

Union Calendar No. 356

106TH CONGRESS
2^D SESSION

H.R. 4578

[Report No. 106-646]

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 1, 2000

Mr. REGULA, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of the Interior and related agencies for the
6 fiscal year ending September 30, 2001, and for other pur-
7 poses, namely:

1 TITLE I—DEPARTMENT OF THE INTERIOR

2 BUREAU OF LAND MANAGEMENT

3 MANAGEMENT OF LANDS AND RESOURCES

4 For expenses necessary for protection, use, improve-
5 ment, development, disposal, cadastral surveying, classi-
6 fication, acquisition of easements and other interests in
7 lands, and performance of other functions, including
8 maintenance of facilities, as authorized by law, in the
9 management of lands and their resources under the juris-
10 diction of the Bureau of Land Management, including
11 the general administration of the Bureau, and assessment
12 of mineral potential of public lands pursuant to Public
13 Law 96–487 (16 U.S.C. 3150(a)), \$674,571,000, to re-
14 main available until expended, of which \$2,198,000 shall
15 be available for assessment of the mineral potential of
16 public lands in Alaska pursuant to section 1010 of Public
17 Law 96–487 (16 U.S.C. 3150); and of which not to ex-
18 ceed \$1,000,000 shall be derived from the special receipt
19 account established by the Land and Water Conservation
20 Act of 1965, as amended (16 U.S.C. 4601–6a(i)); and of
21 which \$2,500,000 shall be available in fiscal year 2001
22 subject to a match by at least an equal amount by the
23 National Fish and Wildlife Foundation, to such Founda-
24 tion for cost-shared projects supporting conservation of
25 Bureau lands and such funds shall be advanced to the

1 Foundation as a lump sum grant without regard to when
2 expenses are incurred; in addition, \$33,366,000 for Min-
3 ing Law Administration program operations, including
4 the cost of administering the mining claim fee program;
5 to remain available until expended, to be reduced by
6 amounts collected by the Bureau and credited to this ap-
7 propriation from annual mining claim fees so as to result
8 in a final appropriation estimated at not more than
9 \$674,571,000, and \$2,000,000, to remain available until
10 expended, from communication site rental fees estab-
11 lished by the Bureau for the cost of administering com-
12 munication site activities: *Provided*, That appropriations
13 herein made shall not be available for the destruction of
14 healthy, unadopted, wild horses and burros in the care of
15 the Bureau or its contractors.

16 WILDLAND FIRE MANAGEMENT

17 For necessary expenses for fire preparedness, sup-
18 pression operations, emergency rehabilitation and haz-
19 ardous fuels reduction by the Department of the Interior,
20 \$292,197,000, to remain available until expended, of
21 which not to exceed \$9,300,000 shall be for the renovation
22 or construction of fire facilities: *Provided*, That such funds
23 are also available for repayment of advances to other ap-
24 propriation accounts from which funds were previously
25 transferred for such purposes: *Provided further*, That un-

1 obligated balances of amounts previously appropriated to
2 the “Fire Protection” and “Emergency Department of the
3 Interior Firefighting Fund” may be transferred and
4 merged with this appropriation: *Provided further*, That
5 persons hired pursuant to 43 U.S.C. 1469 may be fur-
6 nished subsistence and lodging without cost from funds
7 available from this appropriation: *Provided further*, That
8 notwithstanding 42 U.S.C. 1856d, sums received by a bu-
9 reau or office of the Department of the Interior for fire
10 protection rendered pursuant to 42 U.S.C. 1856 et seq.,
11 protection of United States property, may be credited to
12 the appropriation from which funds were expended to pro-
13 vide that protection, and are available without fiscal year
14 limitation.

15 CENTRAL HAZARDOUS MATERIALS FUND

16 For necessary expenses of the Department of the In-
17 terior and any of its component offices and bureaus for
18 the remedial action, including associated activities, of haz-
19 ardous waste substances, pollutants, or contaminants pur-
20 suant to the Comprehensive Environmental Response,
21 Compensation, and Liability Act, as amended (42 U.S.C.
22 9601 et seq.), \$10,000,000, to remain available until ex-
23 pended: *Provided*, That notwithstanding 31 U.S.C. 3302,
24 sums recovered from or paid by a party in advance of or
25 as reimbursement for remedial action or response activi-

1 ties conducted by the Department pursuant to section 107
2 or 113(f) of such Act, shall be credited to this account
3 to be available until expended without further appropria-
4 tion: *Provided further*, That such sums recovered from or
5 paid by any party are not limited to monetary payments
6 and may include stocks, bonds or other personal or real
7 property, which may be retained, liquidated, or otherwise
8 disposed of by the Secretary and which shall be credited
9 to this account.

10 CONSTRUCTION

11 For construction of buildings, recreation facilities,
12 roads, trails, and appurtenant facilities, \$5,300,000, to re-
13 main available until expended.

14 PAYMENTS IN LIEU OF TAXES

15 For expenses necessary to implement the Act of Octo-
16 ber 20, 1976, as amended (31 U.S.C. 6901–6907),
17 \$134,385,000, of which not to exceed \$400,000 shall be
18 available for administrative expenses: *Provided*, That no
19 payment shall be made to otherwise eligible units of local
20 government if the computed amount of the payment is less
21 than \$100.

22 LAND ACQUISITION

23 For expenses necessary to carry out sections 205,
24 206, and 318(d) of Public Law 94–579, including admin-
25 istrative expenses and acquisition of lands or waters, or

1 interests therein, \$19,000,000, to be derived from the
2 Land and Water Conservation Fund, to remain available
3 until expended.

4 OREGON AND CALIFORNIA GRANT LANDS

5 For expenses necessary for management, protection,
6 and development of resources and for construction, oper-
7 ation, and maintenance of access roads, reforestation, and
8 other improvements on the revested Oregon and California
9 Railroad grant lands, on other Federal lands in the Or-
10 egon and California land-grant counties of Oregon, and
11 on adjacent rights-of-way; and acquisition of lands or in-
12 terests therein including existing connecting roads on or
13 adjacent to such grant lands; \$100,467,000, to remain
14 available until expended: *Provided*, That 25 percent of the
15 aggregate of all receipts during the current fiscal year
16 from the revested Oregon and California Railroad grant
17 lands is hereby made a charge against the Oregon and
18 California land-grant fund and shall be transferred to the
19 General Fund in the Treasury in accordance with the sec-
20 ond paragraph of subsection (b) of title II of the Act of
21 August 28, 1937 (50 Stat. 876).

22 FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND
23 (REVOLVING FUND, SPECIAL ACCOUNT)

24 In addition to the purposes authorized in Public Law
25 102-381, funds made available in the Forest Ecosystem

1 Health and Recovery Fund can be used for the purpose
2 of planning, preparing, and monitoring salvage timber
3 sales and forest ecosystem health and recovery activities
4 such as release from competing vegetation and density
5 control treatments. The Federal share of receipts (defined
6 as the portion of salvage timber receipts not paid to the
7 counties under 43 U.S.C. 1181f and 43 U.S.C. 1181–1
8 et seq., and Public Law 103–66) derived from treatments
9 funded by this account shall be deposited into the Forest
10 Ecosystem Health and Recovery Fund.

11 RANGE IMPROVEMENTS

12 For rehabilitation, protection, and acquisition of
13 lands and interests therein, and improvement of Federal
14 rangelands pursuant to section 401 of the Federal Land
15 Policy and Management Act of 1976 (43 U.S.C. 1701),
16 notwithstanding any other Act, sums equal to 50 percent
17 of all moneys received during the prior fiscal year under
18 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
19 315 et seq.) and the amount designated for range improve-
20 ments from grazing fees and mineral leasing receipts from
21 Bankhead-Jones lands transferred to the Department of
22 the Interior pursuant to law, but not less than
23 \$10,000,000, to remain available until expended: *Pro-*
24 *vided*, That not to exceed \$600,000 shall be available for
25 administrative expenses.

1 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

2 For administrative expenses and other costs related
3 to processing application documents and other authoriza-
4 tions for use and disposal of public lands and resources,
5 for costs of providing copies of official public land docu-
6 ments, for monitoring construction, operation, and termi-
7 nation of facilities in conjunction with use authorizations,
8 and for rehabilitation of damaged property, such amounts
9 as may be collected under Public Law 94–579, as amend-
10 ed, and Public Law 93–153, to remain available until ex-
11 pended: *Provided*, That notwithstanding any provision to
12 the contrary of section 305(a) of Public Law 94–579 (43
13 U.S.C. 1735(a)), any moneys that have been or will be
14 received pursuant to that section, whether as a result of
15 forfeiture, compromise, or settlement, if not appropriate
16 for refund pursuant to section 305(c) of that Act (43
17 U.S.C. 1735(c)), shall be available and may be expended
18 under the authority of this Act by the Secretary to im-
19 prove, protect, or rehabilitate any public lands adminis-
20 tered through the Bureau of Land Management which
21 have been damaged by the action of a resource developer,
22 purchaser, permittee, or any unauthorized person, without
23 regard to whether all moneys collected from each such ac-
24 tion are used on the exact lands damaged which led to
25 the action: *Provided further*, That any such moneys that

1 are in excess of amounts needed to repair damage to the
2 exact land for which funds were collected may be used to
3 repair other damaged public lands.

4 MISCELLANEOUS TRUST FUNDS

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

13 ADMINISTRATIVE PROVISIONS

14 Appropriations for the Bureau of Land Management
15 shall be available for purchase, erection, and dismantling
16 of temporary structures, and alteration and maintenance
17 of necessary buildings and appurtenant facilities to
18 which the United States has title; up to \$100,000 for pay-
19 ments, at the discretion of the Secretary, for information
20 or evidence concerning violations of laws administered by
21 the Bureau; miscellaneous and emergency expenses of en-
22 forcement activities authorized or approved by the Sec-
23 retary and to be accounted for solely on his certificate,
24 not to exceed \$10,000: *Provided*, That notwithstanding 44
25 U.S.C. 501, the Bureau may, under cooperative cost-shar-

1 ing and partnership arrangements authorized by law, pro-
2 cure printing services from cooperators in connection with
3 jointly produced publications for which the cooperators
4 share the cost of printing either in cash or in services,
5 and the Bureau determines the cooperator is capable of
6 meeting accepted quality standards.

7 UNITED STATES FISH AND WILDLIFE SERVICE

8 RESOURCE MANAGEMENT

9 For necessary expenses of the United States Fish and
10 Wildlife Service, for scientific and economic studies, con-
11 servation, management, investigations, protection, and
12 utilization of fishery and wildlife resources, except whales,
13 seals, and sea lions, maintenance of the herd of long-
14 horned cattle on the Wichita Mountains Wildlife Refuge,
15 general administration, and for the performance of other
16 authorized functions related to such resources by direct
17 expenditure, contracts, grants, cooperative agreements
18 and reimbursable agreements with public and private enti-
19 ties, \$731,400,000, to remain available until September
20 30, 2002, except as otherwise provided herein, of which
21 not less than \$2,000,000 shall be provided to local govern-
22 ments in southern California for planning associated with
23 the Natural Communities Conservation Planning (NCCP)
24 program and shall remain available until expended: *Pro-*
25 *vided*, That not less than \$2,000,000 for high priority

1 projects which shall be carried out by the Youth Conserva-
2 tion Corps as authorized by the Act of August 13, 1970,
3 as amended: *Provided further*, That not to exceed
4 \$6,395,000 shall be used for implementing subsections
5 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
6 cies Act, as amended, for species that are indigenous to
7 the United States (except for processing petitions, devel-
8 oping and issuing proposed and final regulations, and tak-
9 ing any other steps to implement actions described in sub-
10 section (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii): *Provided*
11 *further*, That of the amount available for law enforcement,
12 up to \$400,000 to remain available until expended, may
13 at the discretion of the Secretary, be used for payment
14 for information, rewards, or evidence concerning violations
15 of laws administered by the Service, and miscellaneous
16 and emergency expenses of enforcement activity, author-
17 ized or approved by the Secretary and to be accounted
18 for solely on his certificate: *Provided further*, That of the
19 amount provided for environmental contaminants, up to
20 \$1,000,000 may remain available until expended for con-
21 taminant sample analyses.

22 CONSTRUCTION

23 For construction, improvement, acquisition, or re-
24 moval of buildings and other facilities required in the con-
25 servation, management, investigation, protection, and uti-

1 lization of fishery and wildlife resources, and the acqui-
2 tion of lands and interests therein; \$48,395,000, to remain
3 available until expended.

4 LAND ACQUISITION

5 For expenses necessary to carry out the Land and
6 Water Conservation Fund Act of 1965, as amended (16
7 U.S.C. 460l-4 through 11), including administrative ex-
8 penses, and for acquisition of land or waters, or interest
9 therein, in accordance with statutory authority applicable
10 to the United States Fish and Wildlife Service,
11 \$30,000,000, to be derived from the Land and Water Con-
12 servation Fund, to remain available until expended.

13 COOPERATIVE ENDANGERED SPECIES CONSERVATION

14 FUND

15 For expenses necessary to carry out the provisions
16 of the Endangered Species Act of 1973 (16 U.S.C. 1531-
17 1543), as amended, \$23,000,000, to be derived from the
18 Cooperative Endangered Species Conservation Fund, to
19 remain available until expended.

20 NATIONAL WILDLIFE REFUGE FUND

21 For expenses necessary to implement the Act of Octo-
22 ber 17, 1978 (16 U.S.C. 715s), \$10,439,000.

23 NORTH AMERICAN WETLANDS CONSERVATION FUND

24 For expenses necessary to carry out the provisions
25 of the North American Wetlands Conservation Act, Public

1 Law 101–233, as amended, \$15,499,000, to remain avail-
2 able until expended.

3 WILDLIFE CONSERVATION AND APPRECIATION FUND

4 For necessary expenses of the Wildlife Conservation
5 and Appreciation Fund, \$797,000, to remain available
6 until expended.

7 MULTINATIONAL SPECIES CONSERVATION FUND

8 For expenses necessary to carry out the African Ele-
9 phant Conservation Act (16 U.S.C. 4201–4203, 4211–
10 4213, 4221–4225, 4241–4245, and 1538), the Asian Ele-
11 phant Conservation Act of 1997 (Public Law 105–96; 16
12 U.S.C. 4261–4266), and the Rhinoceros and Tiger Con-
13 servation Act of 1994 (16 U.S.C. 5301–5306),
14 \$2,391,000, to remain available until expended: *Provided*,
15 That funds made available under this Act, Public Law
16 105–277, and hereafter in annual appropriations acts for
17 rhinoceros, tiger, and Asian elephant conservation pro-
18 grams are exempt from any sanctions imposed against any
19 country under section 102 of the Arms Export Control Act
20 (22 U.S.C. 2799aa–1).

21 ADMINISTRATIVE PROVISIONS

22 Appropriations and funds available to the United
23 States Fish and Wildlife Service shall be available for pur-
24 chase of not to exceed 79 passenger motor vehicles, of
25 which 72 are for replacement only (including 41 for police-

1 type use); repair of damage to public roads within and
2 adjacent to reservation areas caused by operations of the
3 Service; options for the purchase of land at not to exceed
4 \$1 for each option; facilities incident to such public rec-
5 reational uses on conservation areas as are consistent with
6 their primary purpose; and the maintenance and improve-
7 ment of aquaria, buildings, and other facilities under the
8 jurisdiction of the Service and to which the United States
9 has title, and which are used pursuant to law in connection
10 with management and investigation of fish and wildlife re-
11 sources: *Provided*, That notwithstanding 44 U.S.C. 501,
12 the Service may, under cooperative cost sharing and part-
13 nership arrangements authorized by law, procure printing
14 services from cooperators in connection with jointly pro-
15 duced publications for which the cooperators share at least
16 one-half the cost of printing either in cash or services and
17 the Service determines the cooperator is capable of meet-
18 ing accepted quality standards: *Provided further*, That the
19 Service may accept donated aircraft as replacements for
20 existing aircraft: *Provided further*, That notwithstanding
21 any other provision of law, the Secretary of the Interior
22 may not spend any of the funds appropriated in this Act
23 for the purchase of lands or interests in lands to be used
24 in the establishment of any new unit of the National Wild-
25 life Refuge System unless the purchase is approved in ad-

1 vance by the House and Senate Committees on Appropria-
2 tions in compliance with the reprogramming procedures
3 contained in Senate Report 105–56.

4 NATIONAL PARK SERVICE

5 OPERATION OF THE NATIONAL PARK SYSTEM

6 For expenses necessary for the management, oper-
7 ation, and maintenance of areas and facilities adminis-
8 tered by the National Park Service (including special road
9 maintenance service to trucking permittees on a reimburs-
10 able basis), and for the general administration of the Na-
11 tional Park Service, including not less than \$2,000,000
12 for high priority projects within the scope of the approved
13 budget which shall be carried out by the Youth Conserva-
14 tion Corps as authorized by 16 U.S.C. 1706,
15 \$1,425,617,000, of which \$8,727,000 for research, plan-
16 ning and interagency coordination in support of land ac-
17 quisition for Everglades restoration shall remain available
18 until expended, and of which not to exceed \$7,000,000,
19 to remain available until expended, is to be derived from
20 the special fee account established pursuant to title V, sec-
21 tion 5201 of Public Law 100–203.

22 NATIONAL RECREATION AND PRESERVATION

23 For expenses necessary to carry out recreation pro-
24 grams, natural programs, cultural programs, heritage
25 partnership programs, environmental compliance and re-

1 view, international park affairs, statutory or contractual
2 aid for other activities, and grant administration, not oth-
3 erwise provided for, \$49,956,000, of which \$2,000,000
4 shall be available to carry out the Urban Park and Recre-
5 ation Recovery Act of 1978 (16 U.S.C. 2501 et seq.).

6 HISTORIC PRESERVATION FUND

7 For expenses necessary in carrying out the Historic
8 Preservation Act of 1966, as amended (16 U.S.C. 470),
9 and the Omnibus Parks and Public Lands Management
10 Act of 1996 (Public Law 104–333), \$41,347,000, to be
11 derived from the Historic Preservation Fund, to remain
12 available until September 30, 2002, of which \$7,177,000
13 pursuant to section 507 of Public Law 104–333 shall re-
14 main available until expended.

15 CONSTRUCTION

16 For construction, improvements, repair or replace-
17 ment of physical facilities, including the modifications au-
18 thorized by section 104 of the Everglades National Park
19 Protection and Expansion Act of 1989, \$150,004,000, to
20 remain available until expended.

21 LAND AND WATER CONSERVATION FUND

22 (RESCISSION)

23 The contract authority provided for fiscal year 2001
24 by 16 U.S.C. 4601–10a is rescinded.

1 LAND ACQUISITION AND STATE ASSISTANCE

2 For expenses necessary to carry out the Land and
3 Water Conservation Act of 1965, as amended (16 U.S.C.
4 4601-4 through 11), including administrative expenses,
5 and for acquisition of lands or waters, or interest therein,
6 in accordance with the statutory authority applicable to
7 the National Park Service, \$65,000,000, to be derived
8 from the Land and Water Conservation Fund, to remain
9 available until expended, of which \$21,000,000 is for the
10 State assistance program including \$1,000,000 to admin-
11 ister the program, and of which \$10,000,000 may be for
12 State grants for land acquisition in the State of Florida:
13 *Provided*, That the \$20,000,000 provided for grants in the
14 State assistance program shall be used solely to acquire
15 land for State and local parks for the benefit of outdoor
16 recreation: *Provided further*, That the Secretary may pro-
17 vide Federal assistance to the State of Florida for the ac-
18 quisition of lands or waters, or interests therein, within
19 the Everglades watershed (consisting of lands and waters
20 within the boundaries of the South Florida Water Man-
21 agement District, Florida Bay and the Florida Keys, and
22 excluding the Eight and One-Half Square Mile Area)
23 under terms and conditions deemed necessary by the Sec-
24 retary to improve and restore the hydrological function of
25 the Everglades watershed: *Provided further*, That funds

1 provided under this heading for assistance to the State
2 of Florida to acquire lands within the Everglades water-
3 shed are contingent upon new matching non-Federal funds
4 by the State and shall be subject to an agreement that
5 the lands to be acquired will be managed in perpetuity
6 for the restoration of the Everglades: *Provided further,*
7 That notwithstanding any other provision of law, here-
8 after, the Secretary of the Interior must concur in devel-
9 oping, implementing, and revising regulations to allocate
10 water made available from Central and Southern Florida
11 Project features: *Provided further,* That the Secretary's
12 concurrence will address the temporal and spatial needs
13 of the natural system as defined in terms of quality, quan-
14 tity, timing, and distribution of water, and ensuring the
15 restoration, preservation and protection of the South Flor-
16 ida ecosystem, including, but not limited to, the remaining
17 natural system areas of the Everglades, Everglades Na-
18 tional Park, Biscayne and Florida Bays, and the Florida
19 Keys.

20 ADMINISTRATIVE PROVISIONS

21 Appropriations for the National Park Service shall be
22 available for the purchase of not to exceed 340 passenger
23 motor vehicles, of which 273 shall be for replacement only,
24 including not to exceed 319 for police-type use, 12 buses,
25 and 9 ambulances: *Provided,* That none of the funds ap-

1 appropriated to the National Park Service may be used to
2 process any grant or contract documents which do not in-
3 clude the text of 18 U.S.C. 1913: *Provided further*, That
4 none of the funds appropriated to the National Park Serv-
5 ice may be used to implement an agreement for the rede-
6 velopment of the southern end of Ellis Island until such
7 agreement has been submitted to the Congress and shall
8 not be implemented prior to the expiration of 30 calendar
9 days (not including any day in which either House of Con-
10 gress is not in session because of adjournment of more
11 than three calendar days to a day certain) from the receipt
12 by the Speaker of the House of Representatives and the
13 President of the Senate of a full and comprehensive report
14 on the development of the southern end of Ellis Island,
15 including the facts and circumstances relied upon in sup-
16 port of the proposed project.

17 None of the funds in this Act may be spent by the
18 National Park Service for activities taken in direct re-
19 sponse to the United Nations Biodiversity Convention.

20 The National Park Service may distribute to oper-
21 ating units based on the safety record of each unit the
22 costs of programs designed to improve workplace and em-
23 ployee safety, and to encourage employees receiving work-
24 ers' compensation benefits pursuant to chapter 81 of title

1 5, United States Code, to return to appropriate positions
2 for which they are medically able.

3 UNITED STATES GEOLOGICAL SURVEY
4 SURVEYS, INVESTIGATIONS, AND RESEARCH

5 For expenses necessary for the United States Geo-
6 logical Survey to perform surveys, investigations, and re-
7 search covering topography, geology, hydrology, biology,
8 and the mineral and water resources of the United States,
9 its territories and possessions, and other areas as author-
10 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
11 to their mineral and water resources; give engineering su-
12 pervision to power permittees and Federal Energy Regu-
13 latory Commission licensees; administer the minerals ex-
14 ploration program (30 U.S.C. 641); and publish and dis-
15 seminate data relative to the foregoing activities; and to
16 conduct inquiries into the economic conditions affecting
17 mining and materials processing industries (30 U.S.C. 3,
18 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes
19 as authorized by law and to publish and disseminate data;
20 \$816,676,000, of which \$60,553,000 shall be available
21 only for cooperation with States or municipalities for
22 water resources investigations; and of which \$16,400,000
23 shall remain available until expended for conducting in-
24 quires into the economic conditions affecting mining and
25 materials processing industries; and of which \$32,763,000

1 shall be available until September 30, 2002 for the oper-
2 ation and maintenance of facilities and deferred mainte-
3 nance; and of which \$140,416,000 shall be available until
4 September 30, 2002 for the biological research activity
5 and the operation of the Cooperative Research Units: *Pro-*
6 *vided*, That none of these funds provided for the biological
7 research activity shall be used to conduct new surveys on
8 private property, unless specifically authorized in writing
9 by the property owner: *Provided further*, That no part of
10 this appropriation shall be used to pay more than one-
11 half the cost of topographic mapping or water resources
12 data collection and investigations carried on in cooperation
13 with States and municipalities.

14 ADMINISTRATIVE PROVISIONS

15 The amount appropriated for the United States Geo-
16 logical Survey shall be available for the purchase of not
17 to exceed 53 passenger motor vehicles, of which 48 are
18 for replacement only; reimbursement to the General Serv-
19 ices Administration for security guard services; reimburse-
20 ment to the United States Fish and Wildlife Service
21 (FWS) for Refuge Revenue Sharing payments made by
22 FWS to local entities for the FWS real property trans-
23 ferred to the Geological Survey; contracting for the fur-
24 nishing of topographic maps and for the making of geo-
25 physical or other specialized surveys when it is administra-

1 tively determined that such procedures are in the public
2 interest; construction and maintenance of necessary build-
3 ings and appurtenant facilities; acquisition of lands for
4 gauging stations and observation wells; expenses of the
5 United States National Committee on Geology; and pay-
6 ment of compensation and expenses of persons on the rolls
7 of the Survey duly appointed to represent the United
8 States in the negotiation and administration of interstate
9 compacts: *Provided*, That activities funded by appropria-
10 tions herein made may be accomplished through the use
11 of contracts, grants, or cooperative agreements as defined
12 in 31 U.S.C. 6302 et seq.

13 MINERALS MANAGEMENT SERVICE

14 ROYALTY AND OFFSHORE MINERALS MANAGEMENT

15 For expenses necessary for minerals leasing and envi-
16 ronmental studies, regulation of industry operations, and
17 collection of royalties, as authorized by law; for enforcing
18 laws and regulations applicable to oil, gas, and other min-
19 erals leases, permits, licenses and operating contracts; and
20 for matching grants or cooperative agreements; including
21 the purchase of not to exceed eight passenger motor vehi-
22 cles for replacement only; \$127,200,000, of which
23 \$84,362,000, shall be available for royalty management
24 activities; and an amount not to exceed \$107,000,000, to
25 be credited to this appropriation and to remain available

1 until expended, from additions to receipts resulting from
2 increases to rates in effect on August 5, 1993, from rate
3 increases to fee collections for Outer Continental Shelf ad-
4 ministrative activities performed by the Minerals Manage-
5 ment Service over and above the rates in effect on Sep-
6 tember 30, 1993, and from additional fees for Outer Con-
7 tinental Shelf administrative activities established after
8 September 30, 1993: *Provided*, That to the extent
9 \$107,000,000 in additions to receipts are not realized
10 from the sources of receipts stated above, the amount
11 needed to reach \$107,000,000 shall be credited to this ap-
12 propriation from receipts resulting from rental rates for
13 Outer Continental Shelf leases in effect before August 5,
14 1993: *Provided further*, That \$3,000,000 for computer ac-
15 quisitions shall remain available until September 30,
16 2002: *Provided further*, That funds appropriated under
17 this Act shall be available for the payment of interest in
18 accordance with 30 U.S.C. 1721(b) and (d): *Provided fur-*
19 *ther*, That not to exceed \$3,000 shall be available for rea-
20 sonable expenses related to promoting volunteer beach and
21 marine cleanup activities: *Provided further*, That notwith-
22 standing any other provision of law, \$15,000 under this
23 heading shall be available for refunds of overpayments in
24 connection with certain Indian leases in which the Direc-
25 tor of the Minerals Management Service concurred with

1 the claimed refund due, to pay amounts owed to Indian
2 allottees or tribes, or to correct prior unrecoverable erro-
3 neous payments: *Provided further*, That MMS may under
4 the royalty-in-kind pilot program use a portion of the reve-
5 nues from royalty-in-kind sales, without regard to fiscal
6 year limitation, to pay for transportation and gathering
7 expenses, processing, and any contractor costs required to
8 aggregate and market royalty production taken in kind at
9 wholesale market centers: *Provided further*, That MMS
10 shall analyze and document the expected return in advance
11 of any royalty-in-kind sales to assure to the maximum ex-
12 tent practicable that royalty income under the pilot pro-
13 gram is equal to or greater than royalty income recognized
14 under a comparable royalty-in-value program.

15 OIL SPILL RESEARCH

16 For necessary expenses to carry out title I, section
17 1016, title IV, sections 4202 and 4303, title VII, and title
18 VIII, section 8201 of the Oil Pollution Act of 1990,
19 \$6,118,000, which shall be derived from the Oil Spill Li-
20 ability Trust Fund, to remain available until expended.

21 OFFICE OF SURFACE MINING RECLAMATION AND

22 ENFORCEMENT

23 REGULATION AND TECHNOLOGY

24 For necessary expenses to carry out the provisions
25 of the Surface Mining Control and Reclamation Act of

1 1977, Public Law 95–87, as amended, including the pur-
2 chase of not to exceed 10 passenger motor vehicles, for
3 replacement only; \$97,478,000: *Provided*, That the Sec-
4 retary of the Interior, pursuant to regulations, may use
5 directly or through grants to States, moneys collected in
6 fiscal year 2001 for civil penalties assessed under section
7 518 of the Surface Mining Control and Reclamation Act
8 of 1977 (30 U.S.C. 1268), to reclaim lands adversely af-
9 fected by coal mining practices after August 3, 1977, to
10 remain available until expended: *Provided further*, That
11 appropriations for the Office of Surface Mining Reclama-
12 tion and Enforcement may provide for the travel and per
13 diem expenses of State and tribal personnel attending Of-
14 fice of Surface Mining Reclamation and Enforcement
15 sponsored training.

16 ABANDONED MINE RECLAMATION FUND

17 For necessary expenses to carry out title IV of the
18 Surface Mining Control and Reclamation Act of 1977,
19 Public Law 95–87, as amended, including the purchase
20 of not more than 10 passenger motor vehicles for replace-
21 ment only, \$197,873,000, to be derived from receipts of
22 the Abandoned Mine Reclamation Fund and to remain
23 available until expended; of which up to \$8,000,000, to
24 be derived from the Federal Expenses Share of the Fund,
25 shall be for supplemental grants to States for the reclama-

1 tion of abandoned sites with acid mine rock drainage from
2 coal mines, and for associated activities, through the Ap-
3 palachian Clean Streams Initiative: *Provided*, That grants
4 to minimum program States will be \$1,500,000 per State
5 in fiscal year 2000: *Provided further*, That of the funds
6 herein provided up to \$18,000,000 may be used for the
7 emergency program authorized by section 410 of Public
8 Law 95–87, as amended, of which no more than 25 per-
9 cent shall be used for emergency reclamation projects in
10 any one State and funds for federally administered emer-
11 gency reclamation projects under this proviso shall not ex-
12 ceed \$11,000,000: *Provided further*, That prior year unob-
13 ligated funds appropriated for the emergency reclamation
14 program shall not be subject to the 25 percent limitation
15 per State and may be used without fiscal year limitation
16 for emergency projects: *Provided further*, That pursuant
17 to Public Law 97–365, the Department of the Interior is
18 authorized to use up to 20 percent from the recovery of
19 the delinquent debt owed to the United States Government
20 to pay for contracts to collect these debts: *Provided fur-*
21 *ther*, That funds made available under title IV of Public
22 Law 95–87 may be used for any required non-Federal
23 share of the cost of projects funded by the Federal Gov-
24 ernment for the purpose of environmental restoration re-
25 lated to treatment or abatement of acid mine drainage

1 from abandoned mines: *Provided further*, That such
2 projects must be consistent with the purposes and prior-
3 ities of the Surface Mining Control and Reclamation Act:
4 *Provided further*, That from the funds provided herein, in
5 addition to the amount granted to the Commonwealth of
6 Pennsylvania under Sections 402(g)(1) and 402(g)(5) of
7 the Surface Mining Control and Reclamation Act, an addi-
8 tional \$2,000,000 shall be made available to the Common-
9 wealth of Pennsylvania to reclaim abandoned coal mine
10 sites and for acid mine drainage remediation caused by
11 past coal mining practices: *Provided further*, That the ad-
12 ditional funds are to be used to address such problems
13 in the anthracite region of Pennsylvania.

14 BUREAU OF INDIAN AFFAIRS

15 OPERATION OF INDIAN PROGRAMS

16 For expenses necessary for the operation of Indian
17 programs, as authorized by law, including the Snyder Act
18 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
19 termination and Education Assistance Act of 1975 (25
20 U.S.C. 450 et seq.), as amended, the Education Amend-
21 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally
22 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),
23 as amended, \$1,657,446,000, to remain available until
24 September 30, 2002 except as otherwise provided herein,
25 of which not to exceed \$93,225,000 shall be for welfare

1 assistance payments and notwithstanding any other provi-
2 sion of law, including but not limited to the Indian Self-
3 Determination Act of 1975, as amended, not to exceed
4 \$125,229,000 shall be available for payments to tribes and
5 tribal organizations for contract support costs associated
6 with ongoing contracts, grants, compacts, or annual fund-
7 ing agreements entered into with the Bureau prior to or
8 during fiscal year 2001, as authorized by such Act, except
9 that tribes and tribal organizations may use their tribal
10 priority allocations for unmet indirect costs of ongoing
11 contracts, grants, or compacts, or annual funding agree-
12 ments and for unmet welfare assistance costs; and of
13 which not to exceed \$406,010,000 for school operations
14 costs of Bureau-funded schools and other education pro-
15 grams shall become available on July 1, 2001, and shall
16 remain available until September 30, 2002; and of which
17 not to exceed \$39,722,000 shall remain available until ex-
18 pended for housing improvement, road maintenance, at-
19 torney fees, litigation support, self-governance grants, the
20 Indian Self-Determination Fund, land records improve-
21 ment, and the Navajo-Hopi Settlement Program: *Pro-*
22 *vided*, That notwithstanding any other provision of law,
23 including but not limited to the Indian Self-Determination
24 Act of 1975, as amended, and 25 U.S.C. 2008, not to ex-
25 ceed \$42,160,000 within and only from such amounts

1 made available for school operations shall be available to
2 tribes and tribal organizations for administrative cost
3 grants associated with the operation of Bureau-funded
4 schools: *Provided further*, That any forestry funds allo-
5 cated to a tribe which remain unobligated as of September
6 30, 2002, may be transferred during fiscal year 2003 to
7 an Indian forest land assistance account established for
8 the benefit of such tribe within the tribe's trust fund ac-
9 count: *Provided further*, That any such unobligated bal-
10 ances not so transferred shall expire on September 30,
11 2003.

12 CONSTRUCTION

13 For construction, repair, improvement, and mainte-
14 nance of irrigation and power systems, buildings, utilities,
15 and other facilities, including architectural and engineer-
16 ing services by contract; acquisition of lands, and interests
17 in lands; and preparation of lands for farming, and for
18 construction of the Navajo Indian Irrigation Project pur-
19 suant to Public Law 87-483, \$184,404,000, to remain
20 available until expended: *Provided*, That such amounts as
21 may be available for the construction of the Navajo Indian
22 Irrigation Project may be transferred to the Bureau of
23 Reclamation: *Provided further*, That not to exceed 6 per-
24 cent of contract authority available to the Bureau of In-
25 dian Affairs from the Federal Highway Trust Fund may

1 be used to cover the road program management costs of
2 the Bureau: *Provided further*, That any funds provided for
3 the Safety of Dams program pursuant to 25 U.S.C. 13
4 shall be made available on a nonreimbursable basis: *Pro-*
5 *vided further*, That for fiscal year 2001, in implementing
6 new construction or facilities improvement and repair
7 project grants in excess of \$100,000 that are provided to
8 tribally controlled grant schools under Public Law 100–
9 297, as amended, the Secretary of the Interior shall use
10 the Administrative and Audit Requirements and Cost
11 Principles for Assistance Programs contained in 43 CFR
12 part 12 as the regulatory requirements: *Provided further*,
13 That such grants shall not be subject to section 12.61 of
14 43 CFR; the Secretary and the grantee shall negotiate and
15 determine a schedule of payments for the work to be per-
16 formed: *Provided further*, That in considering applications,
17 the Secretary shall consider whether the Indian tribe or
18 tribal organization would be deficient in assuring that the
19 construction projects conform to applicable building stand-
20 ards and codes and Federal, tribal, or State health and
21 safety standards as required by 25 U.S.C. 2005(a), with
22 respect to organizational and financial management capa-
23 bilities: *Provided further*, That if the Secretary declines an
24 application, the Secretary shall follow the requirements
25 contained in 25 U.S.C. 2505(f): *Provided further*, That

1 any disputes between the Secretary and any grantee con-
2 cerning a grant shall be subject to the disputes provision
3 in 25 U.S.C. 2508(e).

4 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
5 MISCELLANEOUS PAYMENTS TO INDIANS

6 For miscellaneous payments to Indian tribes and in-
7 dividuals and for necessary administrative expenses,
8 \$34,026,000, to remain available until expended; of which
9 \$25,149,000 shall be available for implementation of en-
10 acted Indian land and water claim settlements pursuant
11 to Public Laws 101–618, and 102–575, and for implemen-
12 tation of other enacted water rights settlements; of which
13 \$8,000,000 shall be available for Tribal compact adminis-
14 tration, economic development and future water supplies
15 facilities under Public Law 106–163; and of which
16 \$877,000 shall be available pursuant to Public Laws 99–
17 264 and 100–580.

18 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

19 For the cost of guaranteed loans, \$4,500,000, as au-
20 thorized by the Indian Financing Act of 1974, as amend-
21 ed: *Provided*, That such costs, including the cost of modi-
22 fying such loans, shall be as defined in section 502 of the
23 Congressional Budget Act of 1974: *Provided further*, That
24 these funds are available to subsidize total loan principal,

1 any part of which is to be guaranteed, not to exceed
2 \$59,682,000.

3 In addition, for administrative expenses to carry out
4 the guaranteed loan programs, \$485,000.

5 ADMINISTRATIVE PROVISIONS

6 The Bureau of Indian Affairs may carry out the oper-
7 ation of Indian programs by direct expenditure, contracts,
8 cooperative agreements, compacts and grants, either di-
9 rectly or in cooperation with States and other organiza-
10 tions.

11 Appropriations for the Bureau of Indian Affairs (ex-
12 cept the revolving fund for loans, the Indian loan guar-
13 antee and insurance fund, and the Indian Guaranteed
14 Loan Program account) shall be available for expenses of
15 exhibits, and purchase of not to exceed 229 passenger
16 motor vehicles, of which not to exceed 187 shall be for
17 replacement only.

18 Notwithstanding any other provision of law, no funds
19 available to the Bureau of Indian Affairs for central office
20 operations, pooled overhead general administration (except
21 facilities operations and maintenance), or provided to im-
22 plement the recommendations of the National Academy of
23 Public Administration's August 1999 report shall be avail-
24 able for tribal contracts, grants, compacts, or cooperative
25 agreements with the Bureau of Indian Affairs under the

1 provisions of the Indian Self-Determination Act or the
2 Tribal Self-Governance Act of 1994 (Public Law 103–
3 413).

4 In the event any tribe returns appropriations made
5 available by this Act to the Bureau of Indian Affairs for
6 distribution to other tribes, this action shall not diminish
7 the Federal Government’s trust responsibility to that
8 tribe, or the government-to-government relationship be-
9 tween the United States and that tribe, or that tribe’s abil-
10 ity to access future appropriations.

11 Notwithstanding any other provision of law, no funds
12 available to the Bureau, other than the amounts provided
13 herein for assistance to public schools under 25 U.S.C.
14 452 et seq., shall be available to support the operation of
15 any elementary or secondary school in the State of Alaska.

16 Appropriations made available in this or any other
17 Act for schools funded by the Bureau shall be available
18 only to the schools in the Bureau school system as of Sep-
19 tember 1, 1996. No funds available to the Bureau shall
20 be used to support expanded grades for any school or dor-
21 mitory beyond the grade structure in place or approved
22 by the Secretary of the Interior at each school in the Bu-
23 reau school system as of October 1, 1995. Funds made
24 available under this Act may not be used to establish a
25 charter school at a Bureau-funded school (as that term

1 is defined in section 1146 of the Education Amendments
2 of 1978 (25 U.S.C. 2026)), except that a charter school
3 that is in existence on the date of the enactment of this
4 Act and that has operated at a Bureau-funded school be-
5 fore September 1, 1999, may continue to operate during
6 that period, but only if the charter school pays to the Bu-
7 reau a pro-rata share of funds to reimburse the Bureau
8 for the use of the real and personal property (including
9 buses and vans), the funds of the charter school are kept
10 separate and apart from Bureau funds, and the Bureau
11 does not assume any obligation for charter school pro-
12 grams of the State in which the school is located if the
13 charter school loses such funding. Employees of Bureau-
14 funded schools sharing a campus with a charter school and
15 performing functions related to the charter school's oper-
16 ation and employees of a charter school shall not be treat-
17 ed as Federal employees for purposes of chapter 171 of
18 title 28, United States Code (commonly known as the
19 "Federal Tort Claims Act"). Not later than June 15,
20 2001, the Secretary of the Interior shall evaluate the effec-
21 tiveness of Bureau-funded schools sharing facilities with
22 charter schools in the manner described in the preceding
23 sentence and prepare and submit a report on the finding
24 of that evaluation to the Committees on Appropriations
25 of the Senate and of the House.

1 DEPARTMENTAL OFFICES

2 INSULAR AFFAIRS

3 ASSISTANCE TO TERRITORIES

4 For expenses necessary for assistance to territories
5 under the jurisdiction of the Department of the Interior,
6 \$69,471,000, of which: (1) \$65,076,000 shall be available
7 until expended for technical assistance, including mainte-
8 nance assistance, disaster assistance, insular management
9 controls, coral reef initiative activities, and brown tree
10 snake control and research; grants to the judiciary in
11 American Samoa for compensation and expenses, as au-
12 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-
13 ment of American Samoa, in addition to current local rev-
14 enues, for construction and support of governmental func-
15 tions; grants to the Government of the Virgin Islands as
16 authorized by law; grants to the Government of Guam,
17 as authorized by law; and grants to the Government of
18 the Northern Mariana Islands as authorized by law (Pub-
19 lic Law 94-241; 90 Stat. 272); and (2) \$4,395,000 shall
20 be available for salaries and expenses of the Office of Insu-
21 lar Affairs: *Provided*, That all financial transactions of the
22 territorial and local governments herein provided for, in-
23 cluding such transactions of all agencies or instrumental-
24 ities established or used by such governments, may be au-
25 dited by the General Accounting Office, at its discretion,

1 in accordance with chapter 35 of title 31, United States
2 Code: *Provided further*, That Northern Mariana Islands
3 Covenant grant funding shall be provided according to
4 those terms of the Agreement of the Special Representa-
5 tives on Future United States Financial Assistance for the
6 Northern Mariana Islands approved by Public Law 104-
7 134: *Provided further*, That of the amounts provided for
8 technical assistance, not to exceed \$300,000 may be made
9 available for transfer to the Disaster Assistance Direct
10 Loan Program Account of the Federal Emergency Man-
11 agement Agency for the purpose of covering the cost of
12 forgiving a portion of the obligation of the Government
13 of the Virgin Islands to pay interest which has accrued
14 on Community Disaster Loan 841 during fiscal year 2000,
15 as required by section 504 of the Congressional Budget
16 Act of 1974, as amended (2 U.S.C. 661c): *Provided fur-*
17 *ther*, That of the amounts provided for technical assist-
18 ance, sufficient funding shall be made available for a grant
19 to the Close Up Foundation: *Provided further*, That of the
20 amounts provided for technical assistance, the amount of
21 \$700,000 shall be made available to the Prior Service Ben-
22 efits Trust Fund for its program of benefit payments to
23 individuals: *Provided further*, That none of this amount
24 shall be used for administrative expenses of the Prior
25 Service Benefits Trust Fund: *Provided further*, That the

1 funds for the program of operations and maintenance im-
2 provement are appropriated to institutionalize routine op-
3 erations and maintenance improvement of capital infra-
4 structure in American Samoa, Guam, the Virgin Islands,
5 the Commonwealth of the Northern Mariana Islands, the
6 Republic of Palau, the Republic of the Marshall Islands,
7 and the Federated States of Micronesia through assess-
8 ments of long-range operations maintenance needs, im-
9 proved capability of local operations and maintenance in-
10 stitutions and agencies (including management and voca-
11 tional education training), and project-specific mainte-
12 nance (with territorial participation and cost sharing to
13 be determined by the Secretary based on the individual
14 territory's commitment to timely maintenance of its cap-
15 ital assets): *Provided further*, That any appropriation for
16 disaster assistance under this heading in this Act or pre-
17 vious appropriations Acts may be used as non-Federal
18 matching funds for the purpose of hazard mitigation
19 grants provided pursuant to section 404 of the Robert T.
20 Stafford Disaster Relief and Emergency Assistance Act
21 (42 U.S.C. 5170c).

22 COMPACT OF FREE ASSOCIATION

23 For economic assistance and necessary expenses for
24 the Federated States of Micronesia and the Republic of
25 the Marshall Islands as provided for in sections 122, 221,

1 223, 232, and 233 of the Compact of Free Association,
2 and for economic assistance and necessary expenses for
3 the Republic of Palau as provided for in sections 122, 221,
4 223, 232, and 233 of the Compact of Free Association,
5 \$20,745,000, to remain available until expended, as au-
6 thorized by Public Law 99–239 and Public Law 99–658.

7 DEPARTMENTAL MANAGEMENT

8 SALARIES AND EXPENSES

9 For necessary expenses for management of the De-
10 partment of the Interior, \$62,406,000, of which not to ex-
11 ceed \$8,500 may be for official reception and representa-
12 tion expenses and of which up to \$1,000,000 shall be
13 available for workers compensation payments and unem-
14 ployment compensation payments associated with the or-
15 derly closure of the United States Bureau of Mines.

16 OFFICE OF THE SOLICITOR

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of the Solicitor,
19 \$40,196,000.

20 OFFICE OF INSPECTOR GENERAL

21 SALARIES AND EXPENSES

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

1 OFFICE OF SPECIAL TRUSTEE FOR AMERICAN INDIANS
2 FEDERAL TRUST PROGRAMS

3 For operation of trust programs for Indians by direct
4 expenditure, contracts, cooperative agreements, compacts,
5 and grants, \$82,428,000, to remain available until ex-
6 pended: *Provided*, That funds for trust management im-
7 provements may be transferred, as needed, to the Bureau
8 of Indian Affairs "Operation of Indian Programs" account
9 and to the Departmental Management "Salaries and Ex-
10 penses" account: *Provided further*, That funds made avail-
11 able to tribes and tribal organizations through contracts
12 or grants obligated during fiscal year 2001, as authorized
13 by the Indian Self-Determination Act of 1975 (25 U.S.C.
14 450 et seq.), shall remain available until expended by the
15 contractor or grantee: *Provided further*, That notwith-
16 standing any other provision of law, the statute of limita-
17 tions shall not commence to run on any claim, including
18 any claim in litigation pending on the date of the enact-
19 ment of this Act, concerning losses to or mismanagement
20 of trust funds, until the affected tribe or individual Indian
21 has been furnished with an accounting of such funds from
22 which the beneficiary can determine whether there has
23 been a loss: *Provided further*, That notwithstanding any
24 other provision of law, the Secretary shall not be required
25 to provide a quarterly statement of performance for any

1 Indian trust account that has not had activity for at least
2 18 months and has a balance of \$1.00 or less: *Provided*
3 *further*, That the Secretary shall issue an annual account
4 statement and maintain a record of any such accounts and
5 shall permit the balance in each such account to be with-
6 drawn upon the express written request of the account
7 holder.

8 INDIAN LAND CONSOLIDATION

9 For implementation of a program for consolidation
10 of fractional interests in Indian Lands and expenses asso-
11 ciated with redetermining and redistributing escalated in-
12 terests in allotted lands by direct expenditure or coopera-
13 tive agreement, \$5,000,000 to remain available until ex-
14 pended and which may be transferred to the Bureau of
15 Indian Affairs and Departmental Management, of which
16 not to exceed \$500,000 shall be available for administra-
17 tive expenses: *Provided*, That the Secretary may enter into
18 a cooperative agreement, which shall not be subject to
19 Public law 93-638, as amended, with a tribe having juris-
20 diction over the reservation to implement the program to
21 acquire fractional interests on behalf of such tribe: *Pro-*
22 *vided further*, That the Secretary may develop a reserva-
23 tion-wide system for establishing the fair market value of
24 various types of lands and improvements to govern the
25 amounts offered for acquisition of fractional interests:

1 the Oil Pollution Act of 1990 (Public Law 101–380) (33
2 U.S.C. 2701 et seq.), and Public Law 101–337, as amend-
3 ed (16 U.S.C. 19jj et seq.), \$5,374,000, to remain avail-
4 able until expended.

5 ADMINISTRATIVE PROVISIONS

6 There is hereby authorized for acquisition from avail-
7 able resources within the Working Capital Fund, 15 air-
8 craft, 10 of which shall be for replacement and which may
9 be obtained by donation, purchase or through available ex-
10 cess surplus property: *Provided*, That notwithstanding any
11 other provision of law, existing aircraft being replaced may
12 be sold, with proceeds derived or trade-in value used to
13 offset the purchase price for the replacement aircraft: *Pro-*
14 *vided further*, That no programs funded with appropriated
15 funds in the “Departmental Management”, “Office of the
16 Solicitor”, and “Office of Inspector General” may be aug-
17 mented through the Working Capital Fund or the Consoli-
18 dated Working Fund.

19 GENERAL PROVISIONS, DEPARTMENT OF THE
20 INTERIOR

21 SEC. 101. Appropriations made in this title shall be
22 available for expenditure or transfer (within each bureau
23 or office), with the approval of the Secretary, for the emer-
24 gency reconstruction, replacement, or repair of aircraft,
25 buildings, utilities, or other facilities or equipment dam-

1 aged or destroyed by fire, flood, storm, or other unavail-
2 able causes: *Provided*, That no funds shall be made avail-
3 able under this authority until funds specifically made
4 available to the Department of the Interior for emer-
5 gencies shall have been exhausted: *Provided further*, That
6 all funds used pursuant to this section are hereby des-
7 ignated by Congress to be “emergency requirements” pur-
8 suant to section 251(b)(2)(A) of the Balanced Budget and
9 Emergency Deficit Control Act of 1985, and must be re-
10 plenished by a supplemental appropriation which must be
11 requested as promptly as possible.

12 SEC. 102. The Secretary may authorize the expendi-
13 ture or transfer of any no year appropriation in this title,
14 in addition to the amounts included in the budget pro-
15 grams of the several agencies, for the suppression or emer-
16 gency prevention of wildland fires on or threatening lands
17 under the jurisdiction of the Department of the Interior;
18 for the emergency rehabilitation of burned-over lands
19 under its jurisdiction; for emergency actions related to po-
20 tential or actual earthquakes, floods, volcanoes, storms, or
21 other unavoidable causes; for contingency planning subse-
22 quent to actual oil spills; for response and natural resource
23 damage assessment activities related to actual oil spills;
24 for the prevention, suppression, and control of actual or
25 potential grasshopper and Mormon cricket outbreaks on

1 lands under the jurisdiction of the Secretary, pursuant to
2 the authority in section 1773(b) of Public Law 99–198
3 (99 Stat. 1658); for emergency reclamation projects under
4 section 410 of Public Law 95–87; and shall transfer, from
5 any no year funds available to the Office of Surface Min-
6 ing Reclamation and Enforcement, such funds as may be
7 necessary to permit assumption of regulatory authority in
8 the event a primacy State is not carrying out the regu-
9 latory provisions of the Surface Mining Act: *Provided*,
10 That appropriations made in this title for wildland fire
11 operations shall be available for the payment of obligations
12 incurred during the preceding fiscal year, and for reim-
13 bursement to other Federal agencies for destruction of ve-
14 hicles, aircraft, or other equipment in connection with
15 their use for wildland fire operations, such reimbursement
16 to be credited to appropriations currently available at the
17 time of receipt thereof: *Provided further*, That for wildland
18 fire operations, no funds shall be made available under
19 this authority until the Secretary determines that funds
20 appropriated for “wildland fire operations” shall be ex-
21 hausted within thirty days: *Provided further*, That all
22 funds used pursuant to this section are hereby designated
23 by Congress to be “emergency requirements” pursuant to
24 section 251(b)(2)(A) of the Balanced Budget and Emer-
25 gency Deficit Control Act of 1985, and must be replen-

1 ished by a supplemental appropriation which must be re-
2 quested as promptly as possible: *Provided further*, That
3 such replenishment funds shall be used to reimburse, on
4 a pro rata basis, accounts from which emergency funds
5 were transferred.

6 SEC. 103. Appropriations made in this title shall be
7 available for operation of warehouses, garages, shops, and
8 similar facilities, wherever consolidation of activities will
9 contribute to efficiency or economy, and said appropria-
10 tions shall be reimbursed for services rendered to any
11 other activity in the same manner as authorized by sec-
12 tions 1535 and 1536 of title 31, United States Code: *Pro-*
13 *vided*, That reimbursements for costs and supplies, mate-
14 rials, equipment, and for services rendered may be cred-
15 ited to the appropriation current at the time such reim-
16 bursements are received.

17 SEC. 104. Appropriations made to the Department
18 of the Interior in this title shall be available for services
19 as authorized by 5 U.S.C. 3109, when authorized by the
20 Secretary, in total amount not to exceed \$500,000; hire,
21 maintenance, and operation of aircraft; hire of passenger
22 motor vehicles; purchase of reprints; payment for tele-
23 phone service in private residences in the field, when au-
24 thorized under regulations approved by the Secretary; and
25 the payment of dues, when authorized by the Secretary,

1 for library membership in societies or associations which
2 issue publications to members only or at a price to mem-
3 bers lower than to subscribers who are not members.

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

8 SEC. 106. Annual appropriations made in this title
9 shall be available for obligation in connection with con-
10 tracts issued for services or rentals for periods not in ex-
11 cess of 12 months beginning at any time during the fiscal
12 year.

13 SEC. 107. No funds provided in this title may be ex-
14 pended by the Department of the Interior for the conduct
15 of offshore leasing and related activities placed under re-
16 striction in the President’s moratorium statement of June
17 26, 1990, in the areas of northern, central, and southern
18 California; the North Atlantic; Washington and Oregon;
19 and the eastern Gulf of Mexico south of 26 degrees north
20 latitude and east of 86 degrees west longitude.

21 SEC. 108. No funds provided in this title may be ex-
22 pended by the Department of the Interior for the conduct
23 of offshore oil and natural gas preleasing, leasing, and re-
24 lated activities, on lands within the North Aleutian Basin
25 planning area.

1 SEC. 109. No funds provided in this title may be ex-
2 pended by the Department of the Interior to conduct off-
3 shore oil and natural gas preleasing, leasing and related
4 activities in the eastern Gulf of Mexico planning area for
5 any lands located outside Sale 181, as identified in the
6 final Outer Continental Shelf 5-Year Oil and Gas Leasing
7 Program, 1997–2002.

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

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

21 (1) invested by the Indian tribe, tribal organiza-
22 tion, or consortium only in obligations of the United
23 States, or in obligations or securities that are guar-
24 anteed or insured by the United States, or mutual
25 (or other) funds registered with the Securities and

1 Exchange Commission and which only invest in obli-
2 gations of the United States or securities that are
3 guaranteed or insured by the United States; or

4 (2) deposited only into accounts that are in-
5 sured by an agency or instrumentality of the United
6 States, or are fully collateralized to ensure protec-
7 tion of the funds, even in the event of a bank failure.

8 SEC. 112. Notwithstanding any other provisions of
9 law, the National Park Service shall not develop or imple-
10 ment a reduced entrance fee program to accommodate
11 non-local travel through a unit. The Secretary may provide
12 for and regulate local non-recreational passage through
13 units of the National Park System, allowing each unit to
14 develop guidelines and permits for such activity appro-
15 priate to that unit.

16 SEC. 113. Refunds or rebates received on an on-going
17 basis from a credit card services provider under the De-
18 partment of the Interior's charge card programs, hereafter
19 may be deposited to and retained without fiscal year limi-
20 tation in the Departmental Working Capital Fund estab-
21 lished under 43 U.S.C. 1467 and used to fund manage-
22 ment initiatives of general benefit to the Department of
23 the Interior's bureaus and offices as determined by the
24 Secretary or his designee.

1 SEC. 114. Appropriations made in this title under the
2 headings Bureau of Indian Affairs and Office of Special
3 Trustee for American Indians and any available unobli-
4 gated balances from prior appropriations Acts made under
5 the same headings, shall be available for expenditure or
6 transfer for Indian trust management activities pursuant
7 to the Trust Management Improvement Project High
8 Level Implementation Plan.

9 SEC. 115. Notwithstanding any provision of law,
10 hereafter the Secretary of the Interior is authorized to ne-
11 gotiate and enter into agreements and leases, without re-
12 gard to section 321 of chapter 314 of the Act of June
13 30, 1932 (40 U.S.C. 303b), with any person, firm, asso-
14 ciation, organization, corporation, or governmental entity
15 for all or part of the property within Fort Baker adminis-
16 tered by the Secretary as part of Golden Gate National
17 Recreation Area. The proceeds of the agreements or leases
18 shall be retained by the Secretary and such proceeds shall
19 be available, without future appropriation, for the preser-
20 vation, restoration, operation, maintenance and interpre-
21 tation and related expenses incurred with respect to Fort
22 Baker properties.

23 SEC. 116. A grazing permit or lease that expires (or
24 is transferred) during fiscal year 2001 shall be renewed
25 under section 402 of the Federal Land Policy and Man-

1 agement Act of 1976, as amended (43 U.S.C. 1752) or
2 if applicable, sections 306 and 510 of the California
3 Desert Protection Act (16 U.S.C. 410aaa–50). The terms
4 and conditions contained in the expiring permit or lease
5 shall continue in effect under the new permit or lease until
6 such time as the Secretary of the Interior completes proc-
7 essing of such permit or lease in compliance with all appli-
8 cable laws and regulations, at which time such permit or
9 lease may be canceled, suspended or modified, in whole
10 or in part, to meet the requirements of such applicable
11 laws and regulations. Nothing in this section shall be
12 deemed to alter the Secretary’s statutory authority.

13 SEC. 117. Notwithstanding any other provision of
14 law, for the purpose of reducing the backlog of Indian pro-
15 bate cases in the Department of the Interior, the hearing
16 requirements of chapter 10 of title 25, United States
17 Code, are deemed satisfied by a proceeding conducted by
18 an Indian probate judge, appointed by the Secretary with-
19 out regard to the provisions of title 5, United States Code,
20 governing the appointments in the competitive service, for
21 such period of time as the Secretary determines necessary:
22 *Provided*, That the basic pay of an Indian probate judge
23 so appointed may be fixed by the Secretary without regard
24 to the provisions of chapter 51, and subchapter III of
25 chapter 53 of title 5, United States Code, governing the

1 classification and pay of General Schedule employees, ex-
2 cept that no such Indian probate judge may be paid at
3 a level which exceeds the maximum rate payable for the
4 highest grade of the General Schedule, including locality
5 pay.

6 SEC. 118. Notwithstanding any other provision of
7 law, the Secretary of the Interior is authorized to redis-
8 tribute any Tribal Priority Allocation funds, including
9 tribal base funds, to alleviate tribal funding inequities by
10 transferring funds to address identified, unmet needs,
11 dual enrollment, overlapping service areas or inaccurate
12 distribution methodologies. No tribe shall receive a reduc-
13 tion in Tribal Priority Allocation funds of more than 10
14 percent in fiscal year 2001. Under circumstances of dual
15 enrollment, overlapping service areas or inaccurate dis-
16 tribution methodologies, the 10 percent limitation does not
17 apply.

18 SEC. 119. None of the funds in this Act may be used
19 to establish a new National Wildlife Refuge in the Kan-
20 kakee River basin that is inconsistent with the United
21 States Army Corps of Engineers' efforts to control flood-
22 ing and siltation in that area. Written certification of con-
23 sistency shall be submitted to the House and Senate Com-
24 mittees on Appropriations prior to refuge establishment.

1 SEC. 120. The Great Marsh Trail at the Mason Neck
2 National Wildlife Refuge in Virginia is hereby named for
3 Joseph V. Gartlan, Jr. and shall hereafter be referred to
4 in any law, document, or records of the United States as
5 the “Joseph V. Gartlan, Jr. Great Marsh Trail”.

6 SEC. 121. Funds appropriated for the Bureau of In-
7 dian Affairs for postsecondary schools for fiscal year 2001
8 shall be allocated among the schools proportionate to the
9 unmet need of the schools as determined by the Postsec-
10 ondary Funding Formula adopted by the Office of Indian
11 Education Programs.

12 SEC. 122. None of the funds in this Act may be ex-
13 pended by the United States Fish and Wildlife Service to
14 establish a National Wildlife Refuge in the Yolo Bypass
15 of California.

16 TITLE II—RELATED AGENCIES

17 DEPARTMENT OF AGRICULTURE

18 FOREST SERVICE

19 FOREST AND RANGELAND RESEARCH

20 For necessary expenses of forest and rangeland re-
21 search as authorized by law, \$224,966,000, to remain
22 available until expended.

23 STATE AND PRIVATE FORESTRY

24 For necessary expenses of cooperating with and pro-
25 viding technical and financial assistance to States, terri-

1 tories, possessions, and others, and for forest health man-
2 agement, cooperative forestry, and education and land
3 conservation activities and conducting an international
4 program as authorized, \$197,337,000, to remain available
5 until expended, as authorized by law: *Provided*, That none
6 of the funds appropriated or otherwise made available by
7 this Act or otherwise available to the Secretary shall be
8 used to carry out any activity related to the urban re-
9 sources partnership or similar or successor programs.

10

NATIONAL FOREST SYSTEM

11 For necessary expenses of the Forest Service, not
12 otherwise provided for, for management, protection, im-
13 provement, and utilization of the National Forest System,
14 \$1,207,545,000, to remain available until expended, which
15 shall include 50 percent of all moneys received during
16 prior fiscal years as fees collected under the Land and
17 Water Conservation Fund Act of 1965, as amended, in
18 accordance with section 4 of the Act (16 U.S.C. 460l-
19 6a(i)): *Provided*, That unobligated balances available at
20 the start of fiscal year 2001 shall be displayed by extended
21 budget line item in the fiscal year 2002 budget justifica-
22 tion.

23

WILDLAND FIRE MANAGEMENT

24 For necessary expenses for forest fire presuppression
25 activities on National Forest System lands, for emergency

1 fire suppression on or adjacent to such lands or other
2 lands under fire protection agreement, and for emergency
3 rehabilitation of burned-over National Forest System
4 lands and water, \$614,343,000, to remain available until
5 expended: *Provided*, That such funds are available for re-
6 payment of advances from other appropriations accounts
7 previously transferred for such purposes: *Provided further*,
8 That not less than 50 percent of any unobligated balances
9 remaining (exclusive of amounts for hazardous fuels re-
10 duction) at the end of fiscal year 2000 shall be trans-
11 ferred, as repayment for post advances that have not been
12 repaid, to the fund established pursuant to section 3 of
13 Public Law 71–319 (16 U.S.C. 576 et seq.): *Provided fur-*
14 *ther*, That notwithstanding any other provision of law, up
15 to \$4,000,000 of funds appropriated under this appropria-
16 tion may be used for Fire Science Research in support
17 of the Joint Fire Science Program: *Provided further*, That
18 all authorities for the use of funds, including the use of
19 contracts, grants, and cooperative agreements, available to
20 execute the Forest Service and Rangeland Research ap-
21 propriation, are also available in the utilization of these
22 funds for Fire Science Research.

23 CAPITAL IMPROVEMENT AND MAINTENANCE

24 For necessary expenses of the Forest Service, not
25 otherwise provided for, \$424,466,000, to remain available

1 until expended for construction, reconstruction, mainte-
2 nance and acquisition of buildings and other facilities, and
3 for construction, reconstruction, repair and maintenance
4 of forest roads and trails by the Forest Service as author-
5 ized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205:
6 *Provided*, That up to \$15,000,000 of the funds provided
7 herein for road maintenance shall be available for the de-
8 commissioning of roads, including unauthorized roads not
9 part of the transportation system, which are no longer
10 needed: *Provided further*, That no funds shall be expended
11 to decommission any system road until notice and an op-
12 portunity for public comment has been provided on each
13 decommissioning project: *Provided further*, That any unob-
14 ligated balances of amounts previously appropriated to the
15 Forest Service “Construction”, “Reconstruction and Con-
16 struction”, or “Reconstruction and Maintenance” ac-
17 counts as well as any unobligated balances remaining in
18 the “National Forest System” account for the facility
19 maintenance and trail maintenance extended budget line
20 items may be transferred to and merged with the “Capital
21 Improvement and Maintenance” account.

22 LAND ACQUISITION

23 For expenses necessary to carry out the provisions
24 of the Land and Water Conservation Fund Act of 1965,
25 as amended (16 U.S.C. 4601–4 through 11), including ad-

1 ministrative expenses, and for acquisition of land or wa-
2 ters, or interest therein, in accordance with statutory au-
3 thority applicable to the Forest Service, \$50,000,000, to
4 be derived from the Land and Water Conservation Fund,
5 to remain available until expended.

6 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
7 ACTS

8 For acquisition of lands within the exterior bound-
9 aries of the Cache, Uinta, and Wasatch National Forests,
10 Utah; the Toiyabe National Forest, Nevada; and the An-
11 geles, San Bernardino, Sequoia, and Cleveland National
12 Forests, California, as authorized by law, \$1,068,000, to
13 be derived from forest receipts.

14 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

15 For acquisition of lands, such sums, to be derived
16 from funds deposited by State, county, or municipal gov-
17 ernments, public school districts, or other public school au-
18 thorities pursuant to the Act of December 4, 1967, as
19 amended (16 U.S.C. 484a), to remain available until ex-
20 pended.

21 RANGE BETTERMENT FUND

22 For necessary expenses of range rehabilitation, pro-
23 tection, and improvement, 50 percent of all moneys re-
24 ceived during the prior fiscal year, as fees for grazing do-
25 mestic livestock on lands in National Forests in the 16

1 Western States, pursuant to section 401(b)(1) of Public
2 Law 94–579, as amended, to remain available until ex-
3 pended, of which not to exceed 6 percent shall be available
4 for administrative expenses associated with on-the-ground
5 range rehabilitation, protection, and improvements.

6 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
7 RANGELAND RESEARCH

8 For expenses authorized by 16 U.S.C. 1643(b),
9 \$92,000, to remain available until expended, to be derived
10 from the fund established pursuant to the above Act.

11 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

12 Appropriations to the Forest Service for the current
13 fiscal year shall be available for: (1) purchase of not to
14 exceed 132 passenger motor vehicles of which 13 will be
15 used primarily for law enforcement purposes and of which
16 129 shall be for replacement; acquisition of 25 passenger
17 motor vehicles from excess sources, and hire of such vehi-
18 cles; operation and maintenance of aircraft, the purchase
19 of not to exceed six for replacement only, and acquisition
20 of sufficient aircraft from excess sources to maintain the
21 operable fleet at 192 aircraft for use in Forest Service
22 wildland fire programs and other Forest Service programs;
23 notwithstanding other provisions of law, existing aircraft
24 being replaced may be sold, with proceeds derived or
25 trade-in value used to offset the purchase price for the

1 replacement aircraft; (2) services pursuant to 7 U.S.C.
2 2225, and not to exceed \$100,000 for employment under
3 5 U.S.C. 3109; (3) purchase, erection, and alteration of
4 buildings and other public improvements (7 U.S.C. 2250);
5 (4) acquisition of land, waters, and interests therein, pur-
6 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
7 Volunteers in the National Forest Act of 1972 (16 U.S.C.
8 558a, 558d, and 558a note); (6) the cost of uniforms as
9 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-
10 lection contracts in accordance with 31 U.S.C. 3718(c).

11 None of the funds made available under this Act shall
12 be obligated or expended to abolish any region, to move
13 or close any regional office for National Forest System
14 administration of the Forest Service, Department of Agri-
15 culture without the consent of the House and Senate Com-
16 mittees on Appropriations.

17 Any appropriations or funds available to the Forest
18 Service may be transferred to the Wildland Fire Manage-
19 ment appropriation for forest firefighting, emergency re-
20 habilitation of burned-over or damaged lands or waters
21 under its jurisdiction, and fire preparedness due to severe
22 burning conditions if and only if all previously appro-
23 priated emergency contingent funds under the heading
24 “Wildland Fire Management” have been released by the
25 President and apportioned.

1 Funds appropriated to the Forest Service shall be
2 available for assistance to or through the Agency for Inter-
3 national Development and the Foreign Agricultural Serv-
4 ice in connection with forest and rangeland research, tech-
5 nical information, and assistance in foreign countries, and
6 shall be available to support forestry and related natural
7 resource activities outside the United States and its terri-
8 tories and possessions, including technical assistance, edu-
9 cation and training, and cooperation with United States
10 and international organizations.

11 None of the funds made available to the Forest Serv-
12 ice under this Act shall be subject to transfer under the
13 provisions of section 702(b) of the Department of Agri-
14 culture Organic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C.
15 147b unless the proposed transfer is approved in advance
16 by the House and Senate Committees on Appropriations
17 in compliance with the reprogramming procedures con-
18 tained in House Report No. 105–163.

19 None of the funds available to the Forest Service may
20 be reprogrammed without the advance approval of the
21 House and Senate Committees on Appropriations in ac-
22 cordance with the procedures contained in House Report
23 No. 105–163.

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

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

3 Funds available to the Forest Service shall be avail-
4 able to conduct a program of not less than \$2,000,000
5 for high priority projects within the scope of the approved
6 budget which shall be carried out by the Youth Conserva-
7 tion Corps as authorized by the Act of August 13, 1970,
8 as amended by Public Law 93-408.

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

12 Pursuant to sections 405(b) and 410(b) of Public
13 Law 101-593, of the funds available to the Forest Service,
14 up to \$1,250,000 may be advanced in a lump sum as Fed-
15 eral financial assistance to the National Forest Founda-
16 tion, without regard to when the Foundation incurs ex-
17 penses, for administrative expenses or projects on or bene-
18 fitting National Forest System lands or related to Forest
19 Service programs: *Provided*, That of the Federal funds
20 made available to the Foundation, no more than \$200,000
21 shall be available for administrative expenses: *Provided*
22 *further*, That the Foundation shall obtain, by the end of
23 the period of Federal financial assistance, private con-
24 tributions to match on at least one-for-one basis funds
25 made available by the Forest Service: *Provided further*,

1 That the Foundation may transfer Federal funds to a
2 non-Federal recipient for a project at the same rate that
3 the recipient has obtained the non-Federal matching
4 funds: *Provided further*, That hereafter, the National For-
5 est Foundation may hold Federal funds made available
6 but not immediately disbursed and may use any interest
7 or other investment income earned (before, on, or after
8 the date of the enactment of this Act) on Federal funds
9 to carry out the purposes of Public Law 101–593: *Pro-*
10 *vided further*, That such investments may be made only
11 in interest-bearing obligations of the United States or in
12 obligations guaranteed as to both principal and interest
13 by the United States.

14 Pursuant to section 2(b)(2) of Public Law 98–244,
15 \$2,650,000 of the funds available to the Forest Service
16 shall be available for matching funds to the National Fish
17 and Wildlife Foundation, as authorized by 16 U.S.C.
18 6201–3709, and shall be advanced in a lump sum as Fed-
19 eral financial assistance within 60 days of enactment of
20 this Act, without regard to when expenses are incurred,
21 for projects on or benefitting National Forest System
22 lands or related to Forest Service programs: *Provided*,
23 That the Foundation shall obtain, by the end of the period
24 of Federal financial assistance, private contributions to
25 match on at least one-for-one basis funds advanced by the

1 Forest Service: *Provided further*, That the Foundation
2 may transfer Federal funds to a non-Federal recipient for
3 a project at the same rate that the recipient has obtained
4 the non-Federal matching funds.

5 Funds appropriated to the Forest Service shall be
6 available for interactions with and providing technical as-
7 sistance to rural communities for sustainable rural devel-
8 opment purposes.

9 Notwithstanding any other provision of law, 80 per-
10 cent of the funds appropriated to the Forest Service in
11 the “National Forest System” and “Reconstruction and
12 Construction” accounts and planned to be allocated to ac-
13 tivities under the “Jobs in the Woods” program for
14 projects on National Forest land in the State of Wash-
15 ington may be granted directly to the Washington State
16 Department of Fish and Wildlife for accomplishment of
17 planned projects. Twenty percent of said funds shall be
18 retained by the Forest Service for planning and admin-
19 istering projects. Project selection and prioritization shall
20 be accomplished by the Forest Service with such consulta-
21 tion with the State of Washington as the Forest Service
22 deems appropriate.

23 Funds appropriated to the Forest Service shall be
24 available for payments to counties within the Columbia
25 River Gorge National Scenic Area, pursuant to sections

1 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–
2 663.

3 The Secretary of Agriculture is authorized to enter
4 into grants, contracts, and cooperative agreements as ap-
5 propriate with the Pinchot Institute for Conservation, as
6 well as with public and other private agencies, organiza-
7 tions, institutions, and individuals, to provide for the de-
8 velopment, administration, maintenance, or restoration of
9 land, facilities, or Forest Service programs, at the Grey
10 Towers National Historic Landmark: *Provided*, That, sub-
11 ject to such terms and conditions as the Secretary of Agri-
12 culture may prescribe, any such public or private agency,
13 organization, institution, or individual may solicit, accept,
14 and administer private gifts of money and real or personal
15 property for the benefit of, or in connection with, the ac-
16 tivities and services at the Grey Towers National Historic
17 Landmark: *Provided further*, That such gifts may be ac-
18 cepted notwithstanding the fact that a donor conducts
19 business with the Department of Agriculture in any capac-
20 ity.

21 Funds appropriated to the Forest Service shall be
22 available, as determined by the Secretary, for payments
23 to Del Norte County, California, pursuant to sections
24 13(e) and 14 of the Smith River National Recreation Area
25 Act (Public Law 101–612).

1 Notwithstanding any other provision of law, any ap-
2 propriations or funds available to the Forest Service not
3 to exceed \$500,000 may be used to reimburse the Office
4 of the General Counsel (OGC), Department of Agri-
5 culture, for travel and related expenses incurred as a re-
6 sult of OGC assistance or participation requested by the
7 Forest Service at meetings, training sessions, management
8 reviews, land purchase negotiations and similar non-litiga-
9 tion related matters. Future budget justifications for both
10 the Forest Service and the Department of Agriculture
11 should clearly display the sums previously transferred and
12 the requested funding transfers.

13 No employee of the Department of Agriculture may
14 be detailed or assigned from an agency or office funded
15 by this Act to any other agency or office of the Depart-
16 ment for more than 30 days unless the individual's em-
17 ploying agency or office is fully reimbursed by the receiv-
18 ing agency or office for the salary and expenses of the
19 employee for the period of assignment.

20 The Forest Service shall fund overhead, national
21 commitments, indirect expenses, and any other category
22 for use of funds which are expended at any units, that
23 are not directly related to the accomplishment of specific
24 work on-the-ground (referred to as "indirect expendi-
25 tures"), from funds available to the Forest Service, unless

1 otherwise prohibited by law: *Provided*, That the Forest
2 Service shall implement and adhere to the definitions of
3 indirect expenditures established pursuant to Public Law
4 105–277 on a nationwide basis without flexibility for
5 modification by any organizational level except the Wash-
6 ington Office, and when changed by the Washington Of-
7 fice, such changes in definition shall be reported in budget
8 requests submitted by the Forest Service: *Provided fur-*
9 *ther*, That the Forest Service shall provide in all future
10 budget justifications, planned indirect expenditures in ac-
11 cordance with the definitions, summarized and displayed
12 to the Regional, Station, Area, and detached unit office
13 level. The justification shall display the estimated source
14 and amount of indirect expenditures, by expanded budget
15 line item, of funds in the agency’s annual budget justifica-
16 tion. The display shall include appropriated funds and the
17 Knutson-Vandenberg, Brush Disposal, Cooperative Work-
18 Other, and Salvage Sale funds. Changes between esti-
19 mated and actual indirect expenditures shall be reported
20 in subsequent budget justifications: *Provided further*, That
21 during fiscal year 2001 the Secretary shall limit total an-
22 nual indirect obligations from the Brush Disposal, Cooper-
23 ative Work-Other, Knutson-Vandenberg, Reforestation,
24 Salvage Sale, and Roads and Trails funds to 20 percent
25 of the total obligations from each fund.

1 Any appropriations or funds available to the Forest
2 Service may be used for necessary expenses in the event
3 of law enforcement emergencies as necessary to protect
4 natural resources and public or employee safety: *Provided*,
5 That such amounts shall not exceed \$500,000.

6 Section 551 of the Land Between the Lakes Protec-
7 tion Act of 1998 (16 U.S.C. 460lll–61) is amended by add-
8 ing at the end the following new subsection:

9 “(c) TRANSITION.—Until September 30, 2002, the
10 Secretary of Agriculture may expend amounts appro-
11 priated or otherwise made available to carry out this title
12 in a manner consistent with the authorities exercised by
13 the Tennessee Valley Authority, before the transfer of the
14 Recreation Area to the administrative jurisdiction of the
15 Secretary, regarding procurement of property, services,
16 supplies, and equipment.”.

17 DEPARTMENT OF ENERGY

18 CLEAN COAL TECHNOLOGY

19 (DEFERRAL)

20 Of the funds made available under this heading for
21 obligation in prior years, \$67,000,000 shall not be avail-
22 able until October 1, 2001: *Provided*, That funds made
23 available in previous appropriations Acts shall be available
24 for any ongoing project regardless of the separate request
25 for proposal under which the project was selected.

1 ENERGY RESOURCE, SUPPLY AND EFFICIENCY
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses in carrying out energy con-
4 servation activities and for fossil energy research and de-
5 velopment activities, under the authority of the Depart-
6 ment of Energy Organization Act (Public Law 95–91), in-
7 cluding the acquisition of interest, including defeasible and
8 equitable interests in any real property or any facility or
9 for plant or facility acquisition or expansion, and for con-
10 ducting inquiries, technological investigations and re-
11 search concerning the extraction, processing, use, and dis-
12 posal of mineral substances without objectionable social
13 and environmental costs (30 U.S.C. 3, 1602, and 1603),
14 performed under the minerals and materials science pro-
15 grams at the Albany Research Center in Oregon,
16 \$1,139,611,000, to remain available until expended, of
17 which \$2,000,000 shall be derived by transfer from unobli-
18 gated balances in the Biomass Energy Development ac-
19 count: *Provided*, That \$153,500,000 shall be for use in
20 energy conservation programs as defined in section
21 3008(3) of Public Law 99–509 (15 U.S.C. 4507): *Pro-*
22 *vided further*, That notwithstanding section 3003(d)(2) of
23 Public Law 99–509, such sums shall be allocated to the
24 eligible programs as follows: \$120,000,000 for weatheriza-
25 tion assistance grants and \$33,500,000 for State energy

1 conservation grants: *Provided further*, That no part of the
2 sum herein made available shall be used for the field test-
3 ing of nuclear explosives in the recovery of oil and gas.

4 ALTERNATIVE FUELS PRODUCTION

5 (RESCISSION)

6 Of the unobligated balances under this head,
7 \$1,000,000 are rescinded.

8 NAVAL PETROLEUM AND OIL SHALE RESERVES

9 The requirements of 10 U.S.C. 7430(b)(2)(B) shall
10 not apply to fiscal year 2001 and any fiscal year there-
11 after: *Provided*, That, notwithstanding any other provision
12 of law, unobligated funds remaining from prior years shall
13 be available for all naval petroleum and oil shale reserve
14 activities.

15 ELK HILLS SCHOOL LANDS FUND

16 For necessary expenses in fulfilling the third install-
17 ment payment under the Settlement Agreement entered
18 into by the United States and the State of California on
19 October 11, 1996, as authorized by section 3415 of Public
20 Law 104–106, \$36,000,000, to become available on Octo-
21 ber 1, 2001 for payment to the State of California for
22 the State Teachers' Retirement Fund from the Elk Hills
23 School Lands Fund.

1 ECONOMIC REGULATION

2 For necessary expenses in carrying out the activities
3 of the Office of Hearings and Appeals, \$1,992,000, to re-
4 main available until expended.

5 STRATEGIC PETROLEUM RESERVE

6 For necessary expenses for Strategic Petroleum Re-
7 serve facility development and operations and program
8 management activities pursuant to the Energy Policy and
9 Conservation Act of 1975, as amended (42 U.S.C. 6201
10 et seq.), \$157,000,000, to remain available until expended.

11 ENERGY INFORMATION ADMINISTRATION

12 For necessary expenses in carrying out the activities
13 of the Energy Information Administration, \$72,368,000,
14 to remain available until expended.

15 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

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

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

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

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

1 endar days to a day certain) from the receipt by the
2 Speaker of the House of Representatives and the Presi-
3 dent of the Senate of a full comprehensive report on such
4 project, including the facts and circumstances relied upon
5 in support of the proposed project.

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

10 In addition to other authorities set forth in this Act,
11 the Secretary may accept fees and contributions from pub-
12 lic and private sources, to be deposited in a contributed
13 funds account, and prosecute projects using such fees and
14 contributions in cooperation with other Federal, State or
15 private agencies or concerns.

16 DEPARTMENT OF HEALTH AND HUMAN
17 SERVICES

18 INDIAN HEALTH SERVICE

19 INDIAN HEALTH SERVICES

20 For expenses necessary to carry out the Act of Au-
21 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
22 tion Act, the Indian Health Care Improvement Act, and
23 titles II and III of the Public Health Service Act with re-
24 spect to the Indian Health Service, \$2,084,178,000, to-
25 gether with payments received during the fiscal year pur-

1 suant to 42 U.S.C. 238(b) for services furnished by the
2 Indian Health Service: *Provided*, That funds made avail-
3 able to tribes and tribal organizations through contracts,
4 grant agreements, or any other agreements or compacts
5 authorized by the Indian Self-Determination and Edu-
6 cation Assistance Act of 1975 (25 U.S.C. 450), shall be
7 deemed to be obligated at the time of the grant or contract
8 award and thereafter shall remain available to the tribe
9 or tribal organization without fiscal year limitation: *Pro-*
10 *vided further*, That \$12,000,000 shall remain available
11 until expended, for the Indian Catastrophic Health Emer-
12 gency Fund: *Provided further*, That \$394,756,000 for con-
13 tract medical care shall remain available for obligation
14 until September 30, 2002: *Provided further*, That of the
15 funds provided, up to \$17,000,000 shall be used to carry
16 out the loan repayment program under section 108 of the
17 Indian Health Care Improvement Act: *Provided further*,
18 That funds provided in this Act may be used for 1-year
19 contracts and grants which are to be performed in two
20 fiscal years, so long as the total obligation is recorded in
21 the year for which the funds are appropriated: *Provided*
22 *further*, That the amounts collected by the Secretary of
23 Health and Human Services under the authority of title
24 IV of the Indian Health Care Improvement Act shall re-
25 main available until expended for the purpose of achieving

1 compliance with the applicable conditions and require-
2 ments of titles XVIII and XIX of the Social Security Act
3 (exclusive of planning, design, or construction of new fa-
4 cilities): *Provided further*, That funding contained herein,
5 and in any earlier appropriations Acts for scholarship pro-
6 grams under the Indian Health Care Improvement Act
7 (25 U.S.C. 1613) shall remain available for obligation
8 until September 30, 2002: *Provided further*, That amounts
9 received by tribes and tribal organizations under title IV
10 of the Indian Health Care Improvement Act shall be re-
11 ported and accounted for and available to the receiving
12 tribes and tribal organizations until expended: *Provided*
13 *further*, That, notwithstanding any other provision of law,
14 of the amounts provided herein, not to exceed
15 \$228,781,000 shall be for payments to tribes and tribal
16 organizations for contract or grant support costs associ-
17 ated with contracts, grants, self-governance compacts or
18 annual funding agreements between the Indian Health
19 Service and a tribe or tribal organization pursuant to the
20 Indian Self-Determination Act of 1975, as amended, prior
21 to or during fiscal year 2001: *Provided further*, That funds
22 available for the Indian Health Care Improvement Fund
23 may be used, as needed, to carry out activities typically
24 funded under the Indian Health Facilities account.

1 INDIAN HEALTH FACILITIES

2 For construction, repair, maintenance, improvement,
3 and equipment of health and related auxiliary facilities,
4 including quarters for personnel; preparation of plans,
5 specifications, and drawings; acquisition of sites, purchase
6 and erection of modular buildings, and purchases of trail-
7 ers; and for provision of domestic and community sanita-
8 tion facilities for Indians, as authorized by section 7 of
9 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
10 Self-Determination Act, and the Indian Health Care Im-
11 provement Act, and for expenses necessary to carry out
12 such Acts and titles II and III of the Public Health Serv-
13 ice Act with respect to environmental health and facilities
14 support activities of the Indian Health Service,
15 \$336,423,000, to remain available until expended: *Pro-*
16 *vided*, That notwithstanding any other provision of law,
17 funds appropriated for the planning, design, construction
18 or renovation of health facilities for the benefit of an In-
19 dian tribe or tribes may be used to purchase land for sites
20 to construct, improve, or enlarge health or related facili-
21 ties: *Provided further*, That notwithstanding any provision
22 of law governing Federal construction, \$240,000 of the
23 funds provided herein shall be provided to the Hopi Tribe
24 to reduce the debt incurred by the Tribe in providing staff
25 quarters to meet the housing needs associated with the

1 new Hopi Health Center: *Provided further*, That not to
2 exceed \$500,000 shall be used by the Indian Health Serv-
3 ice to purchase TRANSAM equipment from the Depart-
4 ment of Defense for distribution to the Indian Health
5 Service and tribal facilities: *Provided further*, That not to
6 exceed \$500,000 shall be used by the Indian Health Serv-
7 ice to obtain ambulances for the Indian Health Service
8 and tribal facilities in conjunction with an existing inter-
9 agency agreement between the Indian Health Service and
10 the General Services Administration: *Provided further*,
11 That not to exceed \$500,000 shall be placed in a Demoli-
12 tion Fund, available until expended, to be used by the In-
13 dian Health Service for demolition of Federal buildings.

14 ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE

15 Appropriations in this Act to the Indian Health Serv-
16 ice shall be available for services as authorized by 5 U.S.C.
17 3109 but at rates not to exceed the per diem rate equiva-
18 lent to the maximum rate payable for senior-level positions
19 under 5 U.S.C. 5376; hire of passenger motor vehicles and
20 aircraft; purchase of medical equipment; purchase of re-
21 prints; purchase, renovation and erection of modular
22 buildings and renovation of existing facilities; payments
23 for telephone service in private residences in the field,
24 when authorized under regulations approved by the Sec-
25 retary; and for uniforms or allowances therefore as au-

1 thorized by 5 U.S.C. 5901–5902; and for expenses of at-
2 tendance at meetings which are concerned with the func-
3 tions or activities for which the appropriation is made or
4 which will contribute to improved conduct, supervision, or
5 management of those functions or activities: *Provided*,
6 That in accordance with the provisions of the Indian
7 Health Care Improvement Act, non-Indian patients may
8 be extended health care at all tribally administered or In-
9 dian Health Service facilities, subject to charges, and the
10 proceeds along with funds recovered under the Federal
11 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
12 be credited to the account of the facility providing the
13 service and shall be available without fiscal year limitation:
14 *Provided further*, That notwithstanding any other law or
15 regulation, funds transferred from the Department of
16 Housing and Urban Development to the Indian Health
17 Service shall be administered under Public Law 86–121
18 (the Indian Sanitation Facilities Act) and Public Law 93–
19 638, as amended: *Provided further*, That funds appro-
20 priated to the Indian Health Service in this Act, except
21 those used for administrative and program direction pur-
22 poses, shall not be subject to limitations directed at cur-
23 tailing Federal travel and transportation: *Provided further*,
24 That notwithstanding any other provision of law, funds
25 previously or herein made available to a tribe or tribal or-

1 ganization through a contract, grant, or agreement au-
2 thorized by title I or title III of the Indian Self-Determina-
3 tion and Education Assistance Act of 1975 (25 U.S.C.
4 450), may be deobligated and reobligated to a self-deter-
5 mination contract under title I, or a self-governance agree-
6 ment under title III of such Act and thereafter shall re-
7 main available to the tribe or tribal organization without
8 fiscal year limitation: *Provided further*, That none of the
9 funds made available to the Indian Health Service in this
10 Act shall be used to implement the final rule published
11 in the Federal Register on September 16, 1987, by the
12 Department of Health and Human Services, relating to
13 the eligibility for the health care services of the Indian
14 Health Service until the Indian Health Service has sub-
15 mitted a budget request reflecting the increased costs as-
16 sociated with the proposed final rule, and such request has
17 been included in an appropriations Act and enacted into
18 law: *Provided further*, That funds made available in this
19 Act are to be apportioned to the Indian Health Service
20 as appropriated in this Act, and accounted for in the ap-
21 propriation structure set forth in this Act: *Provided fur-*
22 *ther*, That with respect to functions transferred by the In-
23 dian Health Service to tribes or tribal organizations, the
24 Indian Health Service is authorized to provide goods and
25 services to those entities, on a reimbursable basis, includ-

1 ing payment in advance with subsequent adjustment, and
2 the reimbursements received therefrom, along with the
3 funds received from those entities pursuant to the Indian
4 Self-Determination Act, may be credited to the same or
5 subsequent appropriation account which provided the
6 funding, said amounts to remain available until expended:
7 *Provided further*, That reimbursements for training, tech-
8 nical assistance, or services provided by the Indian Health
9 Service will contain total costs, including direct, adminis-
10 trative, and overhead associated with the provision of
11 goods, services, or technical assistance: *Provided further*,
12 That the appropriation structure for the Indian Health
13 Service may not be altered without advance approval of
14 the House and Senate Committees on Appropriations.

15 OTHER RELATED AGENCIES

16 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of Navajo and
19 Hopi Indian Relocation as authorized by Public Law 93-
20 531, \$8,000,000, to remain available until expended: *Pro-*
21 *vided*, That funds provided in this or any other appropria-
22 tions Act are to be used to relocate eligible individuals and
23 groups including evictees from District 6, Hopi-partitioned
24 lands residents, those in significantly substandard hous-
25 ing, and all others certified as eligible and not included

1 in the preceding categories: *Provided further*, That none
2 of the funds contained in this or any other Act may be
3 used by the Office of Navajo and Hopi Indian Relocation
4 to evict any single Navajo or Navajo family who, as of
5 November 30, 1985, was physically domiciled on the lands
6 partitioned to the Hopi Tribe unless a new or replacement
7 home is provided for such household: *Provided further*,
8 That no relocatee will be provided with more than one new
9 or replacement home: *Provided further*, That the Office
10 shall relocate any certified eligible relocatees who have se-
11 lected and received an approved homesite on the Navajo
12 reservation or selected a replacement residence off the
13 Navajo reservation or on the land acquired pursuant to
14 25 U.S.C. 640d-10.

15 SMITHSONIAN INSTITUTION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Smithsonian Institu-
18 tion, as authorized by law, including research in the fields
19 of art, science, and history; development, preservation, and
20 documentation of the National Collections; presentation of
21 public exhibits and performances; collection, preparation,
22 dissemination, and exchange of information and publica-
23 tions; conduct of education, training, and museum assist-
24 ance programs; maintenance, alteration, operation, lease
25 (for terms not to exceed 30 years), and protection of build-

1 ings, facilities, and approaches; not to exceed \$100,000
2 for services as authorized by 5 U.S.C. 3109; up to five
3 replacement passenger vehicles; purchase, rental, repair,
4 and cleaning of uniforms for employees, \$375,230,000, of
5 which not to exceed \$47,126,000 for the instrumentation
6 program, collections acquisition, Museum Support Center
7 equipment and move, exhibition reinstallation, the Na-
8 tional Museum of the American Indian, the repatriation
9 of skeletal remains program, research equipment, informa-
10 tion management, and Latino programming shall remain
11 available until expended, including such funds as may be
12 necessary to support American overseas research centers
13 and of which \$125,000 is for the Council of American
14 Overseas Research Centers: *Provided*, That funds appro-
15 priated herein are available for advance payments to inde-
16 pendent contractors performing research services or par-
17 ticipating in official Smithsonian presentations: *Provided*
18 *further*, That the Smithsonian Institution may expend
19 Federal appropriations designated in this Act for lease or
20 rent payments for long term and swing space, as rent pay-
21 able to the Smithsonian Institution, and such rent pay-
22 ments may be deposited into the general trust funds of
23 the Institution to the extent that federally supported ac-
24 tivities are housed in the 900 H Street, N.W. building in
25 the District of Columbia: *Provided further*, That this use

1 of Federal appropriations shall not be construed as debt
2 service, a Federal guarantee of, a transfer of risk to, or
3 an obligation of, the Federal Government: *Provided fur-*
4 *ther*, That no appropriated funds may be used to service
5 debt which is incurred to finance the costs of acquiring
6 the 900 H Street building or of planning, designing, and
7 constructing improvements to such building.

8 REPAIR, RESTORATION AND ALTERATION OF FACILITIES

9 For necessary expenses of repair, restoration, and al-
10 teration of facilities owned or occupied by the Smithsonian
11 Institution, by contract or otherwise, as authorized by sec-
12 tion 2 of the Act of August 22, 1949 (63 Stat. 623), in-
13 cluding not to exceed \$10,000 for services as authorized
14 by 5 U.S.C. 3109, \$47,900,000, to remain available until
15 expended: *Provided*, That contracts awarded for environ-
16 mental systems, protection systems, and repair or restora-
17 tion of facilities of the Smithsonian Institution may be ne-
18 gotiated with selected contractors and awarded on the
19 basis of contractor qualifications as well as price: *Provided*
20 *further*, That funds previously appropriated to the “Con-
21 struction and Improvements, National Zoological Park”
22 account, the “Repair and Restoration of Buildings” ac-
23 count, and the “Repair, Rehabilitation and Alteration of
24 Facilities” account may be transferred to and merged with
25 this account.

1 membership in library, museum, and art associations or
2 societies whose publications or services are available to
3 members only, or to members at a price lower than to the
4 general public; purchase, repair, and cleaning of uniforms
5 for guards, and uniforms, or allowances therefor, for other
6 employees as authorized by law (5 U.S.C. 5901–5902);
7 purchase or rental of devices and services for protecting
8 buildings and contents thereof, and maintenance, alter-
9 ation, improvement, and repair of buildings, approaches,
10 and grounds; and purchase of services for restoration and
11 repair of works of art for the National Gallery of Art by
12 contracts made, without advertising, with individuals,
13 firms, or organizations at such rates or prices and under
14 such terms and conditions as the Gallery may deem prop-
15 er, \$61,279,000, of which not to exceed \$3,026,000 for
16 the special exhibition program shall remain available until
17 expended.

18 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

19 For necessary expenses of repair, restoration and
20 renovation of buildings, grounds and facilities owned or
21 occupied by the National Gallery of Art, by contract or
22 otherwise, as authorized, \$8,903,000, to remain available
23 until expended: *Provided*, That contracts awarded for envi-
24 ronmental systems, protection systems, and exterior repair
25 or renovation of buildings of the National Gallery of Art

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

3 JOHN F. KENNEDY CENTER FOR THE PERFORMING
4 ARTS
5 OPERATIONS AND MAINTENANCE

6 For necessary expenses for the operation, mainte-
7 nance and security of the John F. Kennedy Center for
8 the Performing Arts, \$13,947,000.

9 CONSTRUCTION

10 For necessary expenses for capital repair and restora-
11 tion of the existing features of the building and site of
12 the John F. Kennedy Center for the Performing Arts,
13 \$19,924,000, to remain available until expended.

14 WOODROW WILSON INTERNATIONAL CENTER FOR
15 SCHOLARS
16 SALARIES AND EXPENSES

17 For expenses necessary in carrying out the provisions
18 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
19 1356) including hire of passenger vehicles and services as
20 authorized by 5 U.S.C. 3109, \$6,763,000.

1 NATIONAL FOUNDATION ON THE ARTS AND THE
2 HUMANITIES

3 NATIONAL ENDOWMENT FOR THE ARTS
4 GRANTS AND ADMINISTRATION

5 For necessary expenses to carry out the National
6 Foundation on the Arts and the Humanities Act of 1965,
7 as amended, \$98,000,000, shall be available to the Na-
8 tional Endowment for the Arts for the support of projects
9 and productions in the arts through assistance to organi-
10 zations and individuals pursuant to sections 5(c) and 5(g)
11 of the Act, for program support, and for administering
12 the functions of the Act, to remain available until ex-
13 pended: *Provided*, That funds previously appropriated to
14 the National Endowment for the Arts “Matching Grants”
15 account may be transferred to and merged with this ac-
16 count.

17 NATIONAL ENDOWMENT FOR THE HUMANITIES
18 GRANTS AND ADMINISTRATION

19 For necessary expenses to carry out the National
20 Foundation on the Arts and the Humanities Act of 1965,
21 as amended, \$100,604,000, shall be available to the Na-
22 tional Endowment for the Humanities for support of ac-
23 tivities in the humanities, pursuant to section 7(c) of the
24 Act, and for administering the functions of the Act, to
25 remain available until expended.

1 MATCHING GRANTS

2 To carry out the provisions of section 10(a)(2) of the
3 National Foundation on the Arts and the Humanities Act
4 of 1965, as amended, \$14,656,000, to remain available
5 until expended, of which \$10,259,000 shall be available
6 to the National Endowment for the Humanities for the
7 purposes of section 7(h): *Provided*, That this appropria-
8 tion shall be available for obligation only in such amounts
9 as may be equal to the total amounts of gifts, bequests,
10 and devises of money, and other property accepted by the
11 chairman or by grantees of the Endowment under the pro-
12 visions of subsections 11(a)(2)(B) and 11(a)(3)(B) during
13 the current and preceding fiscal years for which equal
14 amounts have not previously been appropriated.

15 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

16 OFFICE OF MUSEUM SERVICES

17 GRANTS AND ADMINISTRATION

18 For carrying out subtitle C of the Museum and Li-
19 brary Services Act of 1996, as amended, \$24,307,000, to
20 remain available until expended.

21 ADMINISTRATIVE PROVISIONS

22 None of the funds appropriated to the National
23 Foundation on the Arts and the Humanities may be used
24 to process any grant or contract documents which do not
25 include the text of 18 U.S.C. 1913: *Provided*, That none

1 of the funds appropriated to the National Foundation on
2 the Arts and the Humanities may be used for official re-
3 ception and representation expenses: *Provided further*,
4 That funds from nonappropriated sources may be used as
5 necessary for official reception and representation ex-
6 penses.

7 COMMISSION OF FINE ARTS

8 SALARIES AND EXPENSES

9 For expenses made necessary by the Act establishing
10 a Commission of Fine Arts (40 U.S.C. 104), \$1,021,000:
11 *Provided*, That the Commission is authorized to charge
12 fees to cover the full costs of its publications, and such
13 fees shall be credited to this account as an offsetting col-
14 lection, to remain available until expended without further
15 appropriation.

16 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

17 For necessary expenses as authorized by Public Law
18 99–190 (20 U.S.C. 956(a)), as amended, \$6,973,000.

19 ADVISORY COUNCIL ON HISTORIC PRESERVATION

20 SALARIES AND EXPENSES

21 For necessary expenses of the Advisory Council on
22 Historic Preservation (Public Law 89–665, as amended),
23 \$2,989,000: *Provided*, That none of these funds shall be
24 available for compensation of level V of the Executive
25 Schedule or higher positions.

1 NATIONAL CAPITAL PLANNING COMMISSION
2 SALARIES AND EXPENSES

3 For necessary expenses, as authorized by the Na-
4 tional Capital Planning Act of 1952 (40 U.S.C. 71–71i),
5 including services as authorized by 5 U.S.C. 3109,
6 \$6,288,000: *Provided*, That all appointed members of the
7 Commission will be compensated at a rate not to exceed
8 the daily equivalent of the annual rate for positions at level
9 IV of the Executive Schedule, for each day such member
10 is engaged in the actual performance of duties.

11 UNITED STATES HOLOCAUST MEMORIAL COUNCIL
12 HOLOCAUST MEMORIAL COUNCIL

13 For expenses of the Holocaust Memorial Council, as
14 authorized by Public Law 96–388 (36 U.S.C. 1401), as
15 amended, \$33,161,000, of which \$1,575,000 for the muse-
16 um’s repair and rehabilitation program and \$1,264,000
17 for the museum’s exhibitions program shall remain avail-
18 able until expended.

19 PRESIDIO TRUST
20 PRESIDIO TRUST FUND

21 For necessary expenses to carry out title I of the Om-
22 nibus Parks and Public Lands Management Act of 1996,
23 \$23,400,000 shall be available to the Presidio Trust, to
24 remain available until expended, of which up to
25 \$1,040,000 may be for the cost of guaranteed loans, as

1 authorized by section 104(d) of the Act: *Provided*, That
2 such costs, including the cost of modifying such loans,
3 shall be as defined in section 502 of the Congressional
4 Budget Act of 1974: *Provided further*, That these funds
5 are available to subsidize total loan principal, any part of
6 which is to be guaranteed, not to exceed \$200,000,000.
7 The Trust is authorized to issue obligations to the Sec-
8 retary of the Treasury pursuant to section 104(d)(3) of
9 the Act, in an amount not to exceed \$10,000,000.

10 TITLE III—GENERAL PROVISIONS

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

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

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

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

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

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

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

1 (b) SENSE OF THE CONGRESS; REQUIREMENT RE-
2 GARDING NOTICE.—

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

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

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

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

4 (d) EFFECTIVE DATE.—The provisions of this sec-
5 tion are applicable in fiscal year 2000 and thereafter.

6 SEC. 308. None of the funds in this Act may be used
7 to plan, prepare, or offer for sale timber from trees classi-
8 fied as giant sequoia (*Sequoiadendron giganteum*) which
9 are located on National Forest System or Bureau of Land
10 Management lands in a manner different than such sales
11 were conducted in fiscal year 2000.

12 SEC. 309. None of the funds made available by this
13 Act may be obligated or expended by the National Park
14 Service to enter into or implement a concession contract
15 which permits or requires the removal of the underground
16 lunchroom at the Carlsbad Caverns National Park.

17 SEC. 310. None of the funds appropriated or other-
18 wise made available by this Act may be used for the
19 AmeriCorps program, unless the relevant agencies of the
20 Department of the Interior and/or Agriculture follow ap-
21 propriate reprogramming guidelines: *Provided*, That if no
22 funds are provided for the AmeriCorps program by the
23 Departments of Veterans Affairs and Housing and Urban
24 Development, and Independent Agencies Appropriations
25 Act, 2001, then none of the funds appropriated or other-

1 wise made available by this Act may be used for the
2 AmeriCorps programs.

3 SEC. 311. None of the funds made available in this
4 Act may be used: (1) to demolish the bridge between Jer-
5 sey City, New Jersey, and Ellis Island; or (2) to prevent
6 pedestrian use of such bridge, when it is made known to
7 the Federal official having authority to obligate or expend
8 such funds that such pedestrian use is consistent with gen-
9 erally accepted safety standards.

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

15 (b) EXCEPTIONS.—The provisions of subsection (a)
16 shall not apply if the Secretary of the Interior determines
17 that, for the claim concerned: (1) a patent application was
18 filed with the Secretary on or before September 30, 1994;
19 and (2) all requirements established under sections 2325
20 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30)
21 for vein or lode claims and sections 2329, 2330, 2331,
22 and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and
23 37) for placer claims, and section 2337 of the Revised
24 Statutes (30 U.S.C. 42) for mill site claims, as the case

1 may be, were fully complied with by the applicant by that
2 date.

3 (c) REPORT.—On September 30, 2001, the Secretary
4 of the Interior shall file with the House and Senate Com-
5 mittees on Appropriations and the Committee on Re-
6 sources of the House of Representatives and the Com-
7 mittee on Energy and Natural Resources of the Senate
8 a report on actions taken by the Department under the
9 plan submitted pursuant to section 314(c) of the Depart-
10 ment of the Interior and Related Agencies Appropriations
11 Act, 1997 (Public Law 104–208).

12 (d) MINERAL EXAMINATIONS.—In order to process
13 patent applications in a timely and responsible manner,
14 upon the request of a patent applicant, the Secretary of
15 the Interior shall allow the applicant to fund a qualified
16 third-party contractor to be selected by the Bureau of
17 Land Management to conduct a mineral examination of
18 the mining claims or mill sites contained in a patent appli-
19 cation as set forth in subsection (b). The Bureau of Land
20 Management shall have the sole responsibility to choose
21 and pay the third-party contractor in accordance with the
22 standard procedures employed by the Bureau of Land
23 Management in the retention of third-party contractors.

24 SEC. 313. Notwithstanding any other provision of
25 law, amounts appropriated to or earmarked in committee

1 reports for the Bureau of Indian Affairs and the Indian
2 Health Service by Public Laws 103–138, 103–332, 104–
3 134, 104–208, 105–83, 105–277, and 106–113 for pay-
4 ments to tribes and tribal organizations for contract sup-
5 port costs associated with self-determination or self-gov-
6 ernance contracts, grants, compacts, or annual funding
7 agreements with the Bureau of Indian Affairs or the In-
8 dian Health Service as funded by such Acts, are the total
9 amounts available for fiscal years 1994 through 2000 for
10 such purposes, except that, for the Bureau of Indian Af-
11 fairs, tribes and tribal organizations may use their tribal
12 priority allocations for unmet indirect costs of ongoing
13 contracts, grants, self-governance compacts or annual
14 funding agreements.

15 SEC. 314. Notwithstanding any other provision of
16 law, for fiscal year 2001 the Secretaries of Agriculture and
17 the Interior are authorized to limit competition for water-
18 shed restoration project contracts as part of the “Jobs in
19 the Woods” component of the President’s Forest Plan for
20 the Pacific Northwest, or the Jobs in the Woods Program
21 established in Region 10 of the Forest Service to individ-
22 uals and entities in historically timber-dependent areas in
23 the States of Washington, Oregon, northern California
24 and Alaska that have been affected by reduced timber har-
25 vesting on Federal lands.

1 SEC. 315. None of the funds collected under the Rec-
2 reational Fee Demonstration program may be used to
3 plan, design, or construct a visitor center or any other per-
4 manent structure without prior approval of the House and
5 the Senate Committees on Appropriations if the estimated
6 total cost of the facility exceeds \$500,000.

7 SEC. 316. All interests created under leases, conces-
8 sions, permits and other agreements associated with the
9 properties administered by the Presidio Trust, hereafter
10 shall be exempt from all taxes and special assessments of
11 every kind by the State of California and its political sub-
12 divisions.

13 SEC. 317. None of the funds made available in this
14 or any other Act for any fiscal year may be used to des-
15 ignate, or to post any sign designating, any portion of Ca-
16 navaeral National Seashore in Brevard County, Florida, as
17 a clothing-optional area or as an area in which public nu-
18 dity is permitted, if such designation would be contrary
19 to county ordinance.

20 SEC. 318. Of the funds provided to the National En-
21 dowment for the Arts—

22 (1) The Chairperson shall only award a grant
23 to an individual if such grant is awarded to such in-
24 dividual for a literature fellowship, National Herit-

1 age Fellowship, or American Jazz Masters Fellow-
2 ship.

3 (2) The Chairperson shall establish procedures
4 to ensure that no funding provided through a grant,
5 except a grant made to a State or local arts agency,
6 or regional group, may be used to make a grant to
7 any other organization or individual to conduct ac-
8 tivity independent of the direct grant recipient.
9 Nothing in this subsection shall prohibit payments
10 made in exchange for goods and services.

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

15 SEC. 319. The National Endowment for the Arts and
16 the National Endowment for the Humanities are author-
17 ized to solicit, accept, receive, and invest in the name of
18 the United States, gifts, bequests, or devises of money and
19 other property or services and to use such in furtherance
20 of the functions of the National Endowment for the Arts
21 and the National Endowment for the Humanities. Any
22 proceeds from such gifts, bequests, or devises, after ac-
23 ceptance by the National Endowment for the Arts or the
24 National Endowment for the Humanities, shall be paid by
25 the donor or the representative of the donor to the Chair-

1 man. The Chairman shall enter the proceeds in a special
2 interest-bearing account to the credit of the appropriate
3 endowment for the purposes specified in each case.

4 SEC. 320. (a) In providing services or awarding fi-
5 nancial assistance under the National Foundation on the
6 Arts and the Humanities Act of 1965 from funds appro-
7 priated under this Act, the Chairperson of the National
8 Endowment for the Arts shall ensure that priority is given
9 to providing services or awarding financial assistance for
10 projects, productions, workshops, or programs that serve
11 underserved populations.

12 (b) In this section:

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

19 (2) The term “poverty line” means the poverty
20 line (as defined by the Office of Management and
21 Budget, and revised annually in accordance with sec-
22 tion 673(2) of the Community Services Block Grant
23 Act (42 U.S.C. 9902(2))) applicable to a family of
24 the size involved.

1 (c) In providing services and awarding financial as-
2 sistance under the National Foundation on the Arts and
3 Humanities Act of 1965 with funds appropriated by this
4 Act, the Chairperson of the National Endowment for the
5 Arts shall ensure that priority is given to providing serv-
6 ices or awarding financial assistance for projects, produc-
7 tions, workshops, or programs that will encourage public
8 knowledge, education, understanding, and appreciation of
9 the arts.

10 (d) With funds appropriated by this Act to carry out
11 section 5 of the National Foundation on the Arts and Hu-
12 manities Act of 1965—

13 (1) the Chairperson shall establish a grant cat-
14 egory for projects, productions, workshops, or pro-
15 grams that are of national impact or availability or
16 are able to tour several States;

17 (2) the Chairperson shall not make grants ex-
18 ceeding 15 percent, in the aggregate, of such funds
19 to any single State, excluding grants made under the
20 authority of paragraph (1);

21 (3) the Chairperson shall report to the Con-
22 gress annually and by State, on grants awarded by
23 the Chairperson in each grant category under sec-
24 tion 5 of such Act; and

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

4 SEC. 321. No part of any appropriation contained in
5 this Act shall be expended or obligated to fund new revi-
6 sions of national forest land management plans until new
7 final or interim final rules for forest land management
8 planning are published in the Federal Register. Those na-
9 tional forests which are currently in a revision process,
10 having formally published a Notice of Intent to revise
11 prior to October 1, 1997; those national forests having
12 been court-ordered to revise; those national forests where
13 plans reach the 15 year legally mandated date to revise
14 before or during calendar year 2001; national forests with-
15 in the Interior Columbia Basin Ecosystem study area; and
16 the White Mountain National Forest are exempt from this
17 section and may use funds in this Act and proceed to com-
18 plete the forest plan revision in accordance with current
19 forest planning regulations.

20 SEC. 322. No part of any appropriation contained in
21 this Act shall be expended or obligated to complete and
22 issue the 5-year program under the Forest and Rangeland
23 Renewable Resources Planning Act.

24 SEC. 323. None of the funds in this Act may be used
25 to support Government-wide administrative functions un-

1 less such functions are justified in the budget process and
2 funding is approved by the House and Senate Committees
3 on Appropriations.

4 SEC. 324. Notwithstanding any other provision of
5 law, none of the funds in this Act may be used for GSA
6 Telecommunication Centers or the President’s Council on
7 Sustainable Development.

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

13 SEC. 326. Amounts deposited during fiscal year 2000
14 in the roads and trails fund provided for in the fourteenth
15 paragraph under the heading “FOREST SERVICE” of
16 the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501),
17 shall be used by the Secretary of Agriculture, without re-
18 gard to the State in which the amounts were derived, to
19 repair or reconstruct roads, bridges, and trails on National
20 Forest System lands or to carry out and administer
21 projects to improve forest health conditions, which may
22 include the repair or reconstruction of roads, bridges, and
23 trails on National Forest System lands in the wildland-
24 community interface where there is an abnormally high
25 risk of fire. The projects shall emphasize reducing risks

1 to human safety and public health and property and en-
2 hancing ecological functions, long-term forest productivity,
3 and biological integrity. The Secretary shall commence the
4 projects during fiscal year 2001, but the projects may be
5 completed in a subsequent fiscal year. Funds shall not be
6 expended under this section to replace funds which would
7 otherwise appropriately be expended from the timber sal-
8 vage sale fund. Nothing in this section shall be construed
9 to exempt any project from any environmental law.

10 SEC. 327. None of the funds provided in this or pre-
11 vious appropriations Acts for the agencies funded by this
12 Act or provided from any accounts in the Treasury of the
13 United States derived by the collection of fees available
14 to the agencies funded by this Act, shall be transferred
15 to or used to fund personnel, training, or other adminis-
16 trative activities at the Council on Environmental Quality
17 or other offices in the Executive Office of the President
18 for purposes related to the American Heritage Rivers pro-
19 gram.

20 SEC. 328. Other than in emergency situations, none
21 of the funds in this Act may be used to operate telephone
22 answering machines during core business hours unless
23 such answering machines include an option that enables
24 callers to reach promptly an individual on-duty with the
25 agency being contacted.

1 SEC. 329. No timber sale in Region 10 shall be adver-
2 tised if the indicated rate is deficit when appraised under
3 the transaction evidence appraisal system using domestic
4 Alaska values for western red cedar: *Provided*, That sales
5 which are deficit when appraised under the transaction
6 evidence appraisal system using domestic Alaska values
7 for western red cedar may be advertised upon receipt of
8 a written request by a prospective, informed bidder, who
9 has the opportunity to review the Forest Service's cruise
10 and harvest cost estimate for that timber. Program accom-
11 plishments shall be based on volume sold. Should Region
12 10 sell, in fiscal year 2001, the annual average portion
13 of the decadal allowable sale quantity called for in the cur-
14 rent Tongass Land Management Plan in sales which are
15 not deficit when appraised under the transaction evidence
16 appraisal system using domestic Alaska values for western
17 red cedar, all of the western red cedar timber from those
18 sales which is surplus to the needs of domestic processors
19 in Alaska, shall be made available to domestic processors
20 in the contiguous 48 United States at prevailing domestic
21 prices. Should Region 10 sell, in fiscal year 2001, less
22 than the annual average portion of the decadal allowable
23 sale quantity called for in the current Tongass Land Man-
24 agement Plan in sales which are not deficit when ap-
25 praised under the transaction evidence appraisal system

1 using domestic Alaska values for western red cedar, the
2 volume of western red cedar timber available to domestic
3 processors at prevailing domestic prices in the contiguous
4 48 United States shall be that volume: (i) which is surplus
5 to the needs of domestic processors in Alaska; and (ii) is
6 that percent of the surplus western red cedar volume de-
7 termined by calculating the ratio of the total timber vol-
8 ume which has been sold on the Tongass to the annual
9 average portion of the decadal allowable sale quantity
10 called for in the current Tongass Land Management Plan.
11 The percentage shall be calculated by Region 10 on a roll-
12 ing basis as each sale is sold (for purposes of this amend-
13 ment, a “rolling basis” shall mean that the determination
14 of how much western red cedar is eligible for sale to var-
15 ious markets shall be made at the time each sale is award-
16 ed). Western red cedar shall be deemed “surplus to the
17 needs of domestic processors in Alaska” when the timber
18 sale holder has presented to the Forest Service docu-
19 mentation of the inability to sell western red cedar logs
20 from a given sale to domestic Alaska processors at price
21 equal to or greater than the log selling value stated in
22 the contract. All additional western red cedar volume not
23 sold to Alaska or contiguous 48 United States domestic
24 processors may be exported to foreign markets at the elec-
25 tion of the timber sale holder. All Alaska yellow cedar may

1 be sold at prevailing export prices at the election of the
2 timber sale holder.

3 SEC. 330. None of the funds appropriated by this Act
4 shall be used to propose or issue rules, regulations, de-
5 crees, or orders for the purpose of implementation, or in
6 preparation for implementation, of the Kyoto Protocol
7 which was adopted on December 11, 1997, in Kyoto,
8 Japan at the Third Conference of the Parties to the
9 United Nations Framework Convention on Climate
10 Change, which has not been submitted to the Senate for
11 advice and consent to ratification pursuant to article II,
12 section 2, clause 2, of the United States Constitution, and
13 which has not entered into force pursuant to article 25
14 of the Protocol.

15 SEC. 331. Notwithstanding any other provision of
16 law, none of the funds in this Act may be used to enter
17 into any new or expanded self-determination contract or
18 grant or self-governance compact pursuant to the Indian
19 Self-Determination Act of 1975, as amended, for any ac-
20 tivities not previously covered by such contracts, compacts
21 or grants. Nothing in this section precludes the continu-
22 ation of those specific activities for which self-determina-
23 tion and self-governance contracts, compacts and grants
24 currently exist or the renewal of contracts, compacts and

1 grants for those activities or compliance with 25 U.S.C.
2 2005.

3 SEC. 332. In fiscal years 2001 through 2005, the
4 Secretaries of the Interior and Agriculture may pilot test
5 joint permitting and leasing programs, subject to annual
6 review of Congress, and promulgate special rules as need-
7 ed to test the feasibility of issuing unified permits, applica-
8 tions, and leases. The Secretaries of the Interior and Agri-
9 culture may make reciprocal delegations of their respective
10 authorities, duties and responsibilities in support of the
11 “Service First” initiative to promote customer service and
12 efficiency. Nothing herein shall alter, expand or limit the
13 applicability of any public law or regulation to lands ad-
14 ministered by the Bureau of Land Management or the
15 Forest Service.

16 SEC. 333. FEDERAL AND STATE COOPERATIVE WA-
17 TERSHED RESTORATION AND PROTECTION IN COLORADO.

18 (a) USE OF COLORADO STATE FOREST SERVICE.—Until
19 September 30, 2004, the Secretary of Agriculture, via co-
20 operative agreement or contract (including sole source
21 contract) as appropriate, may permit the Colorado State
22 Forest Service to perform watershed restoration and pro-
23 tection services on National Forest System lands in the
24 State of Colorado when similar and complementary water-
25 shed restoration and protection services are being per-

1 formed by the State Forest Service on adjacent State or
2 private lands. The types of services that may be extended
3 to National Forest System lands include treatment of in-
4 sect infected trees, reduction of hazardous fuels, and other
5 activities to restore or improve watersheds or fish and
6 wildlife habitat across ownership boundaries.

7 (b) STATE AS AGENT.—Except as provided in sub-
8 section (c), a cooperative agreement or contract under
9 subsection (a) may authorize the State Forester of Colo-
10 rado to serve as the agent for the Forest Service in pro-
11 viding all services necessary to facilitate the performance
12 of watershed restoration and protection services under
13 subsection (a). The services to be performed by the Colo-
14 rado State Forest Service may be conducted with sub-
15 contracts utilizing State contract procedures. Subsections
16 (d) and (g) of section 14 of the National Forest Manage-
17 ment Act of 1976 (16 U.S.C. 472a) shall not apply to
18 services performed under a cooperative agreement or con-
19 tract under subsection (a).

20 (c) RETENTION OF NEPA RESPONSIBILITIES.—With
21 respect to any watershed restoration and protection serv-
22 ices on National Forest System lands proposed for per-
23 formance by the Colorado State Forest Service under sub-
24 section (a), any decision required to be made under the
25 National Environmental Policy Act of 1969 (42 U.S.C.

1 4321 et seq.) may not be delegated to the State Forester
2 of Colorado or any other officer or employee of the Colo-
3 rado State Forest Service.

4 SEC. 334. None of the funds made available under
5 this Act may be used to issue a record of decision or any
6 policy implementing the Interior Columbia Basin Eco-
7 system Management Project not prepared pursuant to law
8 as set forth in chapter 6 of title 5, United States Code.

9 SEC. 335. None of the funds provided in this Act,
10 for the agencies funded by this Act, shall be expended for
11 the purposes of design, planning or management of Fed-
12 eral Lands as National Monuments that are designated
13 as National Monuments under the 1906 Antiquities Act,
14 since 1999.

15 TITLE IV—FISCAL YEAR 2000 EMERGENCY

16 SUPPLEMENTAL APPROPRIATIONS

17 DEPARTMENT OF THE INTERIOR

18 BUREAU OF LAND MANAGEMENT

19 WILDLAND FIRE MANAGEMENT

20 For an additional amount in fiscal year 2000 for
21 “Wildland Fire Management”, \$200,000,000, to remain
22 available until expended, for emergency rehabilitation and
23 wildfire suppression activities: *Provided*, That the entire
24 amount is designated by Congress as an emergency re-
25 quirement pursuant to section 251(b)(2)(A) of the Bal-

1 anced Budget and Emergency Deficit Control Act of 1985,
2 as amended: *Provided further*, That this amount shall be
3 available only to the extent that an official budget request
4 for a specific dollar amount, that includes designation of
5 the entire amount as an emergency requirement as defined
6 by such Act, is transmitted by the President to the Con-
7 gress.

8 DEPARTMENT OF AGRICULTURE

9 FOREST SERVICE

10 WILDLAND FIRE MANAGEMENT

11 For an additional amount in fiscal year 2000 for
12 “Wildland Fire Management”, \$150,000,000, to remain
13 available until expended, for emergency rehabilitation,
14 presuppression, and wildfire suppression: *Provided*, That
15 the entire amount is designated by Congress as an emer-
16 gency requirement pursuant to section 251(b)(2)(A) of the
17 Balanced Budget and Emergency Deficit Control Act of
18 1985, as amended: *Provided further*, That this amount
19 shall be available only to the extent that an official budget
20 request for a specific dollar amount, that includes designa-
21 tion of the entire amount as an emergency requirement
22 as defined by such Act, is transmitted by the President
23 to the Congress.

24 This Act may be cited as the “Department of the In-
25 terior and Related Agencies Appropriations Act, 2001”.

Union Calendar No. 356

106TH CONGRESS
2D SESSION

H. R. 4578

[Report No. 106-646]

A BILL

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes.

JUNE 1, 2000

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed