.S.C. 2008, not to exceed \$42,160,000 within and only from such amounts made available for school operations shall be available to tribes and tribal organizations for administrative cost grants associated with the operation of Bureau-funded schools: *Provided further*, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 2001, may be transferred during fiscal year 2002 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account: *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 2002.

CONSTRUCTION

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, \$146,884,000, to remain available until expended: *Provided*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a nonreimbursable basis: *Provided further*, That for fiscal year 2000, in implementing new construction or facilities improvement and repair project grants in excess of \$100,000 that are provided to tribally controlled grant schools under Public Law 100–297, as amended, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for

Assistance Programs contained in 43 CFR part 12 as the regulatory requirements: *Provided further*, That such grants shall not be subject to section 12.61 of 43 CFR; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: *Provided further*, That in considering applications, the Secretary shall consider whether the Indian tribe or tribal organization would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by 25 U.S.C. 2005(a), with respect to organizational and financial management capabilities: *Provided further*, That if the Secretary declines an application, the Secretary shall follow the requirements contained in 25 U.S.C. 2505(f): *Provided further*, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in 25 U.S.C. 2508(e): *Provided further*, That notwithstanding any other provision of law, collections from the settlements between the United States and the Puyallup tribe concerning Chief Leschi school are made available for school construction in fiscal year 2000 and hereafter: *Provided further*, That in return for a quit claim deed to a school building on the Lac Courte Oreilles Ojibwe Indian Reservation, the Secretary shall pay to U.K. Development, LLC the amount of \$375,000 from the funds made available under this heading.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS
PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals and for necessary administrative expenses, \$27,256,000, to remain available until expended; of which \$25,260,000 shall be available for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 101–618 and 102–575, and for implementation of other enacted water rights settlements; and of which \$1,871,000 shall be available pursuant to Public Laws 99–264, 100–383, 103–402 and 100–580.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans, \$4,500,000, as authorized by the Indian Financing Act of 1974, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$59,682,000.

In addition, for administrative expenses to carry out the guaranteed loan programs, \$508,000.

ADMINISTRATIVE PROVISIONS

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

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed

229 passenger motor vehicles, of which not to exceed 187 shall be for replacement only.

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

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs for distribution to other tribes, this action shall not diminish the Federal Government's trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe's ability to access future appropriations.

Notwithstanding any other provision of law, no funds available to the Bureau, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

Appropriations made available in this or any other Act for schools funded by the Bureau shall be available only to the schools in the Bureau school system as of September 1, 1996. No funds available to the Bureau shall be used to support expanded grades for any school or dormitory 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, 1995. 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 Amendments of 1978 (25 U.S.C. 2026)), 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 funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code (commonly known as the "Federal Tort Claims Act"). Not later than June 15, 2000, the Secretary of the Interior shall evaluate the effectiveness of Bureau-funded schools sharing facilities with charter schools in the manner described in the preceding sentence and prepare and submit a report on the finding of that evaluation to the Committees on Appropriations of the Senate and of the House.

The Tate Topa Tribal School, the Black Mesa Community School, the Alamo Navajo School, and other Bureau-funded schools subject to the approval of the Secretary of the Interior, may use prior year school operations funds for the replacement or repair of Bureau of Indian Affairs education facilities which are in compliance with 25 U.S.C. 2005(a) and which shall be eligible for operation

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and maintenance support to the same extent as other Bureau of Indian Affairs education facilities: *Provided*, That any additional construction costs for replacement or repair of such facilities begun with prior year funds shall be completed exclusively with non-Federal funds.

DEPARTMENT OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories under the jurisdiction of the Department of the Interior, \$67,171,000, of which: (1) \$63,076,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, insular management controls, coral reef initiative activities, and brown tree snake control and research; 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) \$4,095,000 shall be available 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 chapter 35 of title 31, United States Code: *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104-134: *Provided further*, That Public Law 94-241, as amended, is further amended: (1) in section 4(b) by striking “2002” and inserting “1999” and by striking the comma after “\$11,000,000 annually” and inserting the following: “and for fiscal year 2000, payments to the Commonwealth of the Northern Mariana Islands shall be \$5,580,000, but shall return to the level of \$11,000,000 annually for fiscal years 2001 and 2002. In fiscal year 2003, the payment to the Commonwealth of the Northern Mariana Islands shall be \$5,420,000. Such payments shall be”; and (2) in section (4)(c) by adding a new subsection as follows: “(4) for fiscal year 2000, \$5,420,000 shall be provided to the Virgin Islands for correctional facilities and other projects mandated by Federal law.”: *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 of capital infrastructure 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 through assessments of long-range

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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 based on the individual territory's commitment to timely maintenance of its capital assets): *Provided further*, That any appropriation for disaster assistance under this heading in this Act or previous appropriations Acts may be used as non-Federal matching funds for the purpose of hazard mitigation grants provided pursuant to section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

For economic assistance and necessary expenses for the Federated States of Micronesia and the Republic of the Marshall Islands as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, and for economic assistance and necessary expenses for the Republic of Palau as provided for in sections 122, 221, 223, 232, and 233 of the Compact of Free Association, \$20,545,000, to remain available until expended, as authorized by Public Law 99–239 and Public Law 99–658.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for management of the Department of the Interior, \$62,864,000, of which not to exceed \$8,500 may be for official reception and representation expenses and of which up to \$1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines.

OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, \$40,196,000.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$26,086,000.

OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS

FEDERAL TRUST PROGRAMS

For operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, \$90,025,000, to remain available until expended: *Provided*, That funds for trust management improvements may be transferred, as needed, to the Bureau of Indian Affairs "Operation of Indian Programs" account and to the Departmental Management "Salaries

and Expenses” account: *Provided further*, That funds made available to Tribes and Tribal organizations through contracts or grants obligated during fiscal year 2000, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of the enactment of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with an accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 18 months and has a balance of \$1.00 or less: *Provided further*, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder.

INDIAN LAND CONSOLIDATION PILOT

INDIAN LAND CONSOLIDATION

For implementation of a pilot program for consolidation of fractional interests in Indian lands by direct expenditure or cooperative agreement, \$5,000,000 to remain available until expended and which shall be transferred to the Bureau of Indian Affairs, of which not to exceed \$500,000 shall be available for administrative expenses: *Provided*, That the Secretary may enter into a cooperative agreement, which shall not be subject to Public Law 93-638, as amended, with a tribe having jurisdiction over the pilot reservation to implement the program to acquire fractional interests on behalf of such tribe: *Provided further*, That the Secretary may develop a reservation-wide system for establishing the fair market value of various types of lands and improvements to govern the amounts offered for acquisition of fractional interests: *Provided further*, That acquisitions shall be limited to one or more pilot reservations as determined by the Secretary: *Provided further*, That funds shall be available for acquisition of fractional interest in trust or restricted lands with the consent of its owners and at fair market value, and the Secretary shall hold in trust for such tribe all interests acquired pursuant to this pilot program: *Provided further*, That all proceeds from any lease, resource sale contract, right-of-way or other transaction derived from the fractional interest shall be credited to this appropriation, and remain available until expended, until the purchase price paid by the Secretary under this appropriation has been recovered from such proceeds: *Provided further*, That once the purchase price has been recovered, all subsequent proceeds shall be managed by the Secretary for the benefit of the applicable tribe or paid directly to the tribe.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment activities by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended (42 U.S.C. 9601 et seq.), Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (Public Law 101-380), and Public Law 101-337, \$5,400,000, to remain available until expended.

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

SEC. 102. The Secretary may authorize the expenditure or transfer 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 forest or range 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 activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from

any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to “Wildland Fire Management” shall have been exhausted: *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 emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 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. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$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; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

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

SEC. 106. Appropriations made in this title shall be available for obligation in connection with contracts issued for services or rentals for periods not in excess of 12 months beginning at any time during the fiscal year.

SEC. 107. No funds provided in this title may be expended by the Department of the Interior for the conduct of offshore leasing and related activities placed under restriction in the President’s moratorium statement of June 26, 1990, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude.

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 North Aleutian Basin 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 planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997–2002.

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

SEC. 111. Advance payments made under this title to Indian tribes, tribal organizations, and tribal consortia pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may be invested by the Indian tribe, tribal organization, or consortium before such funds are expended for the purposes of the grant, compact, or annual funding agreement so long as such funds are—

(1) invested by the Indian tribe, tribal organization, or consortium only in obligations of the United States, or in obligations or securities that are guaranteed or insured by the United States, or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or insured by the United States; or

(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. (a) Employees of Helium Operations, Bureau of Land Management, entitled to severance pay under 5 U.S.C. 5595, may apply for, and the Secretary of the Interior may pay, the total amount of the severance pay to the employee in a lump sum. Employees paid severance pay in a lump sum and subsequently reemployed by the Federal Government shall be subject to the repayment provisions of 5 U.S.C. 5595(i)(2) and (3), except that any repayment shall be made to the Helium Fund.

(b) Helium Operations employees who elect to continue health benefits after separation shall be liable for not more than the required employee contribution under 5 U.S.C. 8905a(d)(1)(A). The Helium Fund shall pay for 18 months the remaining portion of required contributions.

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

(d) For purposes of the annual leave restoration provisions of 5 U.S.C. 6304(d)(1)(B), the cessation of helium production and sales, and other related Helium Program activities shall be deemed

to create an exigency of public business under, and annual leave that is lost during leave years 1997 through 2001 because of 5 U.S.C. 6304 (regardless of whether such leave was scheduled in advance) shall be restored to the employee and shall be credited and available in accordance with 5 U.S.C. 6304(d)(2). Annual leave so restored and remaining unused upon the transfer of a Helium Program employee to a position of the executive branch outside of the Helium Program shall be liquidated by payment to the employee of a lump sum from the Helium Fund for such leave.

(e) Benefits under this section shall be paid from the Helium Fund in accordance with section 4(c)(4) of the Helium Privatization Act of 1996. Funds may be made available to Helium Program employees who are or will be separated before October 1, 2002 because of the cessation of helium production and sales and other related activities. Retraining benefits, including retraining and relocation incentives, may be paid for retraining commencing on or before September 30, 2002.

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

SEC. 113. Notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975, as amended, hereafter funds available to the Department of the Interior for Indian self-determination or self-governance contract or grant support costs may be expended only for costs directly attributable to contracts, grants and compacts pursuant to the Indian Self-Determination Act of 1975 and hereafter funds appropriated in this title shall not be available for any contract support costs or indirect costs associated with any contract, grant, cooperative agreement, self-governance compact or funding agreement entered into between an Indian tribe or tribal organization and any entity other than an agency of the Department of the Interior.

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

SEC. 115. Notwithstanding any other provision of law, in fiscal year 2000 and thereafter, the Secretary is authorized to permit persons, firms or organizations engaged in commercial, cultural, educational, or recreational activities (as defined in section 612a of title 40, United States Code) not currently occupying such space to use courtyards, auditoriums, meeting rooms, and other space of the main and south Interior building complex, Washington, D.C., the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949, and to assess reasonable charges therefore, subject to such procedures as the Secretary deems appropriate for such uses. Charges may be for the space, utilities, maintenance, repair, and other services. Charges for such space and services may be at rates equivalent to the prevailing commercial rate for comparable space and services devoted to a similar purpose in the vicinity of the main and south Interior building complex, Washington, D.C. for which charges are being assessed. The Secretary may without further appropriation hold, administer, and use such proceeds within the Departmental Management Working Capital Fund to

offset the operation of the buildings under his jurisdiction, whether delegated or otherwise, and for related purposes, until expended.

SEC. 116. Notwithstanding any other provision of law, the Steel Industry American Heritage Area, authorized by Public Law 104–333, is hereby renamed the Rivers of Steel National Heritage Area.

SEC. 117. (a) In this section—

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

(2) the term “Secretary” means the Secretary of the Interior.

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

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

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

(B) as a burial ground.

(3) The description of the lands of the Huron Cemetery is as follows:

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

“Commencing on the Northwest corner of the Northwest Quarter of the Northwest Quarter of said Section 10;

“Thence South 28 poles to the ‘true point of beginning’;

“Thence South 71 degrees East 10 poles and 18 links;

“Thence South 18 degrees and 30 minutes West 28 poles;

“Thence West 11 and one-half poles;

“Thence North 19 degrees 15 minutes East 31 poles and 15 feet to the ‘true point of beginning’, containing 2 acres or more.”.

SEC. 118. Refunds or rebates received on an on-going basis from a credit card services provider under the Department of the Interior’s charge card programs may be deposited to and retained without fiscal year limitation in the Departmental Working Capital Fund established under 43 U.S.C. 1467 and used to fund management initiatives of general benefit to the Department of the Interior’s bureaus and offices as determined by the Secretary or his designee.

SEC. 119. Appropriations made in this title 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 expenditure or transfer for Indian trust management activities pursuant to the Trust Management Improvement Project High Level Implementation Plan.

SEC. 120. All properties administered by the National Park Service at Fort Baker, Golden Gate National Recreation Area, and leases, concessions, permits and other agreements associated with those properties, hereafter shall be exempt from all taxes and special assessments, except sales tax, by the State of California

and its political subdivisions, including the County of Marin and the City of Sausalito. Such areas of Fort Baker shall remain under exclusive Federal jurisdiction.

SEC. 121. Notwithstanding any provision of law, the Secretary of the Interior is authorized to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), with any person, firm, association, organization, corporation, or governmental entity for all or part of the property within Fort Baker administered by the Secretary as part of Golden Gate National Recreation Area. The proceeds of the agreements or leases shall be retained by the Secretary and such proceeds shall be available, without future appropriation, for the preservation, restoration, operation, maintenance and interpretation and related expenses incurred with respect to Fort Baker properties.

SEC. 122. Where any Federal lands included in the boundary of Lake Roosevelt National Recreational Area for grazing purposes, pursuant to a permit issued by the National Park Service, the person or persons so utilizing such lands shall be entitled to renew said permit. The National Park Service is further directed to manage the Lake Roosevelt National Recreational Area subject to grazing use in a manner that will protect the recreational, natural (including water quality) and cultural resources of the Lake Roosevelt National Recreational Area.

SEC. 123. Grazing permits and leases that expire or are transferred, shall be renewed on the same terms and conditions as contained in the expiring permits or leases until the Secretary of the Interior completes processing these permits and leases in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this language shall be deemed to alter the Secretary's statutory authority.

SEC. 124. Notwithstanding any other provision of law, for the purpose of reducing the backlog of Indian probate cases in the Department of the Interior, the hearing requirements of chapter 10 of title 25, United States Code, are deemed satisfied by a proceeding conducted by an Indian probate judge, appointed by the Secretary without regard to the provisions of title 5, United States Code, governing the appointments in the competitive service, for such period of time as the Secretary determines necessary: *Provided*, That the Secretary may only appoint such Indian probate judges if, by January 1, 2000, the Secretary is unable to secure the services of at least 10 qualified Administrative Law Judges on a temporary basis from other agencies and/or through appointing retired Administrative Law Judges: *Provided further*, That the basic pay of an Indian probate judge so appointed may be fixed by the Secretary without regard to the provisions of chapter 51, and subchapter III of chapter 53 of title 5, United States Code, governing the classification and pay of General Schedule employees, except that no such Indian probate judge may be paid at a level which exceeds the maximum rate payable for the highest grade of the General Schedule, including locality pay.

SEC. 125. (a) LOAN TO BE GRANTED.—Notwithstanding any other provision of law or of this Act, the Secretary of the Interior (hereinafter the "Secretary"), in consultation with the Secretary

of the Treasury, shall make available to the Government of American Samoa (hereinafter “ASG”), the benefits of a loan in the amount of \$18,600,000 bearing interest at a rate equal to the United States Treasury cost of borrowing for obligations of similar duration. Repayment of the loan shall be secured and accomplished pursuant to this section with funds, as they become due and payable to ASG from the Escrow Account established under the terms and conditions of the Tobacco Master Settlement Agreement (and the subsequent Enforcing Consent Decree) (hereinafter collectively referred to as “the Agreement”) entered into by the parties November 23, 1998, and judgment granted by the High Court of American Samoa on January 5, 1999 (Civil Action 119–98, American Samoa Government v. Philip Morris Tobacco Co., et. al.).

(b) CONDITIONS REGARDING LOAN PROCEEDS.—Except as provided under subsection (e), no proceeds of the loan described in this section shall become available until ASG—

(1) has enacted legislation, or has taken such other or additional official action as the Secretary may deem satisfactory to secure and ensure repayment of the loan, irrevocably transferring and assigning for payment to the Department of the Interior (or to the Department of the Treasury, upon agreement between the Secretaries of such departments) all amounts due and payable to ASG under the terms and conditions of the Agreement for a period of 26 years with the first payment beginning in 2000, such repayment to be further secured by a pledge of the full faith and credit of ASG;

(2) has entered into an agreement or memorandum of understanding described in subsection (c) with the Secretary identifying with specificity the manner in which approximately \$14,300,000 of the loan proceeds will be used to pay debts of ASG incurred prior to April 15, 1999; and

(3) has provided to the Secretary an initial plan of fiscal and managerial reform as described in subsection (d) designed to bring the ASG’s annual operating expenses into balance with projected revenues for the years 2003 and beyond, and identifying the manner in which approximately \$4,300,000 of the loan proceeds will be utilized to facilitate implementation of the plan.

(c) PROCEDURE AND PRIORITIES FOR DEBT PAYMENTS.—

(1) In structuring the agreement or memorandum of understanding identified in subsection (b)(2), the ASG and the Secretary shall include provisions, which create priorities for the payment of creditors in the following order—

(A) debts incurred for services, supplies, facilities, equipment and materials directly connected with the provision of health, safety and welfare functions for the benefit of the general population of American Samoa (including, but not limited to, health care, fire and police protection, educational programs grades K–12, and utility services for facilities belonging to or utilized by ASG and its agencies), wherein the creditor agrees to compromise and settle the existing debt for a payment not exceeding 75 percent of the amount owed, shall be given the highest priority for payment from the loan proceeds under this section;

(B) debts not exceeding a total amount of \$200,000 owed to a single provider and incurred for any legitimate

governmental purpose for the benefit of the general population of American Samoa, wherein the creditor agrees to compromise and settle the existing debt for a payment not exceeding 70 percent of the amount owed, shall be given the second highest priority for payment from the loan proceeds under this section;

(C) debts exceeding a total amount of \$200,000 owed to a single provider and incurred for any legitimate governmental purpose for the benefit of the general population of American Samoa, wherein the creditor agrees to compromise and settle the existing debt for a payment not exceeding 65 percent of the amount owed, shall be given the third highest priority for payment from the loan proceeds under this section;

(D) other debts regardless of total amount owed or purpose for which incurred, wherein the creditor agrees to compromise and settle the existing debt for a payment not exceeding 60 percent of the amount owed, shall be given the fourth highest priority for payment from the loan proceeds under this section;

(E) debts described in subparagraphs (A), (B), (C), and (D) of this paragraph, wherein the creditor declines to compromise and settle the debt for the percentage of the amount owed as specified under the applicable subparagraph, shall be given the lowest priority for payment from the loan proceeds under this section.

(2) The agreement described in subsection (b)(2) shall also generally provide a framework whereby the Governor of American Samoa shall, from time-to-time, be required to give 10 business days notice to the Secretary that ASG will make payment in accordance with this section to specified creditors and the amount which will be paid to each of such creditors. Upon issuance of payments in accordance with the notice, the Governor shall immediately confirm such payments to the Secretary, and the Secretary shall within three business days following receipt of such confirmation transfer from the loan proceeds an amount sufficient to reimburse ASG for the payments made to creditors.

(3) The agreement may contain such other provisions as are mutually agreeable, and which are calculated to simplify and expedite the payment of existing debt under this section and ensure the greatest level of compromise and settlement with creditors in order to maximize the retirement of ASG debt.

(d) FISCAL AND MANAGERIAL REFORM PROGRAM.—

(1) The initial plan of fiscal and managerial reform, designed to bring ASG's annual operating expenses into balance with projected revenues for the years 2003 and beyond as required under subsection (b)(3), should identify specific measures which will be implemented by ASG to accomplish such goal, the anticipated reduction in government operating expense which will be achieved by each measure, and should include a timetable for attainment of each reform measure identified therein.

(2) The initial plan should also identify with specificity the manner in which approximately \$4,300,000 of the loan proceeds will be utilized to assist in meeting the reform plan's

targets within the timetable specified through the use of incentives for early retirement, severance pay packages, outsourcing services, or any other expenditures for program elements reasonably calculated to result in reduced future operating expenses for ASG on a long term basis.

(3) Upon receipt of the initial plan, the Secretary shall consult with the Governor of American Samoa, and shall make any recommendations deemed reasonable and prudent to ensure the goals of reform are achieved. The reform plan shall contain objective criteria that can be documented by a competent third party, mutually agreeable to the Governor and the Secretary. The plan shall include specific targets for reducing the amounts of ASG local revenues expended on government payroll and overhead (including contracts for consulting services), and may include provisions which allow modest increases in support of the LBJ Hospital Authority reasonably calculated to assist the Authority implement reforms which will lead to an independent audit indicating annual expenditures at or below annual Authority receipts.

(4) The Secretary shall enter into an agreement with the Governor similar to that specified in subsection (c)(2) of this section, enabling ASG to make payments as contemplated in the reform plan and then to receive reimbursement from the Secretary out of the portion of loan proceeds allocated for the implementation of fiscal reforms.

(5) Within 60 days following receipt of the initial plan, the Secretary shall approve an interim final plan reasonably calculated to make substantial progress toward overall reform. The Secretary shall provide copies of the plan, and any subsequent modifications, to the House Committee on Resources, the House Committee on Appropriations Subcommittee on the Department of the Interior and Related Agencies, the Senate Committee on Energy and Natural Resources, and the Senate Committee on Appropriations Subcommittee on the Department of the Interior and Related Agencies.

(6) From time-to-time as deemed necessary, the Secretary shall consult further with the Governor of American Samoa, and shall approve such mutually agreeable modifications to the interim final plan as circumstances warrant in order to achieve the overall goals of ASG fiscal and managerial reforms.

(e) RELEASE OF LOAN PROCEEDS.—From the total proceeds of the loan described in this section, the Secretary shall make available—

(1) upon compliance by ASG with paragraphs (b)(1) and (b)(2) of this section and in accordance with subsection (c), approximately \$14,300,000 in reimbursements as requested from time-to-time by the Governor for payments to creditors;

(2) upon compliance by ASG with paragraphs (b)(1) and (b)(3) of this section and in accordance with subsection (d), approximately \$4,300,000 in reimbursements as requested from time-to-time by the Governor for payments associated with implementation of the interim final reform plan; and

(3) notwithstanding paragraphs (1) and (2) of this subsection, at any time the Secretary and the Governor mutually determine that the amount necessary to fund payments under paragraph (2) will total less than \$4,300,000 then the Secretary may approve the amount of any unused portion of such sum

for additional payments against ASG debt under paragraph (1).

(f) EXCEPTION.— Proceeds from the loan under this section shall be used solely for the purposes of debt payments and reform plan implementation as specified herein, except that the Secretary may provide an amount equal to not more than 2 percent of the total loan proceeds for the purpose of retaining the services of an individual or business entity to provide direct assistance and management expertise in carrying out the purposes of this section. Such individual or business entity shall be mutually agreeable to the Governor and the Secretary, may not be a current or former employee of, or contractor for, and may not be a creditor of ASG. Notwithstanding the preceding two sentences, the Governor and the Secretary may agree to also retain the services of any semi-autonomous agency of ASG which has established a record of sound management and fiscal responsibility, as evidenced by audited financial reports for at least three of the past 5 years, to coordinate with and assist any individual or entity retained under this subsection.

(g) CONSTRUCTION.—The provisions of this section are expressly applicable only to the utilization of proceeds from the loan described in this section, and nothing herein shall be construed to relieve ASG from any lawful debt or obligation except to the extent a creditor shall voluntarily enter into an arms length agreement to compromise and settle outstanding amounts under subsection (c).

(h) TERMINATION.—The payment of debt and the payments associated with implementation of the interim final reform plan shall be completed not later than October 1, 2003. On such date, any unused loan proceeds totaling \$1,000,000 or less shall be transferred by the Secretary directly to ASG. If the amount of unused loan proceeds exceeds \$1,000,000, then such amount shall be credited to the total of loan repayments specified in paragraph (b)(1). With approval of the Secretary, ASG may designate additional payments from time-to-time from funds available from any source, without regard to the original purpose of such funds.

SEC. 126. The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service and in consultation with the Director of the National Park Service, shall undertake the necessary activities to designate Midway Atoll as a National Memorial to the Battle of Midway. In pursuing such a designation the Secretary shall consult with organizations with an interest in Midway Atoll. The Secretary shall consult on a regular basis with such organizations, including the International Midway Memorial Foundation, Inc. on the management of the National Memorial.

SEC. 127. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2000. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

SEC. 128. None of the Funds provided in this Act shall be available to the Bureau of Indian Affairs or the Department of the Interior to transfer land into trust status for the Shoalwater Bay Indian Tribe in Clark County, Washington, unless and until the tribe and the county reach a legally enforceable agreement that addresses the financial impact of new development on the county, school district, fire district, and other local governments and the impact on zoning and development.

SEC. 129. None of the funds provided in this Act may be used by the Department of the Interior to implement the provisions of Principle 3(C)ii and Appendix section 3(B)(4) in Secretarial Order 3206, entitled “American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and the Endangered Species Act”.

SEC. 130. Of the funds appropriated in title V of the Fiscal Year 1998 Interior and Related Agencies Appropriation Act, Public Law 105–83, the Secretary shall provide up to \$2,000,000 in the form of a grant to the Fairbanks North Star Borough for acquisition of undeveloped parcels along the banks of the Chena River for the purpose of establishing an urban greenbelt within the Borough. The Secretary shall further provide from the funds appropriated in title V up to \$1,000,000 in the form of a grant to the Municipality of Anchorage for the acquisition of approximately 34 acres of wetlands adjacent to a municipal park in Anchorage (the Jewel Lake Wetlands).

SEC. 131. FUNDING FOR THE OTTAWA NATIONAL WILDLIFE REFUGE AND CERTAIN PROJECTS IN THE STATE OF OHIO. Notwithstanding any other provision of law, from the unobligated balances appropriated for a grant to the State of Ohio for the acquisition of the Howard Farm near Metzger Marsh, Ohio—

(1) \$500,000 shall be derived by transfer and made available for the acquisition of land in the Ottawa National Wildlife Refuge;

(2) \$302,000 shall be derived by transfer and made available for the Dayton Aviation Heritage Commission, Ohio; and

(3) \$198,000 shall be derived by transfer and made available for a grant to the State of Ohio for the preservation and restoration of the birthplace, boyhood home, and schoolhouse of Ulysses S. Grant.

SEC. 132. CONVEYANCE TO NYE COUNTY, NEVADA. (a) DEFINITIONS.—In this section:

(1) COUNTY.—The term “County” means Nye County, Nevada.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

(b) PARCELS CONVEYED FOR USE OF THE NEVADA SCIENCE AND TECHNOLOGY CENTER.—

(1) IN GENERAL.—For no consideration and at no other cost to the County, the Secretary shall convey to the County, subject to valid existing rights, all right, title, and interest in and to the parcels of public land described in paragraph (2).

(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are the following:

(A) The portion of Sec. 13 north of United States Route 95, T. 15 S., R. 49 E., Mount Diablo Meridian, Nevada.

(B) In Sec. 18, T. 15 S., R. 50 E., Mount Diablo Meridian, Nevada:

(i) W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$.

(ii) The portion of the W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ north of United States Route 95.

(3) USE.—

(A) IN GENERAL.—The parcels described in paragraph (2) shall be used for the construction and operation of the Nevada Science and Technology Center as a nonprofit museum and exposition center, and related facilities and activities.

(B) REVERSION.—The conveyance of any parcel described in paragraph (2) shall be subject to reversion to the United States, at the discretion of Secretary, if the parcel is used for a purpose other than that specified in subparagraph (A).

(c) PARCELS CONVEYED FOR OTHER USE FOR A COMMERCIAL PURPOSE.—

(1) RIGHT TO PURCHASE.—For a period of 5 years beginning on the date of the enactment of this Act, the County shall have the exclusive right to purchase the parcels of public land described in paragraph (2) for the fair market value of the parcels, as determined by the Secretary.

(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are the following parcels in Sec. 18, T. 15 S., R. 50 E., Mount Diablo Meridian, Nevada:

(A) E $\frac{1}{2}$ NW $\frac{1}{4}$.

(B) E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$.

(C) The portion of the E $\frac{1}{2}$ SW $\frac{1}{4}$ north of United States Route 95.

(D) The portion of the E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ north of United States Route 95.

(E) The portion of the SE $\frac{1}{4}$ north of United States Route 95.

(3) USE OF PROCEEDS.—Proceeds of a sale of a parcel described in paragraph (2)—

(A) shall be deposited in the special account established under section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345); and

(B) shall be available for use by the Secretary—

(i) to reimburse costs incurred by the local offices of the Bureau of Land Management in arranging the land conveyances directed by this Act; and

(ii) as provided in section 4(e)(3) of that Act (112 Stat. 2346).

SEC. 133. CONVEYANCE OF LAND TO CITY OF MESQUITE, NEVADA. Section 3 of Public Law 99-548 (100 Stat. 3061; 110 Stat. 3009-202) is amended by adding at the end the following:

“(e) FIFTH AREA.—

“(1) RIGHT TO PURCHASE.—For a period of 12 years after the date of the enactment of this Act, the City of Mesquite, Nevada, shall have the exclusive right to purchase the parcels of public land described in paragraph (2).

“(2) LAND DESCRIPTION.—The parcels of public land referred to in paragraph (1) are as follows:

“(A) In T. 13 S., R. 70 E., Mount Diablo Meridian, Nevada:

“(i) The portion of sec. 27 north of Interstate Route 15.

“(ii) Sec. 28: NE $\frac{1}{4}$, S $\frac{1}{2}$ (except the Interstate Route 15 right-of-way).

“(iii) Sec. 29: E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

“(iv) The portion of sec. 30 south of Interstate Route 15.

“(v) The portion of sec. 31 south of Interstate Route 15.

“(vi) Sec. 32: NE $\frac{1}{4}$ NE $\frac{1}{4}$ (except the Interstate Route 15 right-of-way), the portion of NW $\frac{1}{4}$ NE $\frac{1}{4}$ south of Interstate Route 15, and the portion of W $\frac{1}{2}$ south of Interstate Route 15.

“(vii) The portion of sec. 33 north of Interstate Route 15.

“(B) In T. 14 S., R. 70 E., Mount Diablo Meridian, Nevada:

“(i) Sec. 5: NW $\frac{1}{4}$.

“(ii) Sec. 6: N $\frac{1}{2}$.

“(C) In T. 13 S., R. 69 E., Mount Diablo Meridian, Nevada:

“(i) The portion of sec. 25 south of Interstate Route 15.

“(ii) The portion of sec. 26 south of Interstate Route 15.

“(iii) The portion of sec. 27 south of Interstate Route 15.

“(iv) Sec. 28: SW $\frac{1}{4}$ SE $\frac{1}{4}$.

“(v) Sec. 33: E $\frac{1}{2}$.

“(vi) Sec. 34.

“(vii) Sec. 35.

“(viii) Sec. 36.

“(3) NOTIFICATION.—Not later than 10 years after the date of the enactment of this subsection, the city shall notify the Secretary which of the parcels of public land described in paragraph (2) the city intends to purchase.

“(4) CONVEYANCE.—Not later than 1 year after receiving notification from the city under paragraph (3), the Secretary shall convey to the city the land selected for purchase.

“(5) WITHDRAWAL.—Subject to valid existing rights, until the date that is 12 years after the date of the enactment of this subsection, the parcels of public land described in paragraph (2) are withdrawn from all forms of entry and appropriation under the public land laws, including the mining laws, and from operation of the mineral leasing and geothermal leasing laws.

“(6) USE OF PROCEEDS.—The proceeds of the sale of each parcel—

“(A) shall be deposited in the special account established under section 4(e)(1)(C) of the Southern Nevada Public Land Management Act of 1998 (112 Stat. 2345); and

“(B) shall be available for use by the Secretary—

“(i) to reimburse costs incurred by the local offices of the Bureau of Land Management in arranging the land conveyances directed by this Act; and

“(ii) as provided in section 4(e)(3) of that Act (112 Stat. 2346).

“(f) SIXTH AREA.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this subsection, the Secretary shall convey to the City of Mesquite, Nevada, in accordance with section 47125 of title 49, United States Code, up to 2,560 acres of public land to be selected by the city from among the parcels of land described in paragraph (2).

“(2) LAND DESCRIPTION.—The parcels of land referred to in paragraph (1) are as follows:

“(A) In T. 13 S., R. 69 E., Mount Diablo Meridian, Nevada:

“(i) The portion of sec. 28 south of Interstate Route 15 (except S $\frac{1}{2}$ SE $\frac{1}{4}$).

“(ii) The portion of sec. 29 south of Interstate Route 15.

“(iii) The portion of sec. 30 south of Interstate Route 15.

“(iv) The portion of sec. 31 south of Interstate Route 15.

“(v) Sec. 32.

“(vi) Sec. 33: W $\frac{1}{2}$.

“(B) In T. 14 S., R. 69 E., Mount Diablo Meridian, Nevada:

“(i) Sec. 4.

“(ii) Sec. 5.

“(iii) Sec. 6.

“(iv) Sec. 8.

“(C) In T. 14 S., R. 68 E., Mount Diablo Meridian, Nevada:

“(i) Sec. 1.

“(ii) Sec. 12.

“(3) WITHDRAWAL.—Subject to valid existing rights, until the date that is 12 years after the date of the enactment of this subsection, the parcels of public land described in paragraph (2) are withdrawn from all forms of entry and appropriation under the public land laws, including the mining laws, and from operation of the mineral leasing and geothermal leasing laws.”

SEC. 134. QUADRICENTENNIAL COMMEMORATION OF THE SAINT CROIX ISLAND INTERNATIONAL HISTORIC SITE. (a) FINDINGS.—The Senate finds that—

(1) in 1604, one of the first European colonization efforts was attempted at St. Croix Island in Calais, Maine;

(2) St. Croix Island settlement predated both the Jamestown and Plymouth colonies;

(3) St. Croix Island offers a rare opportunity to preserve and interpret early interactions between European explorers and colonists and Native Americans;

(4) St. Croix Island is one of only two international historic sites comprised of land administered by the National Park Service;

(5) the quadricentennial commemorative celebration honoring the importance of the St. Croix Island settlement to the countries and people of both Canada and the United States is rapidly approaching;

(6) the 1998 National Park Service management plans and long-range interpretive plan call for enhancing visitor facilities at both Red Beach and downtown Calais;

(7) in 1982, the Department of the Interior and Canadian Department of the Environment signed a memorandum of understanding to recognize the international significance of St. Croix Island and, in an amendment memorandum, agreed to conduct joint strategic planning for the international commemoration with a special focus on the 400th anniversary of settlement in 2004;

(8) the Department of Canadian Heritage has installed extensive interpretive sites on the Canadian side of the border; and

(9) current facilities at Red Beach and Calais are extremely limited or nonexistent for a site of this historic and cultural importance.

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

(1) using funds made available by this Act, the National Park Service should expeditiously pursue planning for exhibits at Red Beach and the town of Calais, Maine; and

(2) the National Park Service should take what steps are necessary, including consulting with the people of Calais, to ensure that appropriate exhibits at Red Beach and the town of Calais are completed by 2004.

SEC. 135. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 136. None of the funds appropriated or otherwise made available in this Act or any other provision of law, may be used by any officer, employee, department or agency of the United States to impose or require payment of an inspection fee in connection with the export of shipments of fur-bearing wildlife containing 1,000 or fewer raw, crusted, salted or tanned hides or fur skins, or separate parts thereof, including species listed under the Convention on International Trade in Endangered Species of Wild Fauna and Flora done at Washington, March 3, 1973 (27 UST 1027): *Provided*, That this provision shall for the duration of the calendar year in which the shipment occurs, not apply to any person who ships more than 2,500 of such hides, fur skins or parts thereof during the course of such year.

SEC. 137. No funds appropriated under this Act shall be expended to implement sound thresholds or standards in the Grand Canyon National Park until 90 days after the National Park Service has provided to the Congress a report describing: (1) the reasonable scientific basis for such sound thresholds or standard; and (2) the peer review process used to validate such sound thresholds or standard.

SEC. 138. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands from the Haines Borough, Alaska, consisting of approximately 20 acres, more or less, in four tracts identified for this purpose by the Borough, and contained in an area formerly known as “Duncan’s Camp”; the Secretary shall use \$340,000 previously allocated from funds appropriated for the Department of the Interior for fiscal year 1998 for acquisition of lands; the Secretary is authorized to convey

in fee all land and interests in land acquired pursuant to this section without compensation to the heirs of Peter Duncan in settlement of a claim filed by them against the United States: *Provided*, That the Secretary shall not convey the lands acquired pursuant to this section unless and until a signed release of all claims is executed.

SEC. 139. Funds appropriated for the Bureau of Indian Affairs for postsecondary schools for fiscal year 2000 shall be allocated among the schools proportionate to the unmet need of the schools as determined by the Postsecondary Funding Formula adopted by the Office of Indian Education Programs.

SEC. 140. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104–134, as amended by Public Law 104–208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100–696; 16 U.S.C. 460zz.

SEC. 141. None of the funds made available by this Act shall be used to issue a notice of final rulemaking with respect to the valuation of crude oil for royalty purposes until the Comptroller General reviews the issues presented by the rulemaking and issues a report to the Congress. Such report shall be issued no later than 180 days after the date of the enactment of this Act. The rulemaking must be consistent with existing statutory requirements.

SEC. 142. EXTENSION OF AUTHORITY FOR ESTABLISHMENT OF THOMAS PAINE MEMORIAL. (a) IN GENERAL.—Public Law 102–407 (40 U.S.C. 1003 note; 106 Stat. 1991) is amended by adding at the end the following:

“SEC. 4. EXPIRATION OF AUTHORITY.

“Notwithstanding the time period limitation specified in section 10(b) of the Commemorative Works Act (40 U.S.C. 1010(b)) or any other provision of law, the authority for the Thomas Paine National Historical Association to establish a memorial to Thomas Paine in the District of Columbia under this Act shall expire on December 31, 2003.”.

(b) CONFORMING AMENDMENTS.—

(1) APPLICABLE LAW.—Section 1(b) of Public Law 102–407 (40 U.S.C. 1003 note; 106 Stat. 1991) is amended by striking “The establishment” and inserting “Except as provided in section 4, the establishment”.

(2) EXPIRATION OF AUTHORITY.—Section 3 of Public Law 102–407 (40 U.S.C. 1003 note; 106 Stat. 1991) is amended—

(A) by striking “or upon expiration of the authority for the memorial under section 10(b) of that Act,” and inserting “or on expiration of the authority for the memorial under section 4,”; and

(B) by striking “section 8(b)(1) of that Act” and inserting “section 8(b)(1) of the Commemorative Works Act (40 U.S.C. 1008(b)(1))”.

SEC. 143. USE OF NATIONAL PARK SERVICE TRANSPORTATION SERVICE CONTRACT FEES. Section 412 of the National Parks Omnibus Management Act of 1998 (16 U.S.C. 5961) is amended—

(1) by inserting “(a) IN GENERAL.—” before “Notwithstanding”; and

(2) by adding at the end the following:

“(b) OBLIGATION OF FUNDS.—Notwithstanding any other provision of law, with respect to a service contract for the provision solely of transportation services at Zion National Park, the Secretary may obligate the expenditure of fees received in fiscal year 2000 under section 501 before the fees are received.”.

SEC. 144. EXTENSION OF DEADLINE FOR RED ROCK CANYON NATIONAL CONSERVATION AREA. (a) IN GENERAL.—Section 3(c)(1) of Public Law 103–450 (108 Stat. 4767) is amended by striking “the date 1 year after the date of enactment of this Act” and inserting “May 2, 2000”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on November 1, 1999.

SEC. 145. NATIONAL PARK PASSPORT PROGRAM. Section 603(c)(1) of the National Park Omnibus Management Act of 1998 (16 U.S.C. 5993(c)(1)) is amended by striking “10” and inserting “15”.

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, \$202,700,000, to remain available until expended.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, cooperative forestry, and education and land conservation activities, \$187,534,000, to remain available until expended, as authorized by law.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for administrative expenses associated with the management of funds provided under the headings “Forest and Rangeland Research”, “State and Private Forestry”, “National Forest System”, “Wildland Fire Management”, “Reconstruction and Maintenance”, and “Land Acquisition”, \$1,251,504,000, to remain available until expended, which shall include 50 percent of all moneys received during prior fiscal years as fees collected under the Land and Water Conservation Fund Act of 1965, as amended, in accordance with section 4 of the Act (16 U.S.C. 4601–6a(i)): *Provided*, That unobligated balances available at the start of fiscal year 2000 shall be displayed by extended budget line item in the fiscal year 2001 budget justification.

WILDLAND FIRE MANAGEMENT

For necessary expenses for forest fire presuppression 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 rehabilitation of burned-over National Forest System lands and water, \$561,354,000, to remain available until expended: *Provided*, That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal year 1999 shall be transferred, as repayment for past advances that have not been repaid, to the fund established pursuant to section 3 of Public Law 71–319 (16 U.S.C. 576 et seq.): *Provided further*, That notwithstanding any other provision of law, up to \$4,000,000 of funds appropriated under this appropriation may be used for Fire Science Research in support of the Joint Fire Science Program: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest Service and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

For an additional amount to cover necessary expenses for emergency rehabilitation, presuppression due to emergencies, and wild-fire suppression activities of the Forest Service, \$90,000,000, to remain available until expended: *Provided*, That the entire amount is designated by 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.

RECONSTRUCTION AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, \$398,927,000, to remain available until expended for construction, reconstruction, maintenance and acquisition of buildings and other facilities, and for construction, reconstruction, repair and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*, That up to \$15,000,000 of the funds provided herein for road maintenance shall be available for the decommissioning of roads, including unauthorized roads not part of the transportation system, which are no longer needed: *Provided further*, That no funds shall be expended to decommission any system road until notice and an opportunity for public comment has been provided on each decommissioning project: *Provided further*, That any unobligated balances of amounts previously appropriated to the Forest Service “Reconstruction and Construction” account as well as any unobligated balances remaining in the “National Forest System” account for the facility maintenance and trail maintenance extended budget line items at the end of fiscal year 1999 may be transferred to and merged with the “Reconstruction and Maintenance” account.

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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. 4601–4 through 11), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, \$39,575,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which not to exceed \$40,000,000 may be available for the acquisition of lands or interests within the tract known as the Baca Location No. 1 in New Mexico only upon: (1) enactment of legislation authorizing the acquisition of lands, or interests in lands, within such tract; (2) completion of a review, not to exceed 90 days, by the Comptroller General of the United States of an appraisal conforming with the Uniform Appraisal Standards for Federal Land Acquisition of all lands and interests therein to be acquired by the United States; and (3) submission of the Comptroller General's review of such appraisal to the Committee on Resources of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and the Committees on Appropriations of the House and Senate: *Provided*, That subject to valid existing rights, all federally-owned lands and interests in lands within the New World Mining District comprising approximately 26,223 acres, more or less, which are described in a Federal Register notice dated August 19, 1997 (62 Fed. Reg. 44136–44137), are hereby withdrawn from all forms of entry, appropriation, and disposal under the public land laws, and from location, entry and patent under the mining laws, and from disposition under all mineral and geothermal leasing laws.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, 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 school authorities pursuant to 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, 50 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 401(b)(1) of Public Law 94–579, as amended, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND
RESEARCH

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

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of not to exceed 110 passenger motor vehicles of which 15 will be used primarily for law enforcement purposes and of which 109 shall be for replacement; acquisition of 25 passenger motor vehicles from excess sources, and hire of such vehicles; operation and maintenance of aircraft, the purchase of not to exceed three for replacement only, and acquisition of sufficient aircraft from excess sources to maintain the operable fleet at 213 aircraft for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed \$100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein, pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

None of the funds made available under this Act shall be obligated or expended to abolish any region, to move or close any regional office for National Forest System administration of 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 forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions if and only if all previously appropriated emergency contingent funds under the heading "Wildland Fire Management" have been released by the President and apportioned.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development and the Foreign Agricultural Service in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

None of the funds made available to the Forest Service under this Act shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless the proposed transfer is approved in advance by the House and Senate Committees on

Appropriations in compliance with the reprogramming procedures contained in House Report No. 105-163.

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

No funds appropriated to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture without the approval of the Chief of the Forest Service.

Funds available to the Forest Service shall be available to conduct a program of not less than \$1,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by the Act of August 13, 1970, as amended by Public Law 93-408.

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

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

Pursuant to sections 405(b) and 410(b) of Public Law 101-593, of the funds available to the Forest Service, up to \$2,250,000 may be advanced in a lump sum as Federal financial assistance to the National Forest Foundation, without regard to when the Foundation incurs expenses, for administrative expenses or projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than \$400,000 shall be available for administrative expenses: *Provided further*, 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 funds made available by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds: *Provided further*, That hereafter, the National Forest Foundation may hold Federal funds made available but not immediately disbursed and may use any interest or other investment income earned (before, on, or after the date of the enactment of this Act) on Federal funds to carry out the purposes of Public Law 101-593: *Provided further*, That such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

Pursuant to section 2(b)(2) of Public Law 98-244, \$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. 3701-3709, 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 funds advanced by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds

to a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities for sustainable rural development purposes.

Notwithstanding any other provision of law, 80 percent of the funds appropriated to the Forest Service in the “National Forest System” and “Reconstruction and Construction” accounts and planned to be allocated to activities under the “Jobs in the Woods” program for projects on National Forest land in the State of Washington may be granted directly to the Washington State Department of Fish and Wildlife for accomplishment of planned projects. Twenty percent of said funds shall be retained by the Forest Service for planning and administering projects. Project selection and prioritization shall be accomplished by the Forest Service with such consultation with the State of Washington as the Forest Service deems appropriate.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to sections 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

The Secretary of Agriculture is authorized to enter into grants, contracts, and cooperative agreements as appropriate with the Pinchot Institute for Conservation, as well as with public and other private agencies, organizations, institutions, and individuals, to provide for the development, administration, maintenance, or restoration of land, facilities, or Forest Service programs, at the Grey Towers National Historic Landmark: *Provided*, That, subject to such terms and conditions as the Secretary of Agriculture may prescribe, any such public or private agency, organization, institution, or individual may solicit, accept, and administer private gifts of money and real or personal property for the benefit of, or in connection with, the activities and services at the Grey Towers National Historic Landmark: *Provided further*, That such gifts may be accepted notwithstanding the fact that a donor conducts business with the Department of Agriculture in any capacity.

Funds appropriated to the Forest Service shall be available, as determined by the Secretary, for payments to Del Norte County, California, pursuant to sections 13(e) and 14 of the Smith River National Recreation Area Act (Public Law 101–612).

For purposes of the Southeast Alaska Economic Disaster Fund as set forth in section 101(c) of Public Law 104–134, the direct grants provided from the Fund shall be considered direct payments for purposes of all applicable law except that these direct grants may not be used for lobbying activities: *Provided*, That a total of \$22,000,000 is hereby appropriated and shall be deposited into the Southeast Alaska Economic Disaster Fund established pursuant to Public Law 104–134, as amended, without further appropriation or fiscal year limitation of which \$10,000,000 shall be distributed in fiscal year 2000, \$7,000,000 shall be distributed in fiscal year 2001, and \$5,000,000 shall be distributed in fiscal year 2002. The Secretary of Agriculture shall allocate the funds to local communities suffering economic hardship because of mill closures and economic dislocation in the timber industry to employ unemployed timber workers and for related community redevelopment projects as follows:

(1) in fiscal year 2000, \$4,000,000 for the Ketchikan Gateway Borough, \$2,000,000 for the City of Petersburg, \$2,000,000 for the City and Borough of Sitka, and \$2,000,000 for the Metlakatla Indian Community;

(2) in fiscal year 2001, \$3,000,000 for the Ketchikan Gateway Borough, \$1,000,000 for the City of Petersburg, \$1,500,000 for the City and Borough of Sitka, and \$1,500,000 for the Metlakatla Indian Community; and

(3) in fiscal year 2002, \$3,000,000 for the Ketchikan Gateway Borough, \$500,000 for the City and Borough of Sitka, and \$1,500,000 for the Metlakatla Indian Community.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed \$500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar non-litigation related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

No employee of the Department of Agriculture may be detailed or assigned from an agency or office funded by this Act to any other agency or office of the department for more than 30 days unless the individual's employing agency or office is fully reimbursed by the receiving agency or office for the salary and expenses of the employee for the period of assignment.

The Forest Service shall fund overhead, national commitments, indirect expenses, and any other category for use of funds which are expended at any units, that are not directly related to the accomplishment of specific work on-the-ground (referred to as "indirect expenditures"), from funds available to the Forest Service, unless otherwise prohibited by law: *Provided*, That the Forest Service shall implement and adhere to the definitions of indirect expenditures established pursuant to Public Law 105-277 on a nationwide basis without flexibility for modification by any organizational level except the Washington Office, and when changed by the Washington Office, such changes in definition shall be reported in budget requests submitted by the Forest Service: *Provided further*, That the Forest Service shall provide in all future budget justifications, planned indirect expenditures in accordance with the definitions, summarized and displayed to the Regional, Station, Area, and detached unit office level. The justification shall display the estimated source and amount of indirect expenditures, by expanded budget line item, of funds in the agency's annual budget justification. The display shall include appropriated funds and the Knutson-Vandenberg, Brush Disposal, Cooperative Work-Other, and Salvage Sale funds. Changes between estimated and actual indirect expenditures shall be reported in subsequent budget justifications: *Provided further*, That during fiscal year 2000 the Secretary shall limit total annual indirect obligations from the Brush Disposal, Cooperative Work-Other, Knutson-Vandenberg, Reforestation, Salvage Sale, and Roads and Trails funds to 20 percent of the total obligations from each fund.

Any appropriations or funds available to the Forest Service may be used for necessary expenses in the event of law enforcement emergencies as necessary to protect natural resources and public

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or employee safety: *Provided*, That such amounts shall not exceed \$500,000.

From any unobligated balances available at the start of fiscal year 2000, the amount of \$5,000,000 shall be allocated to the Alaska Region, in addition to the funds appropriated to sell timber in the Alaska Region under this Act, for expenses directly related to preparing sufficient additional timber for sale in the Alaska Region to establish a 3-year timber supply.

The Forest Service is authorized through the Forest Service existing budget to reimburse Harry Frey, \$143,406 (1997 dollars) because his home was destroyed by arson on June 21, 1990 in retaliation for his work with the Forest Service.

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(DEFERRAL)

Of the funds made available under this heading for obligation in prior years, \$156,000,000 shall not be available until October 1, 2000: *Provided*, That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95-91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), performed under the minerals and materials science programs at the Albany Research Center in Oregon, \$410,025,000, to remain available until expended, of which \$24,000,000 shall be derived by transfer from unobligated balances in the Biomass Energy Development account: *Provided*, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas.

ALTERNATIVE FUELS PRODUCTION

(INCLUDING TRANSFER OF FUNDS)

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

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NAVAL PETROLEUM AND OIL SHALE RESERVES

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

ELK HILLS SCHOOL LANDS FUND

For necessary expenses in fulfilling the second installment payment under the Settlement Agreement entered into by the United States and the State of California on October 11, 1996, as authorized by section 3415 of Public Law 104–106, \$36,000,000, to become available on October 1, 2000, for payment to the State of California for the State Teachers' Retirement Fund from the Elk Hills School Lands Fund.

ENERGY CONSERVATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out energy conservation activities, \$689,242,000, to remain available until expended, of which \$25,000,000 shall be derived by transfer from unobligated balances in the Biomass Energy Development account: *Provided*, That \$167,000,000 shall be for use in energy conservation programs as defined in section 3008(3) of Public Law 99–509 (15 U.S.C. 4507): *Provided further*, That notwithstanding section 3003(d)(2) of Public Law 99–509, such sums shall be allocated to the eligible programs as follows: \$134,000,000 for weatherization assistance grants and \$33,000,000 for State energy conservation grants: *Provided further*, That, notwithstanding any other provision of law, in fiscal year 2001 and thereafter sums appropriated for weatherization assistance grants shall be contingent on a cost share of 25 percent by each participating State or other qualified participant.

ECONOMIC REGULATION

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

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), \$159,000,000, to remain available until expended: *Provided*, That the Secretary of Energy hereafter may transfer to the SPR Petroleum Account such funds as may be necessary to carry out drawdown and sale operations of the Strategic Petroleum Reserve initiated under section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241) from any funds available to the Department of Energy under this or any other Act: *Provided further*, That all funds transferred pursuant to this authority must be replenished as promptly as possible from oil sale receipts pursuant to the drawdown and sale.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, \$72,644,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

From 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.

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

The Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, private or foreign: *Provided*, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the department appropriated under this Act may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements: *Provided further*, That the remainder of revenues after the making of such payments shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That any contract, agreement, or provision thereof entered into by the Secretary pursuant to this authority shall not be executed 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 three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full comprehensive report on such project, including the facts and circumstances relied upon in support of the proposed project.

No funds provided in this Act may be expended by the Department of Energy to prepare, 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 prosecute projects using such fees and contributions in cooperation with other Federal, State or private agencies or concerns.

The Secretary of Energy in cooperation with the Administrator of General Services Administration shall convey to the City of Bartlesville, Oklahoma, for no consideration, the approximately 15.644 acres of land comprising the former site of the National Institute of Petroleum Energy Research (including all improvements on the land) described as follows: All of Block 1, Keeler's Second Addition, all of Block 2, Keeler's Fourth Addition, all of Blocks

9 and 10, Mountain View Addition, all in the City of Bartlesville, Washington County, Oklahoma.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, \$2,053,967,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That \$12,000,000 shall remain available until expended, for the Indian Catastrophic Health Emergency Fund: *Provided further*, That \$395,290,000 for contract medical care shall remain available for obligation until September 30, 2001: *Provided further*, That of the funds provided, up to \$17,000,000 shall be used to carry out the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That funds provided in this Act may be used for 1-year contracts and grants which are to be performed in two fiscal years, so long as the total obligation is recorded in the year for which the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act (exclusive of planning, design, or construction of new facilities): *Provided further*, That funding contained herein, and in any earlier appropriations Acts for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available for obligation until September 30, 2001: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That, notwithstanding any other provision of law, of the amounts provided herein, not to exceed \$203,781,000 shall be for payments to tribes and tribal organizations for contract or grant support costs associated with contracts, grants, self-governance compacts or annual funding agreements between the Indian Health Service and a tribe or tribal organization pursuant to the Indian Self-Determination Act of 1975, as amended, prior to or during fiscal year 2000: *Provided further*, That funds available for the Indian Health Care Improvement Fund 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 quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, 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 facilities support activities of the Indian Health Service, \$318,580,000, 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 tribes may be used to purchase land for sites to construct, improve, or enlarge health or related facilities: *Provided further*, That notwithstanding any provision of law governing Federal construction, \$3,000,000 of the funds provided herein shall be provided to the Hopi Tribe to reduce the debt incurred by the Tribe in providing staff quarters to meet the housing needs associated with the new Hopi Health Center: *Provided further*, That not to exceed \$500,000 shall be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That not to exceed \$500,000 shall be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed \$500,000 shall be placed in a Demolition Fund, available until expended, to be used by the Indian Health Service for demolition of Federal buildings: *Provided further*, That from within existing funds, the Indian Health Service may purchase up to 5 acres of land for expanding the parking facilities at the Indian Health Service hospital in Tahlequah, Oklahoma.

ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

Appropriations in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 but at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles 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: *Provided*, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject

to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further*, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121 (the Indian Sanitation Facilities Act) and Public Law 93–638, as amended: *Provided further*, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further*, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title III of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title III of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That 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 Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further*, That funds made available in this Act are to be apportioned to the Indian Health Service as appropriated in this Act, and accounted for in the appropriation structure set forth in this Act: *Provided further*, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities, on a reimbursable basis, including payment in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account which provided the funding, said amounts to remain available until expended: *Provided further*, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: *Provided further*, That 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, \$8,000,000, to remain available until expended: *Provided*, That funds provided

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in this 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 Office of Navajo and 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 new or 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 the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off 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), \$2,125,000.

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, preparation, dissemination, and exchange of information and publications; 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 exceed \$100,000 for services as authorized by 5 U.S.C. 3109; up to five replacement passenger vehicles; purchase, rental, repair, and cleaning of uniforms for employees, \$372,901,000, of which not to exceed \$43,318,000 for the instrumentation program, collections acquisition, Museum Support Center equipment and move, 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 of which \$2,500,000 shall remain available until expended for the National Museum of Natural History's Arctic Studies Center to include assistance to other museums for the planning and development of institutions and facilities that enhance the display of collections, and including such funds as may be necessary to support American overseas research centers and a total of \$125,000 for the Council of American Overseas Research Centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: *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 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, REHABILITATION AND ALTERATION OF FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of repair, rehabilitation 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 for services as authorized by 5 U.S.C. 3109, \$47,900,000, to remain available until expended, of which \$6,000,000 is provided for repair, rehabilitation and alteration of facilities at the National Zoological Park: *Provided*, That contracts awarded for environmental systems, protection systems, and repair or rehabilitation of facilities of the Smithsonian Institution may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price: *Provided further*, That funds previously appropriated to the "Construction and Improvements, National Zoological Park" account and the "Repair and Restoration of Buildings" account may be transferred to and merged with this "Repair, Rehabilitation and Alteration of Facilities" account.

CONSTRUCTION

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

ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION

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

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

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.

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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 incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; 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, \$61,538,000, 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, by contract or otherwise, as authorized, \$6,311,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, \$14,000,000.

CONSTRUCTION

For necessary expenses for capital repair and rehabilitation of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, \$20,000,000, 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 1968 (82 Stat. 1356) including

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hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, \$6,790,000.

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, \$85,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to sections 5(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, \$13,000,000, to remain available until expended, to the National Endowment for the Arts: *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$101,000,000, shall be available to the National Endowment for the Humanities for support of activities in the humanities, pursuant to section 7(c) of the Act, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$14,700,000, to remain available until expended, of which \$10,700,000 shall be available to the National Endowment for the Humanities for the purposes of section 7(h): *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of subsections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

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INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

For carrying out subtitle C of the Museum and Library Services Act of 1996, as amended, \$24,400,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS

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

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$1,005,000: *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 CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99-190 (20 U.S.C. 956(a)), as amended, \$7,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665, as amended), \$3,000,000: *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 Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$6,312,000: *Provided*, That all appointed members will be compensated at a rate not to exceed the rate for level IV of the Executive Schedule.

UNITED STATES HOLOCAUST MEMORIAL COUNCIL

HOLOCAUST MEMORIAL COUNCIL

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

PRESIDIO TRUST

PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, \$24,400,000 shall be available to the Presidio Trust, to remain available until expended, of which up to \$1,040,000 may be for the cost of guaranteed loans, as authorized by section 104(d) of the Act: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$200,000,000. The Trust is authorized to issue obligations to the Secretary of the Treasury pursuant to section 104(d)(3) of the Act, in an amount not to exceed \$20,000,000.

TITLE III—GENERAL PROVISIONS

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

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

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

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

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

SEC. 306. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless

advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such committees.

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

(b) SENSE OF THE CONGRESS; REQUIREMENT REGARDING NOTICE.—

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

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(d) EFFECTIVE DATE.—The provisions of this section are applicable in fiscal year 2000 and thereafter.

SEC. 308. 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 1999.

SEC. 309. 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 Carlsbad Caverns National Park.

SEC. 310. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: *Provided*, That if no funds are provided for the AmeriCorps program by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

SEC. 311. 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 prevent pedestrian use of such bridge, when it is made known to the Federal official having authority to obligate or expend such funds that such pedestrian use is consistent with generally accepted safety standards.

SEC. 312. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—The provisions of subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned: (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) for vein or lode claims and sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2000, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(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 shall allow the applicant to fund a qualified third-party contractor to be selected by the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

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

SEC. 314. Notwithstanding any other provision of law, for fiscal year 2000 the Secretaries of Agriculture and the Interior are authorized to limit competition for watershed restoration project contracts as part of the “Jobs in the Woods” component of the President’s Forest Plan for the Pacific Northwest or the Jobs in the Woods

Program established in Region 10 of the Forest Service to individuals and entities in historically timber-dependent areas in the States of Washington, Oregon, northern California and Alaska that have been affected by reduced timber harvesting on Federal lands.

SEC. 315. None of the funds collected under the Recreational Fee Demonstration program may be used to plan, design, 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. 316. (a) None of the funds made available in this Act or any other Act providing appropriations for the Department of the Interior, the Forest Service or the Smithsonian Institution may be used to submit nominations for the designation of Biosphere Reserves pursuant to the Man and Biosphere program administered by the United Nations Educational, Scientific, and Cultural Organization.

(b) The provisions of this section shall be repealed upon the enactment of subsequent legislation specifically authorizing United States participation in the Man and Biosphere program.

SEC. 317. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance.

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

(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, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

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

SEC. 319. The National Endowment for the Arts and the National Endowment for the Humanities are authorized to solicit, accept, receive, and invest in the name of the United States, gifts, bequests, or devises of money and other property or services and to use such 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 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. 320. (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 serve 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(2) of the Community Services Block Grant Act (42 U.S.C. 9902(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—

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

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

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

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

SEC. 321. No part of any appropriation contained in this Act shall be expended or obligated to fund new revisions of national forest land management plans until new final or interim final rules for forest land management planning are published in the Federal Register. Those national forests which are currently in a revision process, having formally published a Notice of Intent to revise prior to October 1, 1997; those national forests having been court-ordered to revise; those national forests where plans reach the 15 year legally mandated date to revise before or during calendar year 2000; national forests within the Interior Columbia Basin Ecosystem study area; and the White Mountain National Forest are exempt from this section and may use funds in this Act and proceed to complete the forest plan revision in accordance with current forest planning regulations.

SEC. 322. 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. 323. 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. 324. Notwithstanding any other provision of law, none of the funds in this Act may be used for GSA Telecommunication Centers or the President's Council on Sustainable Development.

SEC. 325. None of the funds in this Act may be used for planning, design or construction of improvements to Pennsylvania Avenue in front of the White House without the advance approval of the House and Senate Committees on Appropriations.

SEC. 326. Notwithstanding any other provision of law, none of the funds provided in this Act to the Indian Health Service or Bureau of Indian Affairs may be used to enter into any new or expanded self-determination contract or grant or self-governance compact pursuant to the Indian Self-Determination Act of 1975, as amended, for any activities not previously covered by such contracts, compacts or grants. Nothing in this section precludes the continuation of those specific activities for which self-determination and self-governance contracts, compacts and grants currently exist or the renewal of contracts, compacts and grants for those activities; implementation of section 325 of Public Law 105-83 (111 Stat. 1597); or compliance with 25 U.S.C. 2005.

SEC. 327. Amounts deposited during fiscal year 1999 in the roads and trails fund provided for in the fourteenth paragraph under the heading "FOREST 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 repair or reconstruction of roads, bridges, and 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 Secretary shall commence the projects during fiscal year 2000, but the projects may be completed in a subsequent fiscal year. Funds shall not be expended under this section to replace funds which would otherwise appropriately be expended from the timber salvage sale fund. Nothing in this section shall be construed to exempt any project from any environmental law.

SEC. 328. None of the funds made available in this Act may be used to establish a national wildlife refuge in the Kankakee River watershed in northwestern Indiana and northeastern Illinois.

SEC. 329. None of the funds provided in this or previous appropriations Acts for the agencies funded by this Act or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be transferred to or used to support the Council on Environmental Quality or other offices in the Executive Office of the President for purposes related to the American Heritage Rivers program.

SEC. 330. 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 promptly an individual on-duty with the agency being contacted.

SEC. 331. ENHANCING FOREST SERVICE ADMINISTRATION OF RIGHTS-OF-WAY AND LAND USES. (a) The Secretary of Agriculture shall develop and implement a pilot program for the purpose of enhancing forest service administration of rights-of-way and other land uses. The authority for this program shall be for fiscal years 2000 through 2004. Prior to the expiration of the authority for this pilot program, the Secretary shall submit a report to the House and Senate Committees on Appropriations, and the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives that evaluates whether the use of funds under this section resulted in more expeditious approval of rights-of-way and special use authorizations. This report shall include the Secretary's recommendation for statutory or regulatory changes to reduce the average processing time for rights-of-way and special use permit applications.

(b) DEPOSIT OF FEES.—Subject to subsections (a) and (f), during fiscal years 2000 through 2004, the Secretary of Agriculture shall deposit into a special account established in the Treasury all fees collected by the Secretary to recover the costs of processing applications for, and monitoring compliance with, authorizations to use and occupy National Forest System lands pursuant to section 28(l) of the Mineral Leasing Act (30 U.S.C. 185(l)), section 504(g) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1764(g)), section 9701 of title 31, United States Code, and section 110(g) of the National Historic Preservation Act (16 U.S.C. 470h-2(g)).

(c) USE OF RETAINED AMOUNTS.—Amounts deposited pursuant to subsection (b) shall be available, without further appropriation, for expenditure by the Secretary of Agriculture to cover costs incurred by the Forest Service for the processing of applications for special use authorizations and for monitoring activities undertaken in connection with such authorizations. Amounts in the special account shall remain available for such purposes until expended.

(d) REPORTING REQUIREMENT.—In the budget justification documents submitted by the Secretary of Agriculture in support of the President's budget for a fiscal year under section 1105 of title 31, United States Code, the Secretary shall include a description of the purposes for which amounts were expended from the special account during the preceding fiscal year, including the amounts expended for each purpose, and a description of the purposes for which amounts are proposed to be expended from the special account during the next fiscal year, including the amounts proposed to be expended for each purpose.

(e) DEFINITION OF AUTHORIZATION.—For purposes of this section, the term "authorizations" means special use authorizations issued under subpart B of part 251 of title 36, Code of Federal Regulations.

(f) IMPLEMENTATION.—This section shall take effect upon promulgation of Forest Service regulations for the collection of fees for processing of special use authorizations and for related monitoring activities.

SEC. 332. HARDWOOD TECHNOLOGY TRANSFER AND APPLIED RESEARCH. (a) The Secretary of Agriculture (hereinafter the "Secretary") is hereby and hereafter authorized to conduct technology

transfer and development, training, dissemination of information and applied research in the management, processing and utilization of the hardwood forest resource. This authority is in addition to any other authorities which may be available to the Secretary including, but not limited to, the Cooperative Forestry Assistance Act of 1978, as amended (16 U.S.C. 2101 et seq.), and the Forest and Rangeland Renewable Resources Act of 1978, as amended (16 U.S.C. 1600–1614).

(b) In carrying out this authority, the Secretary may enter into grants, contracts, and cooperative agreements with public and private agencies, organizations, corporations, institutions and individuals. The Secretary may accept gifts and donations pursuant to the Act of October 10, 1978 (7 U.S.C. 2269) including gifts and donations from a donor that conducts business with any agency of the Department of Agriculture or is regulated by the Secretary of Agriculture.

(c) The Secretary is hereby and hereafter authorized to operate and utilize the assets of the Wood Education and Resource Center (previously named the Robert C. Byrd Hardwood Technology Center in West Virginia) as part of a newly formed “Institute of Hardwood Technology Transfer and Applied Research” (hereinafter the “Institute”). The Institute, in addition to the Wood Education and Resource Center, will consist of a Director, technology transfer specialists from State and Private Forestry, the Forestry Sciences Laboratory in Princeton, West Virginia, and any other organizational unit of the Department of Agriculture as the Secretary deems appropriate. The overall management of the Institute will be the responsibility of the Forest Service, State and Private Forestry.

(d) The Secretary is hereby and hereafter authorized to generate revenue using the authorities provided herein. Any revenue received as part of the operation of the Institute shall be deposited into a special fund in the Treasury of the United States, known as the “Hardwood Technology Transfer and Applied Research Fund”, which shall be available to the Secretary until expended, without further appropriation, in furtherance of the purposes of this section, including upkeep, management, and operation of the Institute and the payment of salaries and expenses.

(e) There are hereby and hereafter authorized to be appropriated such sums as necessary to carry out the provisions of this section.

SEC. 333. No timber in Region 10 of the Forest Service shall be advertised for sale which, when using domestic Alaska western red cedar selling values and manufacturing costs, fails to provide at least 60 percent of normal profit and risk of the appraised timber, except at the written request by a prospective bidder. Program accomplishments shall be based on volume sold. Should Region 10 sell, in fiscal year 2000, the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan which provides greater than 60 percent of normal profit and risk at the time of the sale advertisement, all of the western red cedar timber from those sales which is surplus to the needs of domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States based on values in the Pacific Northwest as determined by the Forest Service and stated in the timber sale contract. Should Region 10 sell, in fiscal year 2000, less than the annual average portion of the decadal allowable sale quantity called for

in the current Tongass Land Management Plan meeting the 60 percent of normal profit and risk standard at the time of sale advertisement, the volume of western red cedar timber available to domestic processors at rates specified in the timber sale contract in the contiguous 48 United States shall be that volume: (1) which is surplus to the needs of domestic processors in Alaska; and (2) is that percent of the surplus western red cedar volume determined by calculating the ratio of the total timber volume which has been sold on the Tongass to the annual average portion of the decadal allowable sale quantity called for in the current Tongass Land Management Plan. The percentage shall be calculated by Region 10 on a rolling basis as each sale is sold (for purposes of this amendment, a “rolling basis” shall mean that the determination of how much western red cedar is eligible for sale to various markets shall be made at the time each sale is awarded). Western red cedar shall be deemed “surplus to the needs of domestic processors in Alaska” when the timber sale holder has presented to the Forest Service documentation of the inability to sell western red cedar logs from a given sale to domestic Alaska processors at a price equal to or greater than the log selling value stated in the contract. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

SEC. 334. For fiscal year 2000, with respect to inventorying, monitoring, or surveying requirements for planning or management activities on Federal land, the Secretary of Agriculture may comply with part 219 of volume 36 of the Code of Federal Regulations and a land and resource management plan, and the Secretary of the Interior may comply with a resource management plan by using currently available scientific data concerning any fish, wildlife, or plants not subject to the Endangered Species Act, and by considering the availability of habitat suitable for the particular species: *Provided*, That the Secretaries may at their discretion determine whether additional species population surveys should also be collected: *Provided further*, That a project subject to the Northwest Forest Plan for which the record of decision was signed by an agency official prior to the date of the enactment of this Act may, at the discretion of the Secretaries, be deemed to be implemented on the date the decision was signed.

SEC. 335. The Secretary of Agriculture and the Secretary of the Interior shall:

- (1) prepare the report required of them by section 323(a) of the Fiscal Year 1998 Interior and Related Agencies Appropriations Act (Public Law 105–83; 111 Stat. 1543, 1596–7);
- (2) distribute the report and make such report available for public comment for a minimum of 120 days; and
- (3) include detailed responses to the public comment in any final environmental impact statement associated with the Interior Columbia Basin Ecosystem Management Project.

SEC. 336. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of

the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

SEC. 337. (a) MILLSITES OPINION.—No funds shall be expended by the Department of the Interior or the Department of Agriculture, for fiscal years 2000 and 2001, to limit the number or acreage of millsites based on the ratio between the number or acreage of millsites and the number or acreage of associated lode or placer claims with respect to any patent application grandfathered pursuant to section 113 of the Department of the Interior and Related Agencies, Appropriations Act, 1995; any operation or property for which a plan of operations has been previously approved; or any operation or property for which a plan of operations has been submitted to the Bureau of Land Management or Forest Service prior to May 21, 1999.

(b) NO RATIFICATION.—Nothing in this Act or the Emergency Supplemental Act of 1999 shall be construed as an explicit or tacit adoption, ratification, endorsement or approval of the opinion dated November 7, 1997, by the solicitor of the Department of the Interior concerning millsites.

SEC. 338. The Forest Service, in consultation with the Department of Labor, shall review Forest Service campground concessions policy to determine if modifications can be made to Forest Service contracts for campgrounds so that such concessions fall within the regulatory exemption of 29 CFR 4.122(b). The Forest Service shall offer in fiscal year 2000 such concession prospectuses under the regulatory exemption, except that, any prospectus that does not meet the requirements of the regulatory exemption shall be offered as a service contract in accordance with the requirements of 41 U.S.C. 351–358.

SEC. 339. PILOT PROGRAM OF CHARGES AND FEES FOR HARVEST OF FOREST BOTANICAL PRODUCTS. (a) DEFINITION OF FOREST BOTANICAL PRODUCT.—For purposes of this section, the term “forest botanical product” means any naturally occurring mushrooms, fungi, flowers, seeds, roots, bark, leaves, and other vegetation (or portion thereof) that grow on National Forest System lands. The term does not include trees, except as provided in regulations issued under this section by the Secretary of Agriculture.

(b) RECOVERY OF FAIR MARKET VALUE FOR PRODUCTS.—The Secretary of Agriculture shall develop and implement a pilot program to charge and collect not less than the fair market value for forest botanical products harvested on National Forest System lands. The Secretary shall establish appraisal methods and bidding procedures to ensure that the amounts collected for forest botanical products are not less than fair market value.

(c) FEES.—

(1) IMPOSITION AND COLLECTION.—Under the pilot program, the Secretary of Agriculture shall also charge and collect fees from persons who harvest forest botanical products on National Forest System lands to recover all costs to the Department of Agriculture associated with the granting, modifying, or monitoring the authorization for harvest of the forest botanical products, including the costs of any environmental or other analysis.

(2) SECURITY.—The Secretary may require a person assessed a fee under this subsection to provide security to ensure that the Secretary receives the fees imposed under this subsection from the person.

(d) SUSTAINABLE HARVEST LEVELS FOR FOREST BOTANICAL PRODUCTS.—The Secretary of Agriculture shall conduct appropriate analyses to determine whether and how the harvest of forest botanical products on National Forest System lands can be conducted on a sustainable basis. The Secretary may not permit under the pilot program the harvest of forest botanical products at levels in excess of sustainable harvest levels, as defined pursuant to the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528 et seq.). The Secretary shall establish procedures and timeframes to monitor and revise the harvest levels established for forest botanical products.

(e) WAIVER AUTHORITY.—

(1) PERSONAL USE.—The Secretary of Agriculture shall establish a personal use harvest level for each forest botanical product, and the harvest of a forest botanical product below that level by a person for personal use shall not be subject to charges and fees under subsections (b) and (c).

(2) OTHER EXCEPTIONS.—The Secretary may also waive the application of subsection (b) or (c) pursuant to such regulations as the Secretary may prescribe.

(f) DEPOSIT AND USE OF FUNDS.—

(1) DEPOSIT.—Funds collected under the pilot program in accordance with subsections (b) and (c) shall be deposited into a special account in the Treasury of the United States.

(2) FUNDS AVAILABLE.—Funds deposited into the special account in accordance with paragraph (1) in excess of the amounts collected for forest botanical products during fiscal year 1999 shall be available for expenditure by the Secretary of Agriculture under paragraph (3) without further appropriation, and shall remain available for expenditure until the date specified in subsection (h)(2).

(3) AUTHORIZED USES.—The funds made available under paragraph (2) shall be expended at units of the National Forest System in proportion to the charges and fees collected at that unit under the pilot program to pay for—

(A) in the case of funds collected under subsection (b), the costs of conducting inventories of forest botanical products, determining sustainable levels of harvest, monitoring and assessing the impacts of harvest levels and methods, and for restoration activities, including any necessary vegetation; and

(B) in the case of fees collected under subsection (c), the costs described in paragraph (1) of such subsection.

(4) TREATMENT OF FEES.—Funds collected under subsections (b) and (c) shall not be taken into account for the purposes of the following laws:

(A) The sixth paragraph under the heading “FOREST SERVICE” in the Act of May 23, 1908 (16 U.S.C. 500) and section 13 of the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 500).

(B) The fourteenth paragraph under the heading “FOREST SERVICE” in the Act of March 4, 1913 (16 U.S.C. 501).

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(C) Section 33 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1012).

(D) The Act of August 8, 1937, and the Act of May 24, 1939 (43 U.S.C. 1181a et seq.).

(E) Section 6 of the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869–4).

(F) Chapter 69 of title 31, United States Code.

(G) Section 401 of the Act of June 15, 1935 (16 U.S.C. 715s).

(H) Section 4 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a).

(I) Any other provision of law relating to revenue allocation.

(g) REPORTING REQUIREMENTS.—As soon as practicable after the end of each fiscal year in which the Secretary of Agriculture collects charges and fees under subsections (b) and (c) or expends funds from the special account under subsection (f), the Secretary shall submit to the Congress a report summarizing the activities of the Secretary under the pilot program, including the funds generated under subsections (b) and (c), the expenses incurred to carry out the pilot program, and the expenditures made from the special account during that fiscal year.

(h) DURATION OF PILOT PROGRAM.—

(1) CHARGES AND FEES.—The Secretary of Agriculture may collect charges and fees under the authority of subsections (b) and (c) only during fiscal years 2000 through 2004.

(2) USE OF SPECIAL ACCOUNT.—The Secretary may make expenditures from the special account under subsection (f) until September 30 of the fiscal year following the last fiscal year specified in paragraph (1). After that date, amounts remaining in the special account shall be transferred to the general fund of the Treasury.

SEC. 340. Title III, section 3001 of Public Law 106–31 is amended by inserting after “Alabama,” the following: “in fiscal year 1999 or 2000”.

SEC. 341. (a) The authority to enter into stewardship contracting demonstration pilot projects provided to the Forest Service in accordance with section 347 of title III of section 101(e) of division A of Public Law 105–277 is hereby expanded to authorize the Forest Service to enter into an additional nine projects in Region One.

(b) Section 347 of title III of section 101(e) of division A of Public Law 105–277 is hereby amended—

(1) in subsection (a)—

(A) by inserting “, via agreement or contract as appropriate,” before “may enter into”; and

(B) by striking “(28) contracts with private persons and” and inserting “(28) stewardship contracting demonstration pilot projects with private persons or other public or private”;

(2) in subsection (b), by striking “contract” and inserting “project”;

(3) in subsection (c)—

(A) in the heading, by inserting “Agreements or” before “Contracts”;

(B) in paragraph (1)—

(i) by striking “a contract” and inserting “an agreement or contract”; and

(ii) by striking “private contracts” and inserting “private agreements or contracts”;

(C) in paragraph (3), by inserting “agreement or” before “contracts”; and

(D) in paragraph (4), by inserting “agreement or” before “contracts”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “a contract” and inserting “an agreement or contract”; and

(B) in paragraph (2), by striking “a contract” and inserting “an agreement or contract”; and

(5) in subsection (g)—

(A) in the first sentence by striking “contract” and inserting “pilot project”; and

(B) in the last sentence—

(i) by inserting “agreements or” before “contracts”; and

(ii) by inserting “agreements or” before “contract”.

SEC. 342. Notwithstanding section 343 of Public Law 105–83, increases in recreation residence fees shall be implemented in fiscal year 2000 only to the extent that the fiscal year 2000 fees do not exceed the fiscal year 1999 fee by more than \$2,000.

SEC. 343. Federal monies appropriated for the purchase of land or interests in land by the United States Forest Service (“Forest Service”) in the Columbia River Gorge National Scenic Area (“CRGNSA”) shall be used by the Forest Service in compliance with the acquisition protocol set out in this section.

(a)(1) ACQUISITIONS.—The Secretary of Agriculture (“the Secretary”) is directed to make every reasonable effort to acquire on or before March 15, 2000, pursuant to his existing authority, land acquisition projects which the Forest Service has determined to have been delayed for a significant time or which have not yet been completed despite past direction through report language from either the House or Senate Appropriations Committee (“the Committees”).

(2) For the purposes of appraising the value of the lands or interests in land the Forest Service may, at its discretion, apply the standard found in A–10 of the Uniform Standards of Appraisal for Federal Land Acquisitions as required by Public Law 91–646, as amended, even if the lands or interests in land were purchased by the current title holder subsequent to the enactment of the Columbia River Gorge National Scenic Area Act (Public Law 99–663) and before the effective date of this Act.

(b) REPORT TO CONGRESS.—On or before February 15, 2000, the Secretary shall submit to the Senate and House Appropriations Committees a report detailing the status of the potential land acquisitions referenced above as well as any other pending purchases of land or interests in land in the CRGNSA. If any of the lands or interests in land referenced above have not been acquired by February 15, 2000, the report should detail the specific issue or issues preventing the acquisition or acquisitions from being completed.

(c) MEDIATION.—If the Secretary’s report, as described in subsection (b) details issues other than disagreement over fair

market value which are preventing acquisitions from occurring, the Secretary is directed to immediately make available to the prospective seller or sellers non-binding mediation in an attempt to resolve these non-fair market value issues. The Secretary shall submit to the Committees a report on the status of any mediation on or before April 15, 2000. The Secretary and prospective seller may mediate any disagreement over fair market value if both the Secretary and prospective seller agree mediation has the potential to resolve the fair market value disagreement.

(d) ARBITRATION REQUIREMENT.—Any issues concerning differences between the Secretary and the owners of the land or interest in land referenced in subsection (a)(1) over the fair market value of these lands or interests in land not resolved before April 15, 2000, shall be resolved using the arbitration process set out in subsections (e) through (g) of this section.

(e) SELECTION OF ARBITRATION PANEL.—On or before April 15, 2000, the Secretary and the prospective seller each shall designate one arbitrator, and instruct these two arbitrator designees to appoint before May 1, 2000, a third arbitrator upon whom the arbitrator designees mutually agree. At least two of the three arbitrators shall be State certified appraisers possessing qualifications consistent with State regulatory requirements that meet the intent of title XI, Financial Institutions Reform, Recovery and Enforcement Act of 1989, shall not be employed by the United States of America, the prospective seller, or the prospective seller's current or former legal counsel. The third arbitrator shall be a member in good standing of either the bars of Washington or Oregon and shall not be employed by the United States of America, the prospective seller, or the prospective seller's current or former legal counsel. Total compensation for the arbitration panel shall not exceed \$15,000.

(f) WRITTEN MATERIAL.—The Secretary and prospective seller each may submit a maximum of 20 pages of argument to the arbitration panel, in a format consistent with the format for submitting written arguments established by the Ninth Circuit Court of Appeals. Exhibits, affidavit, or declarations shall not be submitted. No other written material may be submitted to the arbitration panel except a copy of this legislation and copies of qualified appraisals. The term "qualified appraisals" shall be limited to appraisals prepared by State-certified appraisers possessing qualifications consistent with the State regulatory requirements that meet the intent of title XI, Financial Institutions Reform, Recovery and Enforcement Act of 1989, and complying with the Uniform Appraisal Standards for Federal Land Acquisitions, which were submitted to the Secretary or prepared at the direction of the Secretary either prior to the effective date of this legislation or between the effective date and February 15, 2000. The Secretary and the prospective seller may submit no more than one qualified appraisal each to the arbitration panel. Neither the Secretary nor the prospective seller may submit to the arbitration panel any qualified appraisal not provided to the Secretary or the prospective seller on or before February 15, 2000. All written materials must be submitted to the arbitration panel on or before May 15, 2000.

(g) DECISION OF THE ARBITRATION PANEL.—On or before July 15, 2000, the arbitration panel shall convey to the prospective seller and the Secretary one of the following findings: (1) that neither qualified appraisal complies with Public Law 91–646 and with the Uniform Appraisal Standards for Federal Land Acquisition (1992); or (2) that at least one of the qualified appraisals complies with Public Law 91–646 and with the Uniform Appraisal Standards for Federal Land Acquisitions (1992), together with an advisory decision recommending an amount the Secretary should offer the prospective seller for his or her interest in real property. Upon receipt of a recommendation by the arbitration panel, the Secretary shall immediately notify the prospective seller and the CRGNSA of the day the recommendation was received. The Secretary shall make a determination to adopt or reject the arbitration panel’s advisory decision and notify the prospective seller and the CRGNSA of his determination within 45 days of receipt of the advisory decision. If at least one of the appraisals complies with Public Law 91–646, and with the Uniform Appraisal Standards for Federal Land Acquisition, the arbitration panel shall also make an advisory finding on what portion of the arbitration panel’s fees should be paid by the Secretary and what portion of the arbitration panel’s fees should be paid by the prospective seller. The arbitration panel is authorized to recommend these fees be borne entirely by either the Secretary or the prospective seller.

(h) ADMISSIBILITY.—Neither the fact that arbitration pursuant to this section has occurred nor the recommendation of the arbitration panel shall be admissible in any court or administrative hearing.

(i) EXPIRATION DATE.—This section shall remain in effect without respect to fiscal year limitations and expire on December 31, 2000.

SEC. 344. A project undertaken by the Forest Service under the Recreation Fee Demonstration Program as authorized by section 315 of the Department of the Interior and Related Agencies Appropriations Act for Fiscal Year 1996, as amended, shall not result in—

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

(2) the return of a commercial recreation service to the Secretary for operation when such services have been provided in the past by a private sector provider, except when—

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

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

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

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

SEC. 345. NATIONAL FOREST-DEPENDENT RURAL COMMUNITIES ECONOMIC DIVERSIFICATION. (a) FINDINGS AND PURPOSES.—Section 2373 of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6611) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking “national forests” and inserting “National Forest System land”;

(B) in paragraph (4), by striking “the national forests” and inserting “National Forest System land”;

(C) in paragraph (5), by striking “forest resources” and inserting “natural resources”; and

(D) in paragraph (6), by striking “national forest resources” and inserting “National Forest System land resources”; and

(2) in subsection (b)(1)—

(A) by striking “national forests” and inserting “National Forest System land”; and

(B) by striking “forest resources” and inserting “natural resources”.

(b) DEFINITIONS.—Section 2374(1) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6612(1)) is amended by striking “forestry” and inserting “natural resources”.

(c) RURAL FORESTRY AND ECONOMIC DIVERSIFICATION ACTION TEAMS.—Section 2375(b) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6613(b)) is amended—

(1) in the first sentence, by striking “forestry” and inserting “natural resources”; and

(2) in the second and third sentences, by striking “national forest resources” and inserting “National Forest System land resources”.

(d) ACTION PLAN IMPLEMENTATION.—Section 2376(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6614(a)) is amended—

(1) by striking “forest resources” and inserting “natural resources”; and

(2) by striking “national forest resources” and inserting “National Forest System land resources”.

(e) TRAINING AND EDUCATION.—Paragraphs (3) and (4) of section 2377(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6615(a)) are amended by striking “national forest resources” and inserting “National Forest System land resources”.

(f) LOANS TO ECONOMICALLY DISADVANTAGED RURAL COMMUNITIES.—Paragraphs (2) and (3) of section 2378(a) of the National Forest-Dependent Rural Communities Economic Diversification Act of 1990 (7 U.S.C. 6616(a)) are amended by striking “national forest resources” and inserting “National Forest System land resources”.

SEC. 346. INTERSTATE 90 LAND EXCHANGE. (a) Section 604(a) of the Interstate 90 Land Exchange Act of 1998 (Public Law 105–277; 112 Stat. 2681–326 (1998)) is hereby amended by adding at the end of the first sentence: “except title to offered lands and interests in lands described in subparagraphs (Q), (R), (S), and (T) of section 605(c)(2) must be placed in escrow by Plum Creek, according to terms and conditions acceptable to the Secretary and Plum Creek, for a 3-year period beginning on the later of

the date of the enactment of this Act or consummation of the exchange. During the period the lands are held in escrow, Plum Creek shall not undertake any activities on these lands, except for fire suppression and road maintenance, without the approval of the Secretary, which shall not be unreasonably withheld”.

(b) Section 604(b) of the Interstate 90 Land Exchange Act of 1998 (Public Law 105–277; 112 Stat. 2681–326 (1998)) is hereby amended by inserting after “offered land” the following: “as provided in section 604(a), and placement in escrow of acceptable title to the offered lands described in subparagraphs (Q), (R), (S), and (T) of section 605(c)(2)”.

(c) Section 604(b) is further amended by adding the following at the end of the first sentence: “except Township 19 North, Range 10 East, W.M., Section 4, Township 20 North, Range 10 East, W.M., Section 32, and Township 21 North, Range 14 East, W.M., W¹/₂W¹/₂ of Section 16, which shall be retained by the United States”. The appraisal approved by the Secretary of Agriculture on July 14, 1999 (the “Appraisal”) shall be adjusted by subtracting the values determined for Township 19 North, Range 10 East, W.M., Section 4 and Township 20 North, Range 10 East, W.M., Section 32 during the Appraisal process in the context of the whole estate to be conveyed.

(d) After adjustment of the Appraisal, the values of the offered and selected lands, including the offered lands held in escrow, shall be equalized as provided in section 605(c) except that the Secretary also may equalize values through the following, including any combination thereof—

(1) conveyance of any other lands under the jurisdiction of the Secretary acceptable to Plum Creek and the Secretary after compliance with all applicable Federal environmental and other laws; and

(2) to the extent sufficient acceptable lands are not available pursuant to paragraph (1) of this subsection, cash payments as and to the extent funds become available through appropriations, private sources, or, if necessary, by reprogramming.

(e) The Secretary shall promptly seek to identify lands acceptable for conveyance to equalize values under paragraph (1) of subsection (d) and shall, not later than May 1, 2000, provide a report to the Congress outlining the results of such efforts.

(f) As funds or lands are provided to Plum Creek by the Secretary, Plum Creek shall release to the United States deeds for lands and interests in land held in escrow based on the values determined during the Appraisal process in the context of the whole estate to be conveyed. Deeds shall be released for lands and interests in lands in the exact reverse order listed in section 605(c)(2).

(g) Section 606(d) is hereby amended to read as follows: “the Secretary and Plum Creek shall make the adjustments directed in section 604(b) and consummate the land exchange within 30 days of the enactment of the Interstate 90 Land Exchange Amendment, unless the Secretary and Plum Creek mutually agree to extend the consummation date”.

SEC. 347. THE SNOQUALMIE NATIONAL FOREST BOUNDARY ADJUSTMENT ACT OF 1999. (a) IN GENERAL.—The boundary of the Snoqualmie National Forest is hereby adjusted as generally depicted on a map entitled “Snoqualmie National Forest 1999 Boundary

Adjustment” dated June 30, 1999. Such map, together with a legal description of all lands included in the boundary adjustment, shall be on file and available for public inspection in the office of the Chief of the Forest Service in Washington, District of Columbia. Nothing in this subsection shall limit the authority of the Secretary of Agriculture to adjust the boundary pursuant to section 11 of the Weeks Law of March 1, 1911.

(b) RULE FOR LAND AND WATER CONSERVATION FUND.—For the purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9), the boundary of the Snoqualmie National Forest, as adjusted by subsection (a), shall be considered to be the boundary of the Forest as of January 1, 1965.

SEC. 348. Section 1770(d) of the Food Security Act of 1985 (7 U.S.C. 2276(d)) is amended by redesignating paragraph (10) as paragraph (11) and by inserting after paragraph (9) the following new paragraph:

“(10) section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(e));”.

SEC. 349. None of the funds appropriated or otherwise made available by this Act may be used to implement or enforce any provision in Presidential Executive Order No. 13123 regarding the Federal Energy Management Program which circumvents or contradicts any statutes relevant to Federal energy use and the measurement thereof.

SEC. 350. None of the funds made available by this Act may be used for the physical relocation of grizzly bears into the Selway-Bitterroot Wilderness of Idaho and Montana.

SEC. 351. YOUTH CONSERVATION CORPS AND RELATED PARTNERSHIPS. (a) Notwithstanding any other provision of this Act, there shall be available for high priority projects which shall be carried out by the Youth Conservation Corps as authorized by Public Law 91–378, or related partnerships with non-Federal youth conservation corps or entities such as the Student Conservation Association, up to \$1,000,000 of the funds available to the Bureau of Land Management under this Act, in order to increase the number of summer jobs available for youths, ages 15 through 22, on Federal lands.

(b) Within 6 months after the date of the enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior shall jointly submit a report to the House and Senate Committees on Appropriations and the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives that includes the following—

(1) the number of youths, ages 15 through 22, employed during the summer of 1999, and the number estimated to be employed during the summer of 2000, through the Youth Conservation Corps, the Public Land Corps, or a related partnership with a State, local or nonprofit youth conservation corps or other entities such as the Student Conservation Association;

(2) a description of the different types of work accomplished by youths during the summer of 1999;

(3) identification of any problems that prevent or limit the use of the Youth Conservation Corps, the Public Land Corps, or related partnerships to accomplish projects described in subsection (a);

(4) recommendations to improve the use and effectiveness of partnerships described in subsection (a); and

(5) an analysis of the maintenance backlog that identifies the types of projects that the Youth Conservation Corps, the Public Land Corps, or related partnerships are qualified to complete.

SEC. 352. (a) NORTH PACIFIC RESEARCH BOARD.—Section 401 of Public Law 105–83 is amended as follows:

(1) In subsection (c)—

(A) by striking “available for appropriation, to the extent provided in the subsequent appropriations Acts,” and inserting “made available”;

(B) by inserting “To the extent provided in the subsequent appropriations Acts,” at the beginning of paragraph (1);

(C) by inserting “without further appropriation” after “20 percent of such amounts shall be made available”;

and
(2) by striking subsection (f).

SEC. 353. None of the funds in this Act may be used by the Secretary of the Interior to issue a prospecting permit for hardrock mineral exploration on Mark Twain National Forest land in the Current River/Jack’s Fork River—Eleven Point Watershed (not including Mark Twain National Forest land in Townships 31N and 32N, Range 2 and Range 3 West, on which mining activities are taking place as of the date of the enactment of this Act): *Provided*, That none of the funds in this Act may be used by the Secretary of the Interior to segregate or withdraw land in the Mark Twain National Forest, Missouri under section 204 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1714).

SEC. 354. Public Law 105–83, the Department of the Interior and Related Agencies Appropriations Act of November 17, 1997, title III, section 331 is hereby amended by adding before the period: “: *Provided further*, That to carryout the provisions of this section, the Bureau of Land Management and the Forest Service may establish Transfer Appropriation Accounts (also known as allocation accounts) as needed”.

SEC. 355. WHITE RIVER NATIONAL FOREST.—The Forest Service shall extend the public comment period on the White River National Forest plan revision for 90 days beyond February 9, 2000.

SEC. 356. The first section of Public Law 99–215 (99 Stat. 1724), as amended by section 597 of the Water Resources Development Act of 1999 (Public Law 106–53), is further amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following new subsections:

“(c) The National Capital Planning Commission shall vacate and terminate an Easement and Declaration of Covenants, dated February 2, 1989, conveyed by the owner of the adjacent real property pursuant to subsection (b)(1)(D) in exchange for, and not later than 30 days after, the vacation and termination of the Deed of Easement, dated January 4, 1989, conveyed by the Maryland National Capital Park and Planning Commission pursuant to subsection (b)(1).

“(d) Effective on the date of the enactment of this subsection, the memorandum of May 7, 1985, and any amendments thereto, shall terminate.”.

SEC. 357. (a) The Secretary of the Interior, as part of the President’s budget submittal for fiscal year 2001, shall include a detailed plan for implementing the recommendations of the National Academy of Sciences/National Research Council’s study entitled “Hardrock Mining on Federal Lands”, including information on the levels of funding and personnel utilized to administer the existing hardrock mining environmental and reclamation regulations of the Bureau of Land Management in fiscal years 1999 and 2000, as well as recommended appropriations for fiscal year 2001 and thereafter to achieve the improvements in the implementation of those regulations recommended by the study. The Secretary’s plan shall also include proposed legislation deemed necessary to implement any of the study’s recommendations including proposals addressing: (1) statutory authorities for Federal land managing agencies to issue administrative penalties for violations of their regulatory requirements, subject to appropriate due process; and (2) appropriate modifications to existing environmental laws to allow and promote the cleanup of abandoned mine sites in or adjacent to new mine areas.

(b) None of the funds in this Act may be used by the Secretary of the Interior to promulgate final rules to revise 43 CFR subpart 3809, or to finalize the accompanying draft environmental impact statement.

TITLE IV—MISSISSIPPI NATIONAL FOREST IMPROVEMENT ACT OF 1999

SEC. 401. SHORT TITLE.

This title may be cited as the “Mississippi National Forest Improvement Act of 1999”.

SEC. 402. DEFINITIONS.

In this title:

(1) **AGREEMENT.**—The term “Agreement” means the Agreement described in section 405(a).

(2) **SECRETARY.**—The term “Secretary” means the Secretary of Agriculture.

(3) **STATE.**—The term “State” means the State of Mississippi.

(4) **UNIVERSITY.**—The term “University” means the University of Mississippi.

(5) **UNIVERSITY LAND.**—The term “University land” means land described in section 404(a).

SEC. 403. CONVEYANCE OF ADMINISTRATIVE SITES AND SMALL PARCELS.

(a) **IN GENERAL.**—The Secretary may, under such terms and conditions as the Secretary may prescribe, sell or exchange any or all right, title, and interest of the United States in and to the following tracts of land in the State:

(1) Gulfport Laboratory Site, consisting of approximately 10 acres, as depicted on the map entitled “Gulfport Laboratory Site, May 21, 1998”.

(2) Raleigh Dwelling Site No. 1, consisting of approximately 0.44 acre, as depicted on the map entitled “Raleigh Dwelling Site No. 1, May 21, 1998”.

(3) Raleigh Dwelling Site No. 2, consisting of approximately 0.47 acre, as depicted on the map entitled “Raleigh Dwelling Site No. 2, May 21, 1998”.

(4) Rolling Fork Dwelling Site, consisting of approximately 0.303 acre, as depicted on the map entitled “Rolling Fork Dwelling Site, May 21, 1998”.

(5) Gloster Dwelling Site, consisting of approximately 0.55 acre, as depicted on the map entitled “Gloster Dwelling Site, May 21, 1998”.

(6) Gloster Office Site, consisting of approximately 1.00 acre, as depicted on the map entitled “Gloster Office Site, May 21, 1998”.

(7) Gloster Work Center Site, consisting of approximately 2.00 acres, as depicted on the map entitled “Gloster Work Center Site, May 21, 1998”.

(8) Holly Springs Dwelling Site, consisting of approximately 0.31 acre, as depicted on the map entitled “Holly Springs Dwelling Site, May 21, 1998”.

(9) Isolated parcels of National Forest land located in Township 5 South, Ranges 12 and 13 West, and in Township 3 North, Range 12 West, sections 23, 33, and 34, St. Stephens Meridian.

(10) Isolated parcels of National Forest land acquired after the date of the enactment of this Act from the University of Mississippi located in George and Jackson Counties.

(11) Approximately 20 acres of National Forest land and structures located in Township 6 North, Range 3 East, Section 30, Washington Meridian.

(b) CONSIDERATION.—Consideration for a sale or exchange of land under subsection (a) may include the acquisition of land, existing improvements, or improvements constructed to the specifications of the Secretary.

(c) APPLICABLE LAW.—Except as otherwise provided in this section, any sale or exchange of land under subsection (a) shall be subject to the laws (including regulations) applicable to the conveyance and acquisition of land for the National Forest System.

(d) CASH EQUALIZATION.—Notwithstanding any other provision of law, the Secretary may accept a cash equalization payment in excess of 25 percent of the value of land exchanged under subsection (a).

(e) SOLICITATION OF OFFERS.—

(1) IN GENERAL.—The Secretary may solicit offers for the sale or exchange of land under this section on such terms and conditions as the Secretary may prescribe.

(2) REJECTION OF OFFERS.—The Secretary may reject any offer made under this section if the Secretary determines that the offer is not adequate or not in the public interest.

(f) DEPOSIT OF PROCEEDS.—The Secretary shall deposit the proceeds of a sale or exchange under subsection (a) in the fund established under Public Law 90–171 (16 U.S.C. 484a) (commonly known as the “Sisk Act”).

(g) USE OF PROCEEDS.—Funds deposited under subsection (f) shall be available until expended for—

(1) the construction of a research laboratory and office facility at the Forest Service administrative site located at the Mississippi State University at Starkville, Mississippi;

(2) the acquisition, construction, or improvement of administrative facilities in connection with units of the National Forest System in the State; and

(3) the acquisition of land and interests in land for units of the National Forest System in the State.

SEC. 404. DE SOTO NATIONAL FOREST ADDITION.

(a) ACQUISITION.—The Secretary may acquire for fair market value all right, title, and interest in land owned by the University of Mississippi within or near the boundaries of the De Soto National Forest in Stone, George, and Jackson Counties, Mississippi, comprising approximately 22,700 acres.

(b) BOUNDARIES.—

(1) IN GENERAL.—The boundaries of the De Soto National Forest shall be modified as depicted on the map entitled “De Soto National Forest Boundary Modification—April, 1999” to include any acquisition of University land under this section.

(2) AVAILABILITY OF MAP.—The map described in paragraph (1) shall be available for public inspection in the office of the Chief of the Forest Service in Washington, District of Columbia.

(3) ALLOCATION OF MONEYS FOR FEDERAL PURPOSES.—For the purpose of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9), the boundaries of the De Soto National Forest, as modified by this subsection, shall be considered the boundaries of the De Soto National Forest as of January 1, 1965.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall assume possession and all management responsibilities for University land acquired under this section on the date of acquisition.

(2) COOPERATIVE MANAGEMENT AGREEMENT.—For the fiscal year containing the date of the enactment of this Act and each of the four fiscal years thereafter, the Secretary may enter into a cooperative agreement with the University that provides for Forest Service management of any University land acquired, or planned to be acquired, under this section.

(3) ADMINISTRATION.—University land acquired under this section shall be—

(A) subject to the Act of March 1, 1911 (16 U.S.C. 480 et seq.) (commonly known as the “Weeks Act”) and other laws (including regulations) pertaining to the National Forest System; and

(B) managed in a manner that is consistent with the land and resource management plan applicable to the De Soto National Forest on the date of the enactment of this Act, until the plan is revised in accordance with the regularly scheduled process for revision.

SEC. 405. FRANKLIN COUNTY LAND.

(a) IN GENERAL.—The Agreement dated April 24, 1999, entered into between the Secretary, the State, and the Franklin County School Board that provides for the Federal acquisition of land owned by the State for the construction of the Franklin Lake Dam in Franklin County, Mississippi, is ratified and the parties

to the Agreement are authorized to implement the terms of the Agreement.

(b) FEDERAL GRANT.—

(1) IN GENERAL.—Subject to reservations and exceptions contained in the Agreement, there is granted and quit claimed to the State all right, title, and interest of the United States in the federally-owned land described in Exhibit A to the Agreement.

(2) MANAGEMENT.—The land granted to the State under the Agreement shall be managed as school land grants.

(c) ACQUISITION OF STATE LAND.—

(1) IN GENERAL.—All right, title, and interest in and to the 655.94 acres of land described as Exhibit B to the Agreement is vested in the United States along with the right of immediate possession by the Secretary.

(2) COMPENSATION.—Compensation owed to the State and the Franklin County School Board for the land described in paragraph (1) shall be provided in accordance with the Agreement.

(d) CORRECTION OF DESCRIPTIONS.—The Secretary and the Secretary of State of the State may, by joint modification of the Agreement, make minor corrections to the descriptions of the land described on Exhibits A and B to the Agreement.

(e) SECURITY INTEREST.—

(1) IN GENERAL.—Any cash equalization indebtedness owed to the United States pursuant to the Agreement shall be secured only by the timber on the granted land described in Exhibit A of the Agreement.

(2) LOSS OF SECURITY.—The United States shall have no recourse against the State or the Franklin County School Board as the result of the loss of the security described in paragraph (1) due to fire, insects, natural disaster, or other circumstance beyond the control of the State or Board.

(3) RELEASE OF LIENS.—On payment of cash equalization as required by the Agreement, the Secretary (or the Supervisor of the National Forests in the State or other authorized representative of the Secretary) shall release any liens on the granted land described in Exhibit A of the Agreement.

SEC. 406. DISPOSITION OF FUNDS FROM LAND CONVEYANCES.

(a) IN GENERAL.—The Secretary shall deposit any funds received by the United States from land conveyances authorized under section 405 in the fund established under Public Law 90–171 (16 U.S.C. 484a) (commonly known as the “Sisk Act”).

(b) USE.—Funds deposited in the fund under subsection (a) shall be available until expended for the acquisition of land and interests in land for the National Forest System in the State.

(c) PARTIAL DISTRIBUTION.—Any funds received by the United States from land conveyances authorized under this Act shall not be subject to partial distribution to the State under—

(1) the Act entitled “An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and nine”, approved May 23, 1908 (35 Stat. 260, chapter 192; 16 U.S.C. 500);

(2) section 13 of the Act of March 1, 1911 (36 Stat. 963, chapter 186; 16 U.S.C. 500); or

(3) any other law.

SEC. 407. PHOTOGRAPHIC REPRODUCTIONS AND MAPS.

Section 387 of the Act of February 16, 1938 (7 U.S.C. 1387) is amended in the first sentence—

(1) by striking “such” the first place it appears and inserting “information such as geo-referenced data from all sources,”;

(2) by striking “(not less than estimated cost of furnishing such reproductions)”;

and
(3) by inserting after “determine” the following: “(but not less than the estimated costs of data processing, updating, revising, reformatting, repackaging and furnishing the reproductions and information)”.

SEC. 408. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

**TITLE V—UNITED MINE WORKERS OF AMERICA COMBINED
BENEFIT FUND**

SEC. 501. Notwithstanding any other provision of law, an amount of \$68,000,000 in interest credited to the fund established by section 401 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1231) for fiscal years 1993 through 1995 not transferred to the Combined Fund identified in section 402(h)(2) of such Act shall be transferred to such Combined Fund within 30 days after the enactment of this Act to pay the amount of any shortfall in any premium account for any plan year under the Combined Fund. The entire amount transferred by this section 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.

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

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*