

107TH CONGRESS
1ST SESSION

H. R. 2217

IN THE HOUSE OF REPRESENTATIVES

JULY 12, 2001

Ordered to be printed with the amendments of the Senate numbered

AN ACT

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2002, 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 ~~(1) 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, 2002, and for other pur-~~
7 ~~poses, namely:~~

8 ~~TITLE I—DEPARTMENT OF THE INTERIOR~~

9 ~~BUREAU OF LAND MANAGEMENT~~

10 ~~MANAGEMENT OF LANDS AND RESOURCES~~

11 ~~For expenses necessary for protection, use, improve-~~
12 ~~ment, development, disposal, cadastral surveying, classi-~~

1 fication, acquisition of easements and other interests in
2 lands, and performance of other functions, including main-
3 tenance of facilities, as authorized by law, in the manage-
4 ment of lands and their resources under the jurisdiction
5 of the Bureau of Land Management, including the general
6 administration of the Bureau, and assessment of mineral
7 potential of public lands pursuant to Public Law 96-487
8 (16 U.S.C. 3150(a)), \$768,711,000, to remain available
9 until expended, of which \$1,000,000 is for high priority
10 projects which shall be carried out by the Youth Conserva-
11 tion Corps, defined in section 250(e)(4)(E)(xii) of the Bal-
12 anced Budget and Emergency Deficit Control Act of 1985,
13 as amended, for the purposes of such Act, of which
14 \$2,225,000 shall be available for assessment of the min-
15 eral potential of public lands in Alaska pursuant to section
16 1010 of Public Law 96-487 (16 U.S.C. 3150), and of
17 which not to exceed \$1,000,000 shall be derived from the
18 special receipt account established by the Land and Water
19 Conservation Act of 1965, as amended (16 U.S.C. 4601-
20 6a(i)); and of which \$3,000,000 shall be available in fiscal
21 year 2002 subject to a match by at least an equal amount
22 by the National Fish and Wildlife Foundation, to such
23 Foundation for cost-shared projects supporting conserva-
24 tion of Bureau lands and such funds shall be advanced
25 to the Foundation as a lump sum grant without regard

1 to when expenses are incurred; in addition, \$22,298,000
2 for Mining Law Administration program operations, in-
3 cluding the cost of administering the mining claim fee pro-
4 gram; to remain available until expended; to be reduced
5 by amounts collected by the Bureau and credited to this
6 appropriation from annual mining claim fees so as to re-
7 sult in a final appropriation estimated at not more than
8 \$768,711,000; and \$2,000,000; to remain available until
9 expended; from communication site rental fees established
10 by the Bureau for the cost of administering communica-
11 tion site activities: *Provided*, That appropriations herein
12 made shall not be available for the destruction of healthy,
13 unadopted, wild horses and burros in the care of the Bu-
14 reau or its contractors: *Provided further*, That of the
15 amount provided, \$28,000,000 is for “Federal Infrastruc-
16 ture Improvement”, defined in section 250(c)(4)(E)(xiv)
17 of the Balanced Budget and Emergency Deficit Control
18 Act of 1985, as amended, for the purposes of such Act:
19 *Provided further*, That fiscal year 2001 balances in the
20 Federal Infrastructure Improvement account for the Bu-
21 reau of Land Management shall be transferred to and
22 merged with this appropriation, and shall remain available
23 until expended.

24 WILDLAND FIRE MANAGEMENT

25 For necessary expenses for fire preparedness, sup-
26 pression operations, fire science and research, emergency

1 rehabilitation, hazardous fuels reduction, and rural fire as-
2 sistance by the Department of the Interior, \$700,806,000,
3 to remain available until expended, of which not to exceed
4 \$19,774,000 shall be for the renovation or construction
5 of fire facilities: *Provided*, That such funds are also avail-
6 able for repayment of advances to other appropriation ac-
7 counts from which funds were previously transferred for
8 such purposes: *Provided further*, That unobligated bal-
9 ances of amounts previously appropriated to the “Fire
10 Protection” and “Emergency Department of the Interior
11 Firefighting Fund” may be transferred and merged with
12 this appropriation: *Provided further*, That persons hired
13 pursuant to ~~43~~ U.S.C. 1469 may be furnished subsistence
14 and lodging without cost from funds available from this
15 appropriation: *Provided further*, That notwithstanding ~~42~~
16 U.S.C. 1856d, sums received by a bureau or office of the
17 Department of the Interior for fire protection rendered
18 pursuant to ~~42~~ U.S.C. 1856 et seq., protection of United
19 States property, may be credited to the appropriation from
20 which funds were expended to provide that protection, and
21 are available without fiscal year limitation: *Provided fur-*
22 *ther*, That using the amounts designated under this title
23 of this Act, the Secretary of the Interior may enter into
24 procurement contracts, grants, or cooperative agreements,
25 for hazardous fuels reduction activities, and for training

1 and monitoring associated with such hazardous fuels re-
2 duction activities, on Federal land, or on adjacent non-
3 Federal land for activities that benefit resources on Fed-
4 eral land: *Provided further*, That the costs of implementing
5 any cooperative agreement between the Federal govern-
6 ment and any non-Federal entity may be shared, as mutu-
7 ally agreed on by the affected parties: *Provided further*,
8 That in entering into such grants or cooperative agree-
9 ments, the Secretary may consider the enhancement of
10 local and small business employment opportunities for
11 rural communities, and that in entering into procurement
12 contracts under this section on a best value basis, the Sec-
13 retary may take into account the ability of an entity to
14 enhance local and small business employment opportuni-
15 ties in rural communities, and that the Secretary may
16 award procurement contracts, grants, or cooperative
17 agreements under this section to entities that include local
18 non-profit entities, Youth Conservation Corps or related
19 partnerships, or small or disadvantaged businesses: *Pro-*
20 *vided further*, That funds appropriated under this head
21 may be used to reimburse the United States Fish and
22 Wildlife Service and the National Marine Fisheries Service
23 for the costs of carrying out their responsibilities under
24 the Endangered Species Act of 1973 (16 U.S.C. 1531 et
25 seq.) to consult and conference, as required by section 7

1 of such Act in connection with wildland fire management
2 activities.

3 CENTRAL HAZARDOUS MATERIALS FUND

4 For necessary expenses of the Department of the In-
5 terior and any of its component offices and bureaus for
6 the remedial action, including associated activities, of haz-
7 ardous waste substances, pollutants, or contaminants pur-
8 suant to the Comprehensive Environmental Response,
9 Compensation, and Liability Act, as amended (42 U.S.C.
10 9601 et seq.); \$9,978,000, to remain available until ex-
11 pended: *Provided*, That notwithstanding 31 U.S.C. 3302,
12 sums recovered from or paid by a party in advance of or
13 as reimbursement for remedial action or response activi-
14 ties conducted by the Department pursuant to section 107
15 or 113(f) of such Act, shall be credited to this account
16 to be available until expended without further appropria-
17 tion: *Provided further*, That such sums recovered from or
18 paid by any party are not limited to monetary payments
19 and may include stocks, bonds or other personal or real
20 property, which may be retained, liquidated, or otherwise
21 disposed of by the Secretary and which shall be credited
22 to this account.

23 CONSTRUCTION

24 For construction of buildings, recreation facilities,
25 roads, trails, and appurtenant facilities, \$11,076,000, to
26 remain available until expended.

1 Railroad grant lands, on other Federal lands in the Or-
2 egon and California land-grant counties of Oregon, and
3 on adjacent rights-of-way; and acquisition of lands or in-
4 terests therein including existing connecting roads on or
5 adjacent to such grant lands; \$105,165,000, to remain
6 available until expended: *Provided*, That 25 percent of the
7 aggregate of all receipts during the current fiscal year
8 from the revested Oregon and California Railroad grant
9 lands is hereby made a charge against the Oregon and
10 California land-grant fund and shall be transferred to the
11 General Fund in the Treasury in accordance with the sec-
12 ond paragraph of subsection (b) of title II of the Act of
13 August 28, 1937 (50 Stat. 876).

14 FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND
15 (REVOLVING FUND, SPECIAL ACCOUNT)

16 In addition to the purposes authorized in Public Law
17 102-381, funds made available in the Forest Ecosystem
18 Health and Recovery Fund can be used for the purpose
19 of planning, preparing, and monitoring salvage timber
20 sales and forest ecosystem health and recovery activities
21 such as release from competing vegetation and density
22 control treatments. The Federal share of receipts (defined
23 as the portion of salvage timber receipts not paid to the
24 counties under 43 U.S.C. 1181f and 43 U.S.C. 1181-1
25 et seq., and Public Law 103-66) derived from treatments

1 funded by this account shall be deposited into the Forest
2 Ecosystem Health and Recovery Fund.

3 RANGE IMPROVEMENTS

4 For rehabilitation, protection, and acquisition of
5 lands and interests therein, and improvement of Federal
6 rangelands pursuant to section 401 of the Federal Land
7 Policy and Management Act of 1976 (~~43~~ U.S.C. 1701),
8 notwithstanding any other Act, sums equal to 50 percent
9 of all moneys received during the prior fiscal year under
10 sections ~~3~~ and ~~15~~ of the Taylor Grazing Act (~~43~~ U.S.C.
11 ~~315~~ et seq.) and the amount designated for range improve-
12 ments from grazing fees and mineral leasing receipts from
13 Bankhead-Jones lands transferred to the Department of
14 the Interior pursuant to law, but not less than
15 \$10,000,000, to remain available until expended: *Pro-*
16 *vided*, That not to exceed \$600,000 shall be available for
17 administrative expenses.

18 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

19 For administrative expenses and other costs related
20 to processing application documents and other authoriza-
21 tions for use and disposal of public lands and resources,
22 for costs of providing copies of official public land docu-
23 ments, for monitoring construction, operation, and termi-
24 nation of facilities in conjunction with use authorizations,
25 and for rehabilitation of damaged property, such amounts
26 as may be collected under Public Law 94-579, as amend-

1 ed, and Public Law ~~93-153~~, to remain available until ex-
2 pended: *Provided*, That notwithstanding any provision to
3 the contrary of section ~~305(a)~~ of Public Law ~~94-579~~ (~~43~~
4 U.S.C. ~~1735(a)~~), any moneys that have been or will be
5 received pursuant to that section, whether as a result of
6 forfeiture, compromise, or settlement, if not appropriate
7 for refund pursuant to section ~~305(c)~~ of that Act (~~43~~
8 U.S.C. ~~1735(c)~~), shall be available and may be expended
9 under the authority of this Act by the Secretary to im-
10 prove, protect, or rehabilitate any public lands adminis-
11 tered through the Bureau of Land Management which
12 have been damaged by the action of a resource developer,
13 purchaser, permittee, or any unauthorized person, without
14 regard to whether all moneys collected from each such ac-
15 tion are used on the exact lands damaged which led to
16 the action: *Provided further*, That any such moneys that
17 are in excess of amounts needed to repair damage to the
18 exact land for which funds were collected may be used to
19 repair other damaged public lands.

20 MISCELLANEOUS TRUST FUNDS

21 In addition to amounts authorized to be expended
22 under existing laws, there is hereby appropriated such
23 amounts as may be contributed under section ~~307~~ of the
24 Act of October 21, 1976 (~~43~~ U.S.C. ~~1701~~), and such
25 amounts as may be advanced for administrative costs, sur-
26 veys, appraisals, and costs of making conveyances of omit-

1 ted lands under section 211(b) of that Act, to remain
2 available until expended.

3 ADMINISTRATIVE PROVISIONS

4 Appropriations for the Bureau of Land Management
5 shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to
6 which the United States has title; up to \$100,000 for payments, at the discretion of the Secretary, for information
7 or evidence concerning violations of laws administered by
8 the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on her certificate,
9 not to exceed \$10,000: *Provided*, That notwithstanding
10 U.S.C. 501, the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with
11 jointly produced publications for which the cooperators
12 share the cost of printing either in cash or in services,
13 and the Bureau determines the cooperator is capable of
14 meeting accepted quality standards; *Provided further*,
15 That sections 28f and 28g of title 30, United States Code,
16 are amended:

24 (1) In section 28f(a), by striking the first sentence and inserting, “The holder of each unpatented
25 mining claim, mill, or tunnel site, located pursuant
26

1 to the mining laws of the United States, whether lo-
2 cated before, on or after the enactment of this Act,
3 shall pay to the Secretary of the Interior, on or be-
4 fore September 1, 2002, a claim maintenance fee of
5 \$100 per claim or site.”; and

6 (2) In section 28g, by striking “and before Sep-
7 tember 30, 2001” and inserting in lieu thereof “and
8 before September 30, 2002”.

9 UNITED STATES FISH AND WILDLIFE SERVICE

10 RESOURCE MANAGEMENT

11 For necessary expenses of the United States Fish and
12 Wildlife Service, for scientific and economic studies, con-
13 servation, management, investigations, protection, and
14 utilization of fishery and wildlife resources, except whales,
15 seals, and sea lions, maintenance of the herd of long-
16 horned cattle on the Wichita Mountains Wildlife Refuge,
17 general administration, and for the performance of other
18 authorized functions related to such resources by direct
19 expenditure, contracts, grants, cooperative agreements
20 and reimbursable agreements with public and private enti-
21 ties, \$839,852,000, to remain available until September
22 30, 2003, except as otherwise provided herein, of which
23 \$28,000,000 is for “Federal Infrastructure Improve-
24 ment”, defined in section 250(c)(4)(E)(xiv) of the Bal-
25 anced Budget and Emergency Deficit Control Act of 1985,

1 as amended, for the purposes of such Act: *Provided*, That
2 fiscal year 2001 balances in the Federal Infrastructure
3 Improvement account for the United States Fish and
4 Wildlife Service shall be transferred to and merged with
5 this appropriation, and shall remain available until ex-
6 pended: *Provided further*, That not less than \$2,000,000
7 shall be provided to local governments in southern Cali-
8 fornia for planning associated with the Natural Commu-
9 nities Conservation Planning (NCCP) program and shall
10 remain available until expended: *Provided further*, That
11 \$2,000,000 is for high priority projects which shall be ear-
12 ried out by the Youth Conservation Corps defined in sec-
13 tion 250(c)(4)(E) (xii) of the Balanced Budget and Emer-
14 gency Deficit Control Act of 1985, as amended, for the
15 purposes of such Act: *Provided further*, That not to exceed
16 \$8,476,000 shall be used for implementing subsections
17 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
18 cies Act, as amended, for species that are indigenous to
19 the United States (except for processing petitions, devel-
20 oping and issuing proposed and final regulations, and tak-
21 ing any other steps to implement actions described in sub-
22 section (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which
23 not to exceed \$6,000,000 shall be used for any activity
24 regarding the designation of critical habitat, pursuant to
25 subsection (a)(3), for species already listed pursuant to

1 subsection (a)(1) as of the date of enactment this Act:
 2 *Provided further*, That of the amount available for law en-
 3 forcement, up to \$400,000 to remain available until ex-
 4 pended, may at the discretion of the Secretary, be used
 5 for payment for information, rewards, or evidence con-
 6 cerning violations of laws administered by the Service, and
 7 miscellaneous and emergency expenses of enforcement ac-
 8 tivity, authorized or approved by the Secretary and to be
 9 accounted for solely on her certificate: *Provided further*,
 10 That of the amount provided for environmental contami-
 11 nants, up to \$1,000,000 may remain available until ex-
 12 pended for contaminant sample analyses.

13 CONSTRUCTION

14 For construction, improvement, acquisition, or re-
 15 moval of buildings and other facilities required in the con-
 16 servation, management, investigation, protection, and uti-
 17 lization of fishery and wildlife resources, and the acquisi-
 18 tion of lands and interests therein; \$48,849,000, to remain
 19 available until expended.

20 LAND ACQUISITION

21 For expenses necessary to carry out the Land and
 22 Water Conservation Fund Act of 1965, as amended (16
 23 U.S.C. 4601-4 through 11), including administrative ex-
 24 penses, and for acquisition of land or waters, or interest
 25 therein, in accordance with statutory authority applicable
 26 to the United States Fish and Wildlife Service,

1 ~~\$104,401,000~~, to be derived from the Land and Water
2 Conservation Fund, to remain available until expended,
3 and to be for the conservation activities defined in section
4 250(e)(4)(E)(ii) of the Balanced Budget and Emergency
5 Deficit Control Act of 1985, as amended, for the purposes
6 of such Act: *Provided*, That none of the funds appro-
7 priated for specific land acquisition projects can be used
8 to pay for any administrative overhead, planning or other
9 management costs.

10 ~~LANDOWNER INCENTIVE PROGRAM~~

11 For expenses necessary to carry out the Land and
12 Water Conservation Fund Act of 1965, as amended (16
13 U.S.C. 4601-4 through 11), including administrative ex-
14 penses, and for private conservation efforts to be carried
15 out on private lands, ~~\$50,000,000~~, to be derived from the
16 Land and Water Conservation Fund, to remain available
17 until expended, and to be for conservation spending cat-
18 egory activities pursuant to section 251(e) of the Balanced
19 Budget and Emergency Deficit Control Act of 1985, as
20 amended, for the purposes of discretionary spending lim-
21 its: *Provided*, That, hereafter, “Fish and Wildlife Service
22 Landowner Incentive Program” shall be considered to be
23 within the “State and Other Conservation sub-category”
24 in section 250(e)(4)(G) of the Balanced Budget and
25 Emergency Deficit Control Act of 1985, as amended: *Pro-*
26 *vided further*, That the amount provided herein is for a

1 Landowner Incentive Program established by the Sec-
2 retary that provides matching, competitively awarded
3 grants to States, the District of Columbia, Tribes, Puerto
4 Rico, Guam, the United States Virgin Islands, the North-
5 ern Mariana Islands, and American Samoa, to establish,
6 or supplement existing, landowner incentive programs that
7 provide technical and financial assistance, including habi-
8 tat protection and restoration, to private landowners for
9 the protection and management of habitat to benefit feder-
10 ally listed, proposed, or candidate species, or other at-risk
11 species on private lands.

12 STEWARDSHIP GRANTS

13 For expenses necessary to carry out the Land and
14 Water Conservation Fund Act of 1965, as amended (16
15 U.S.C. 4601–4 through 11), including administrative ex-
16 penses, and for private conservation efforts to be carried
17 out on private lands, \$10,000,000, to be derived from the
18 Land and Water Conservation Fund, to remain available
19 until expended, and to be for conservation spending cat-
20 egory activities pursuant to section 251(e) of the Balanced
21 Budget and Emergency Deficit Control Act of 1985, as
22 amended, for the purposes of discretionary spending lim-
23 its: *Provided*, That hereafter, “Fish and Wildlife Service
24 Stewardship Grants” shall be considered to be within the
25 “State and Other Conservation sub-category” in section
26 250(e)(4)(G) of the Balanced Budget and Emergency Def-

1 icit Control Act of 1985, as amended: *Provided further*,
2 That the amount provided herein is for the Secretary to
3 establish a Private Stewardship Grants Program to pro-
4 vide grants and other assistance to individuals and groups
5 engaged in private conservation efforts that benefit feder-
6 ally listed, proposed, or candidate species, or other at-risk
7 species.

8 COOPERATIVE ENDANGERED SPECIES CONSERVATION

9 FUND

10 For expenses necessary to carry out section 6 of the
11 Endangered Species Act of 1973 (16 U.S.C. 1531–1543),
12 as amended, \$107,000,000, to be derived from the Cooper-
13 ative Endangered Species Conservation Fund, to remain
14 available until expended, and to be for the conservation
15 activities defined in section 250(e)(4)(E)(v) of the Bal-
16 anced Budget and Emergency Deficit Control Act of 1985,
17 as amended, for the purposes of such Act.

18 NATIONAL WILDLIFE REFUGE FUND

19 For expenses necessary to implement the Act of Octo-
20 ber 17, 1978 (16 U.S.C. 715s), \$16,414,000, of which
21 \$5,000,000 is for conservation spending category activities
22 pursuant to section 251(e) of the Balanced Budget and
23 Emergency Deficit Control Act of 1985, as amended, for
24 the purposes of discretionary spending limits: *Provided*,
25 That, hereafter, “Fish and Wildlife Service National Wild-
26 life Refuge Fund” shall be considered to be within the

1 “Payments in Lieu of Taxes sub-category” in section
2 250(e)(4)(I) of the Balanced Budget and Emergency Def-
3 icit Control Act of 1985, as amended.

4 NORTH AMERICAN WETLANDS CONSERVATION FUND

5 For expenses necessary to carry out the provisions
6 of the North American Wetlands Conservation Act, Public
7 Law 101-233, as amended, \$45,000,000, to remain avail-
8 able until expended, and to be for the conservation activi-
9 ties defined in section 250(e)(4)(E)(vi) of the Balanced
10 Budget and Emergency Deficit Control Act of 1985, as
11 amended, for the purposes of such Act: *Provided*, That,
12 notwithstanding any other provision of law, amounts in
13 excess of funds provided in fiscal year 2001 shall be used
14 only for projects in the United States.

15 NEOTROPICAL MIGRATORY BIRD CONSERVATION

16 For financial assistance for projects to promote the
17 conservation of neotropical migratory birds in accordance
18 with the Neotropical Migratory Bird Conservation Act,
19 Public Law 106-247 (16 U.S.C. 6101-6109), \$5,000,000,
20 to remain available until expended, and to be for conserva-
21 tion spending category activities pursuant to section
22 251(e) of the Balanced Budget and Emergency Deficit
23 Control Act of 1985, as amended, for the purposes of dis-
24 cretionary spending limits: *Provided*, That, hereafter,
25 “Fish and Wildlife Service Neotropical Migratory Bird
26 Conservation” shall be considered to be within the “State

1 and Other Conservation sub-category² in section
 2 250(e)(4)(G) of the Balanced Budget and Emergency Def-
 3 icit Control Act of 1985, as amended.

4 MULTINATIONAL SPECIES CONSERVATION FUND

5 For expenses necessary to carry out the African Ele-
 6 phant Conservation Act (16 U.S.C. 4201–4203, 4211–
 7 4213, 4221–4225, 4241–4245, and 1538), the Asian Ele-
 8 phant Conservation Act of 1997 (Public Law 105–96; 16
 9 U.S.C. 4261–4266), the Rhinoceros and Tiger Conserva-
 10 tion Act of 1994 (16 U.S.C. 5301–5306), and the Great
 11 Ape Conservation Act of 2000 (16 U.S.C. 6301),
 12 \$4,000,000, to remain available until expended: *Provided*,
 13 That funds made available under this Act, Public Law
 14 106–291, and Public Law 106–554 and hereafter in an-
 15 nual appropriations Acts for rhinoceros, tiger, Asian ele-
 16 phant, and great ape conservation programs are exempt
 17 from any sanctions imposed against any country under
 18 section 102 of the Arms Export Control Act (22 U.S.C.
 19 2799aa–1).

20 STATE WILDLIFE GRANTS

21 For wildlife conservation grants to States and to the
 22 District of Columbia, Puerto Rico, Guam, the United
 23 States Virgin Islands, the Northern Mariana Islands, and
 24 American Samoa, under the provisions of the Fish and
 25 Wildlife Act of 1956 and the Fish and Wildlife Coordina-
 26 tion Act, for the development and implementation of pro-

1 grams for the benefit of wildlife and their habitat, includ-
2 ing species that are not hunted or fished, \$100,000,000,
3 to be derived from the Land and Water Conservation
4 Fund, to remain available until expended, and to be for
5 the conservation activities defined in section
6 250(c)(4)(E)(vii) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985, as amended, for the purposes
8 of such Act: *Provided*, That the Secretary shall, after de-
9 ducting administrative expenses, apportion the amount
10 provided herein in the following manner: (A) to the Dis-
11 trict of Columbia and to the Commonwealth of Puerto
12 Rico, each a sum equal to not more than one-half of 1
13 percent thereof; and (B) to Guam, American Samoa, the
14 United States Virgin Islands, and the Commonwealth of
15 the Northern Mariana Islands, each a sum equal to not
16 more than one-fourth of 1 percent thereof: *Provided fur-*
17 *ther*, That the Secretary shall apportion the remaining
18 amount in the following manner: 30 percent based on the
19 ratio to which the land area of such State bears to the
20 total land area of all such States; and 70 percent based
21 on the ratio to which the population of such State bears
22 to the total population of the United States, based on the
23 2000 United States Census; and the amounts so appor-
24 tioned shall be adjusted equitably so that no State shall
25 be apportioned a sum which is less than 1 percent of the

1 total amount available for apportionment or more than 10
2 percent: *Provided further*, That the Federal share of plan-
3 ning grants shall not exceed 75 percent of the total costs
4 of such projects and the Federal share of implementation
5 grants shall not exceed 50 percent of the total costs of
6 such projects: *Provided further*, That the non-Federal
7 share of such projects may not be derived from Federal
8 grant programs: *Provided further*, That no State, terri-
9 tory, or other jurisdiction shall receive a grant unless it
10 has developed, or committed to develop by October 1,
11 2005, a comprehensive wildlife conservation plan, con-
12 sistent with criteria established by the Secretary of the
13 Interior, that considers the broad range of the State, terri-
14 tory, or other jurisdiction's wildlife and associated habi-
15 tats, with appropriate priority placed on those species with
16 the greatest conservation need and taking into consider-
17 ation the relative level of funding available for the con-
18 servation of those species: *Provided further*, That any
19 amount apportioned in 2002 to any State, territory, or
20 other jurisdiction that remains unobligated as of Sep-
21 tember 30, 2003, shall be reapportioned, together with
22 funds appropriated in 2004, in the manner provided here-
23 in.

24 **TRIBAL WILDLIFE GRANTS**

25 For wildlife conservation grants to tribes under the
26 provisions of the Fish and Wildlife Act of 1956 and the

1 Fish and Wildlife Coordination Act, for the development
2 and implementation of programs for the benefit of wildlife
3 and their habitat, including species that are not hunted
4 or fished, \$5,000,000, to be derived from the Land and
5 Water Conservation Fund and to remain available until
6 expended, and to be for conservation spending category
7 activities pursuant to section 251(c) of the Balanced
8 Budget and Emergency Deficit Control Act of 1985, as
9 amended, for the purposes of discretionary spending lim-
10 its: *Provided*, That, hereafter, “Fish and Wildlife Service
11 Tribal Wildlife Grants” shall be considered to be within
12 the “State and Other Conservation sub-category” in sec-
13 tion 250(c)(4)(G) of the Balanced Budget and Emergency
14 Deficit Control Act of 1985, as amended.

15 ADMINISTRATIVE PROVISIONS

16 Appropriations and funds available to the United
17 States Fish and Wildlife Service shall be available for pur-
18 chase of not to exceed 74 passenger motor vehicles, of
19 which 69 are for replacement only (including 32 for police-
20 type use); repair of damage to public roads within and
21 adjacent to reservation areas caused by operations of the
22 Service; options for the purchase of land at not to exceed
23 \$1 for each option; facilities incident to such public rec-
24 reational uses on conservation areas as are consistent with
25 their primary purpose; and the maintenance and improve-
26 ment of aquaria, buildings, and other facilities under the

1 jurisdiction of the Service and to which the United States
2 has title, and which are used pursuant to law in connection
3 with management and investigation of fish and wildlife re-
4 sources: *Provided*, That notwithstanding 44 U.S.C. 501,
5 the Service may, under cooperative cost sharing and part-
6 nership arrangements authorized by law, procure printing
7 services from cooperators in connection with jointly pro-
8 duced publications for which the cooperators share at least
9 one-half the cost of printing either in cash or services and
10 the Service determines the cooperator is capable of meet-
11 ing accepted quality standards: *Provided further*, That the
12 Service may accept donated aircraft as replacements for
13 existing aircraft: *Provided further*, That notwithstanding
14 any other provision of law, the Secretary of the Interior
15 may not spend any of the funds appropriated in this Act
16 for the purchase of lands or interests in lands to be used
17 in the establishment of any new unit of the National Wild-
18 life Refuge System unless the purchase is approved in ad-
19 vance by the House and Senate Committees on Appropria-
20 tions in compliance with the reprogramming procedures
21 contained in Senate Report 105-56.

22 NATIONAL PARK SERVICE

23 OPERATION OF THE NATIONAL PARK SYSTEM

24 For expenses necessary for the management, oper-
25 ation, and maintenance of areas and facilities adminis-

1 tered by the National Park Service (including special road
2 maintenance service to trucking permittees on a reimburs-
3 able basis); and for the general administration of the Na-
4 tional Park Service, \$1,480,336,000, of which
5 \$10,869,000 for research, planning and interagency co-
6 ordination in support of land acquisition for Everglades
7 restoration shall remain available until expended, and of
8 which \$75,349,000, to remain available until expended, is
9 for maintenance repair or rehabilitation projects for con-
10 structed assets; operation of the National Park Service
11 automated facility management software system; and com-
12 prehensive facility condition assessments; and of which
13 \$2,000,000 is for the Youth Conservation Corps, defined
14 in section 250(e)(4)(E)(xii) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985, as amended, for
16 the purposes of such Act, for high priority projects: *Pro-*
17 *vided*, That the only funds in this account which may be
18 made available to support United States Park Police are
19 those funds approved for emergency law and order inci-
20 dents pursuant to established National Park Service pro-
21 cedures and those funds needed to maintain and repair
22 United States Park Police administrative facilities: *Pro-*
23 *vided further*, That park areas may reimburse the United
24 States Park Police account for the unbudgeted overtime
25 and travel costs associated with special events for an

1 amount not to exceed \$10,000 per event subject to the
2 review and concurrence of the Washington headquarters
3 office: *Provided further*, That none of the funds in this
4 or any other Act may be used to fund a new Associate
5 Director position for Partnerships.

6 UNITED STATES PARK POLICE

7 For expenses necessary to carry out the programs of
8 the United States Park Police, \$65,260,000.

9 CONTRIBUTION FOR ANNUITY BENEFITS

10 For reimbursement pursuant to provisions of Public
11 Law 85-157, to the District of Columbia on a monthly
12 basis, for benefit payments by the District of Columbia
13 to United States Park Police annuitants under the provi-
14 sions of the Policeman and Fireman's Retirement and
15 Disability Act, to the extent those payments exceed con-
16 tributions made by active Park Police members covered
17 under the Act, such amounts as hereafter may be nec-
18 essary: *Provided*, That hereafter, appropriations made to
19 the National Park Service shall not be available for this
20 purpose.

21 NATIONAL RECREATION AND PRESERVATION

22 For expenses necessary to carry out recreation pro-
23 grams, natural programs, cultural programs, heritage
24 partnership programs, environmental compliance and re-
25 view, international park affairs, statutory or contractual

1 aid for other activities, and grant administration, not oth-
2 erwise provided for, \$51,804,000.

3 URBAN PARK AND RECREATION FUND

4 For expenses necessary to carry out the provisions
5 of the Urban Park and Recreation Recovery Act of 1978
6 (16 U.S.C. 2501 et seq.), \$30,000,000, to remain available
7 until expended, and to be for the conservation activities
8 defined in section 250(c)(4)(E)(x) of the Balanced Budget
9 and Emergency Deficit Control Act of 1985, as amended,
10 for the purposes of such Act.

11 HISTORIC PRESERVATION FUND

12 For expenses necessary in carrying out the Historic
13 Preservation Act of 1966, as amended (16 U.S.C. 470),
14 and the Omnibus Parks and Public Lands Management
15 Act of 1996 (Public Law 104-333), \$77,000,000, to be
16 derived from the Historic Preservation Fund, to remain
17 available until September 30, 2003, and to be for the con-
18 servation activities defined in section 250(c)(4)(E)(xi) of
19 the Balanced Budget and Emergency Deficit Control Con-
20 trol Act of 1985, as amended, for the purposes of such
21 Act: *Provided*, That, of the amount provided herein,
22 \$5,000,000, to remain available until expended, is for a
23 grant for the perpetual care and maintenance of National
24 Trust Historic Sites, as authorized under 16 U.S.C.
25 470a(e)(2), to be made available in full upon signing of
26 a grant agreement: *Provided further*, That, notwith-

1 standing any other provision of law, these funds shall be
2 available for investment with the proceeds to be used for
3 the same purpose as set out herein: *Provided further*, That
4 of the total amount provided, \$30,000,000 shall be for
5 Save America's Treasures for priority preservation
6 projects, including preservation of intellectual and cultural
7 artifacts, preservation of historic structures and sites, and
8 buildings to house cultural and historic resources and to
9 provide educational opportunities: *Provided further*, That
10 any individual Save America's Treasures grant shall be
11 matched by non-Federal funds: *Provided further*, That in-
12 dividual projects shall only be eligible for one grant, and
13 all projects to be funded shall be approved by the House
14 and Senate Committees on Appropriations prior to the
15 commitment of grant funds: *Provided further*, That Save
16 America's Treasures funds allocated for Federal projects
17 shall be available by transfer to appropriate accounts of
18 individual agencies, after approval of such projects by the
19 Secretary of the Interior: *Provided further*, That none of
20 the funds provided for Save America's Treasures may be
21 used for administrative expenses, and staffing for the pro-
22 gram shall be available from the existing staffing levels
23 in the National Park Service 2003.

24 CONSTRUCTION

25 For construction, improvements, repair or replace-
26 ment of physical facilities, including the modifications au-

1 State of Florida for the acquisition of lands or waters,
2 or interests therein, within the Everglades watershed (con-
3 sisting of lands and waters within the boundaries of the
4 South Florida Water Management District, Florida Bay
5 and the Florida Keys, including the areas known as the
6 Frog Pond, the Rocky Glades and the Eight and One-Half
7 Square Mile Area) under terms and conditions deemed
8 necessary by the Secretary to improve and restore the
9 hydrological function of the Everglades watershed; and
10 \$20,000,000 may be for project modifications authorized
11 by section 104 of the Everglades National Park Protection
12 and Expansion Act: *Provided further*, That funds provided
13 under this heading for assistance to the State of Florida
14 to acquire lands within the Everglades watershed are con-
15 tingent upon new matching non-Federal funds by the
16 State and shall be subject to an agreement that the lands
17 to be acquired will be managed in perpetuity for the res-
18 toration of the Everglades: *Provided further*, That none
19 of the funds provided for the State Assistance program
20 may be used to establish a contingency fund.

21 ADMINISTRATIVE PROVISIONS

22 Appropriations for the National Park Service shall be
23 available for the purchase of not to exceed 315 passenger
24 motor vehicles, of which 256 shall be for replacement only,
25 including not to exceed 237 for police-type use, 11 buses,
26 and 8 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 3 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 Notwithstanding any other provision of law, the Na-
4 tional Park Service may convey a leasehold or freehold in-
5 terest in Cuyahoga NP to allow for the development of
6 utilities and parking needed to support the historic Ever-
7 ett Church in the village of Everett, Ohio.

8 UNITED STATES GEOLOGICAL SURVEY

9 SURVEYS, INVESTIGATIONS, AND RESEARCH

10 For expenses necessary for the United States Geo-
11 logical Survey to perform surveys, investigations, and re-
12 search covering topography, geology, hydrology, biology,
13 and the mineral and water resources of the United States,
14 its territories and possessions, and other areas as author-
15 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
16 to their mineral and water resources; give engineering su-
17 pervision to power permittees and Federal Energy Regu-
18 latory Commission licensees; administer the minerals ex-
19 ploration program (30 U.S.C. 641); and publish and dis-
20 seminate data relative to the foregoing activities; and to
21 conduct inquiries into the economic conditions affecting
22 mining and materials processing industries (30 U.S.C. 3,
23 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes
24 as authorized by law and to publish and disseminate data;
25 \$900,489,000, of which \$64,318,000 shall be available

1 only for cooperation with States or municipalities for
2 water resources investigations; and of which \$16,400,000
3 shall remain available until expended for conducting in-
4 quires into the economic conditions affecting mining and
5 materials processing industries; and of which \$18,942,000
6 shall be available until September 30, 2003 for the oper-
7 ation and maintenance of facilities and deferred mainte-
8 nance; and of which \$163,461,000 shall be available until
9 September 30, 2003 for the biological research activity
10 and the operation of the Cooperative Research Units: *Pro-*
11 *vided*, That none of these funds provided for the biological
12 research activity shall be used to conduct new surveys on
13 private property, unless specifically authorized in writing
14 by the property owner: *Provided further*, That of the
15 amount provided herein, \$25,000,000 is for the conserva-
16 tion activities defined in section 250(e)(4)(viii) of the Bal-
17 anced Budget and Emergency Deficit Control Act of 1985,
18 as amended, for the purposes of such Act: *Provided fur-*
19 *ther*, That no part of this appropriation shall be used to
20 pay more than one-half the cost of topographic mapping
21 or water resources data collection and investigations ear-
22 ried on in cooperation with States and municipalities.

23 ADMINISTRATIVE PROVISIONS

24 The amount appropriated for the United States Geo-
25 logical Survey shall be available for the purchase of not
26 to exceed 53 passenger motor vehicles, of which 48 are

1 for replacement only; reimbursement to the General Serv-
2 ices Administration for security guard services; con-
3 tracting for the furnishing of topographic maps and for
4 the making of geophysical or other specialized surveys
5 when it is administratively determined that such proce-
6 dures are in the public interest; construction and mainte-
7 nance of necessary buildings and appurtenant facilities;
8 acquisition of lands for gauging stations and observation
9 wells; expenses of the United States National Committee
10 on Geology; and payment of compensation and expenses
11 of persons on the rolls of the Survey duly appointed to
12 represent the United States in the negotiation and admin-
13 istration of interstate compacts: *Provided*, That activities
14 funded by appropriations herein made may be accom-
15 plished through the use of contracts, grants, or coopera-
16 tive agreements as defined in 31 U.S.C. 6302 et seq.

17 MINERALS MANAGEMENT SERVICE

18 ROYALTY AND OFFSHORE MINERALS MANAGEMENT

19 For expenses necessary for minerals leasing and envi-
20 ronmental studies; regulation of industry operations; and
21 collection of royalties; as authorized by law; for enforcing
22 laws and regulations applicable to oil, gas, and other min-
23 erals leases, permits, licenses and operating contracts; and
24 for matching grants or cooperative agreements; including
25 the purchase of not to exceed eight passenger motor vehi-

1 es for replacement only, \$149,867,000, of which
2 \$83,344,000, shall be available for royalty management
3 activities; and an amount not to exceed \$102,730,000, to
4 be credited to this appropriation and to remain available
5 until expended, from additions to receipts resulting from
6 increases to rates in effect on August 5, 1993, from rate
7 increases to fee collections for Outer Continental Shelf ad-
8 ministrative activities performed by the Minerals Manage-
9 ment Service over and above the rates in effect on Sep-
10 tember 30, 1993, and from additional fees for Outer Con-
11 tinental Shelf administrative activities established after
12 September 30, 1993: *Provided*, That to the extent
13 \$102,730,000 in additions to receipts are not realized
14 from the sources of receipts stated above, the amount
15 needed to reach \$102,730,000 shall be credited to this ap-
16 propriation from receipts resulting from rental rates for
17 Outer Continental Shelf leases in effect before August 5,
18 1993: *Provided further*, That \$3,000,000 for computer ac-
19 quisitions shall remain available until September 30,
20 2003: *Provided further*, That funds appropriated under
21 this Act shall be available for the payment of interest in
22 accordance with 30 U.S.C. 1721(b) and (d): *Provided fur-*
23 *ther*, That not to exceed \$3,000 shall be available for rea-
24 sonable expenses related to promoting volunteer beach and
25 marine cleanup activities: *Provided further*, That notwith-

1 standing any other provision of law, \$15,000 under this
2 heading shall be available for refunds of overpayments in
3 connection with certain Indian leases in which the Direc-
4 tor of the Minerals Management Service (MMS) concurred
5 with the claimed refund due, to pay amounts owed to In-
6 dian allottees or tribes, or to correct prior unrecoverable
7 erroneous payments: *Provided further*, That MMS may
8 under the royalty-in-kind pilot program use a portion of
9 the revenues from royalty-in-kind sales, without regard to
10 fiscal year limitation, to pay for transportation to whole-
11 sale market centers or upstream pooling points, and to
12 process or otherwise dispose of royalty production taken
13 in kind: *Provided further*, That MMS shall analyze and
14 document the expected return in advance of any royalty-
15 in-kind sales to assure to the maximum extent practicable
16 that royalty income under the pilot program is equal to
17 or greater than royalty income recognized under the exist-
18 ing royalty-in-value program, including the royalty valu-
19 ation procedures established by the final rule published by
20 the Minerals Management Service on March 15, 2000 (65
21 Fed. Reg. 14022 et seq.).

22 OIL SPILL RESEARCH

23 For necessary expenses to carry out title I, section
24 1016, title IV, sections 4202 and 4303, title VII, and title
25 VIII, section 8201 of the Oil Pollution Act of 1990,

1 \$6,105,000, which shall be derived from the Oil Spill Li-
 2 ability Trust Fund, to remain available until expended.

3 OFFICE OF SURFACE MINING RECLAMATION AND
 4 ENFORCEMENT
 5 REGULATION AND TECHNOLOGY

6 For necessary expenses to carry out the provisions
 7 of the Surface Mining Control and Reclamation Act of
 8 1977, Public Law 95-87, as amended, including the pur-
 9 chase of not to exceed 10 passenger motor vehicles, for
 10 replacement only; \$102,900,000: *Provided*, That the Sec-
 11 retary of the Interior, pursuant to regulations, may use
 12 directly or through grants to States, moneys collected in
 13 fiscal year 2002 for civil penalties assessed under section
 14 518 of the Surface Mining Control and Reclamation Act
 15 of 1977 (30 U.S.C. 1268), to reclaim lands adversely af-
 16 fected by coal mining practices after August 3, 1977, to
 17 remain available until expended: *Provided further*, That
 18 appropriations for the Office of Surface Mining Reclama-
 19 tion and Enforcement may provide for the travel and per
 20 diem expenses of State and tribal personnel attending Of-
 21 fice of Surface Mining Reclamation and Enforcement
 22 sponsored training.

23 ABANDONED MINE RECLAMATION FUND

24 For necessary expenses to carry out title IV of the
 25 Surface Mining Control and Reclamation Act of 1977,
 26 Public Law 95-87, as amended, including the purchase

1 of not more than 10 passenger motor vehicles for replace-
2 ment only, ~~\$203,554,000~~, to be derived from receipts of
3 the Abandoned Mine Reclamation Fund and to remain
4 available until expended; of which up to \$10,000,000, to
5 be derived from the Federal Expenses Share of the Fund,
6 shall be for supplemental grants to States for the reclama-
7 tion of abandoned sites with acid mine rock drainage from
8 coal mines, and for associated activities, through the Ap-
9 palachian Clean Streams Initiative: *Provided*, That grants
10 to minimum program States will be \$1,500,000 per State
11 in fiscal year 2002: *Provided further*, That of the funds
12 herein provided up to \$18,000,000 may be used for the
13 emergency program authorized by section 410 of Public
14 Law 95-87, as amended, of which no more than 25 per-
15 cent shall be used for emergency reclamation projects in
16 any one State and funds for federally administered emer-
17 gency reclamation projects under this proviso shall not ex-
18 ceed \$11,000,000: *Provided further*, That prior year unob-
19 ligated funds appropriated for the emergency reclamation
20 program shall not be subject to the 25 percent limitation
21 per State and may be used without fiscal year limitation
22 for emergency projects: *Provided further*, That pursuant
23 to Public Law 97-365, the Department of the Interior is
24 authorized to use up to 20 percent from the recovery of
25 the delinquent debt owed to the United States Government

1 to pay for contracts to collect these debts: *Provided fur-*
2 *ther*, That funds made available under title IV of Public
3 Law 95-87 may be used for any required non-Federal
4 share of the cost of projects funded by the Federal Gov-
5 ernment for the purpose of environmental restoration re-
6 lated to treatment or abatement of acid mine drainage
7 from abandoned mines: *Provided further*, That such
8 projects must be consistent with the purposes and prior-
9 ities of the Surface Mining Control and Reclamation Act:
10 *Provided further*, That, in addition to the amount granted
11 to the Commonwealth of Pennsylvania under sections 402
12 (g)(1) and 402(g)(5) of the Surface Mining Control and
13 Reclamation Act (Act), an additional \$500,000 will be spe-
14 cifically used for the purpose of conducting a demonstra-
15 tion project in accordance with section 401(e)(6) of the
16 Act to determine the efficacy of improving water quality
17 by removing metals from eligible waters polluted by acid
18 mine drainage.

19 BUREAU OF INDIAN AFFAIRS

20 OPERATION OF INDIAN PROGRAMS

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

1 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally
2 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),
3 as amended, \$1,790,781,000, to remain available until
4 September 30, 2003 except as otherwise provided herein,
5 of which not to exceed \$89,864,000 shall be for welfare
6 assistance payments and notwithstanding any other provi-
7 sion of law, including but not limited to the Indian Self-
8 Determination Act of 1975, as amended, not to exceed
9 \$130,209,000 shall be available for payments to tribes and
10 tribal organizations for contract support costs associated
11 with ongoing contracts, grants, compacts, or annual fund-
12 ing agreements entered into with the Bureau prior to or
13 during fiscal year 2002, as authorized by such Act, except
14 that tribes and tribal organizations may use their tribal
15 priority allocations for unmet indirect costs of ongoing
16 contracts, grants, or compacts, or annual funding agree-
17 ments and for unmet welfare assistance costs; and up to
18 \$3,000,000 shall be for the Indian Self-Determination
19 Fund which shall be available for the transitional cost of
20 initial or expanded tribal contracts, grants, compacts or
21 cooperative agreements with the Bureau under such Act;
22 and of which not to exceed \$436,427,000 for school oper-
23 ations costs of Bureau-funded schools and other education
24 programs shall become available on July 1, 2002, and
25 shall remain available until September 30, 2003; and of

1 which not to exceed \$58,394,000 shall remain available
2 until expended for housing improvement, road mainte-
3 nance, attorney fees, litigation support, the Indian Self-
4 Determination Fund, land records improvement, and the
5 Navajo-Hopi Settlement Program: *Provided*, That not-
6 withstanding any other provision of law, including but not
7 limited to the Indian Self-Determination Act of 1975, as
8 amended, and 25 U.S.C. 2008, not to exceed \$43,065,000
9 within and only from such amounts made available for
10 school operations shall be available to tribes and tribal or-
11 ganizations for administrative cost grants associated with
12 the operation of Bureau-funded schools: *Provided further*,
13 That any forestry funds allocated to a tribe which remain
14 unobligated as of September 30, 2003, may be transferred
15 during fiscal year 2004 to an Indian forest land assistance
16 account established for the benefit of such tribe within the
17 tribe's trust fund account: *Provided further*, That any such
18 unobligated balances not so transferred shall expire on
19 September 30, 2004.

20 CONSTRUCTION

21 For construction, repair, improvement, and mainte-
22 nance of irrigation and power systems, buildings, utilities,
23 and other facilities, including architectural and engineer-
24 ing services by contract; acquisition of lands, and interests
25 in lands; and preparation of lands for farming, and for
26 construction of the Navajo Indian Irrigation Project pur-

1 suant to Public Law 87-483, \$357,132,000, to remain
2 available until expended: *Provided*, That such amounts as
3 may be available for the construction of the Navajo Indian
4 Irrigation Project may be transferred to the Bureau of
5 Reclamation: *Provided further*, That not to exceed 6 per-
6 cent of contract authority available to the Bureau of In-
7 dian Affairs from the Federal Highway Trust Fund may
8 be used to cover the road program management costs of
9 the Bureau: *Provided further*, That any funds provided for
10 the Safety of Dams program pursuant to 25 U.S.C. 13
11 shall be made available on a nonreimbursable basis: *Pro-*
12 *vided further*, That for fiscal year 2002, in implementing
13 new construction or facilities improvement and repair
14 project grants in excess of \$100,000 that are provided to
15 tribally controlled grant schools under Public Law 100-
16 297, as amended, the Secretary of the Interior shall use
17 the Administrative and Audit Requirements and Cost
18 Principles for Assistance Programs contained in 43 CFR
19 part 12 as the regulatory requirements: *Provided further*,
20 That such grants shall not be subject to section 12.61 of
21 43 CFR; the Secretary and the grantee shall negotiate and
22 determine a schedule of payments for the work to be per-
23 formed: *Provided further*, That in considering applications,
24 the Secretary shall consider whether the Indian tribe or
25 tribal organization would be deficient in assuring that the

1 construction projects conform to applicable building stand-
2 ards and codes and Federal, tribal, or State health and
3 safety standards as required by 25 U.S.C. 2005(a), with
4 respect to organizational and financial management capa-
5 bilities: *Provided further*, That if the Secretary declines an
6 application, the Secretary shall follow the requirements
7 contained in 25 U.S.C. 2505(f): *Provided further*, That
8 any disputes between the Secretary and any grantee con-
9 cerning a grant shall be subject to the disputes provision
10 in 25 U.S.C. 2508(e): *Provided further*, That notwith-
11 standing any other provision of law, not to exceed
12 \$450,000 in collections from settlements between the
13 United States and contractors concerning the Dunseith
14 Day School are to be made available for school construc-
15 tion in fiscal year 2002 and thereafter.

16 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
17 MISCELLANEOUS PAYMENTS TO INDIANS

18 For miscellaneous payments to Indian tribes and in-
19 dividuals and for necessary administrative expenses,
20 \$60,949,000, to remain available until expended, of which
21 \$24,870,000 shall be available for implementation of en-
22 acted Indian land and water claim settlements pursuant
23 to Public Laws 101-618 and 102-575, and for implemen-
24 tation of other enacted water rights settlements; of which
25 \$7,950,000 shall be available for future water supplies fa-
26 cilities under Public Law 106-163, of which \$21,875,000

1 shall be available pursuant to Public Laws 99-264, 100-
 2 580, 106-263, 106-425, 106-554, and 106-568; and of
 3 which \$6,254,000 shall be available for the consent decree
 4 entered by the United States District Court, Western Dis-
 5 trict of Michigan in United States v. Michigan, Case No.
 6 2:73 CV 26.

7 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

8 For the cost of guaranteed loans, \$4,500,000, as au-
 9 thorized by the Indian Financing Act of 1974, as amend-
 10 ed: *Provided*, That such costs, including the cost of modi-
 11 fying such loans, shall be as defined in section 502 of the
 12 Congressional Budget Act of 1974: *Provided further*, That
 13 these funds are available to subsidize total loan principal,
 14 any part of which is to be guaranteed, not to exceed
 15 \$75,000,000.

16 In addition, for administrative expenses to carry out
 17 the guaranteed loan programs, \$486,000.

18 ADMINISTRATIVE PROVISIONS

19 The Bureau of Indian Affairs may carry out the oper-
 20 ation of Indian programs by direct expenditure, contracts,
 21 cooperative agreements, compacts and grants, either di-
 22 rectly or in cooperation with States and other organiza-
 23 tions.

24 Appropriations for the Bureau of Indian Affairs (ex-
 25 cept the revolving fund for loans, the Indian loan guar-
 26 antee and insurance fund, and the Indian Guaranteed

1 Loan Program account) shall be available for expenses of
2 exhibits, and purchase of not to exceed 229 passenger
3 motor vehicles, of which not to exceed 187 shall be for
4 replacement only.

5 Notwithstanding any other provision of law, no funds
6 available to the Bureau of Indian Affairs for central office
7 operations, pooled overhead general administration (except
8 facilities operations and maintenance), or provided to im-
9 plement the recommendations of the National Academy of
10 Public Administration's August 1999 report shall be avail-
11 able for tribal contracts, grants, compacts, or cooperative
12 agreements with the Bureau of Indian Affairs under the
13 provisions of the Indian Self-Determination Act or the
14 Tribal Self-Governance Act of 1994 (Public Law 103-
15 413).

16 In the event any tribe returns appropriations made
17 available by this Act to the Bureau of Indian Affairs for
18 distribution to other tribes, this action shall not diminish
19 the Federal Government's trust responsibility to that
20 tribe, or the government-to-government relationship be-
21 tween the United States and that tribe, or that tribe's abil-
22 ity to access future appropriations.

23 Notwithstanding any other provision of law, no funds
24 available to the Bureau, other than the amounts provided
25 herein for assistance to public schools under 25 U.S.C.

1 452 et seq., shall be available to support the operation of
2 any elementary or secondary school in the State of Alaska.

3 Appropriations made available in this or any other
4 Act for schools funded by the Bureau shall be available
5 only to the schools in the Bureau school system as of Sep-
6 tember 1, 1996. No funds available to the Bureau shall
7 be used to support expanded grades for any school or dor-
8 mitory beyond the grade structure in place or approved
9 by the Secretary of the Interior at each school in the Bu-
10 reau school system as of October 1, 1995. Funds made
11 available under this Act may not be used to establish a
12 charter school at a Bureau-funded school (as that term
13 is defined in section 1146 of the Education Amendments
14 of 1978 (25 U.S.C. 2026)), except that a charter school
15 that is in existence on the date of the enactment of this
16 Act and that has operated at a Bureau-funded school be-
17 fore September 1, 1999, may continue to operate during
18 that period, but only if the charter school pays to the Bu-
19 reau a pro rata share of funds to reimburse the Bureau
20 for the use of the real and personal property (including
21 buses and vans); the funds of the charter school are kept
22 separate and apart from Bureau funds; and the Bureau
23 does not assume any obligation for charter school pro-
24 grams of the State in which the school is located if the
25 charter school loses such funding. Employees of Bureau-

1 funded schools sharing a campus with a charter school and
2 performing functions related to the charter school's oper-
3 ation and employees of a charter school shall not be treat-
4 ed as Federal employees for purposes of chapter 171 of
5 title 28, U.S.C. (commonly known as the "Federal Tort
6 Claims Act").

7 DEPARTMENTAL OFFICES

8 INSULAR AFFAIRS

9 ASSISTANCE TO TERRITORIES

10 For expenses necessary for assistance to territories
11 under the jurisdiction of the Department of the Interior,
12 \$72,289,000, of which: (1) \$67,761,000 shall be available
13 until expended for technical assistance, including mainte-
14 nance assistance, disaster assistance, insular management
15 controls, coral reef initiative activities, and brown tree
16 snake control and research; grants to the judiciary in
17 American Samoa for compensation and expenses, as au-
18 thorized by law (48 U.S.C. 1661(e)); grants to the Govern-
19 ment of American Samoa, in addition to current local rev-
20 enues, for construction and support of governmental func-
21 tions; grants to the Government of the Virgin Islands as
22 authorized by law; grants to the Government of Guam,
23 as authorized by law; and grants to the Government of
24 the Northern Mariana Islands as authorized by law (Pub-
25 lic Law 94-241; 90 Stat. 272); and (2) \$4,528,000 shall

1 be available for salaries and expenses of the Office of Insu-
2 lar Affairs: *Provided*, That all financial transactions of the
3 territorial and local governments herein provided for, in-
4 cluding such transactions of all agencies or instrumental-
5 ities established or used by such governments, may be au-
6 dited by the General Accounting Office, at its discretion,
7 in accordance with chapter 35 of title 31, United States
8 Code: *Provided further*, That Northern Mariana Islands
9 Covenant grant funding shall be provided according to
10 those terms of the Agreement of the Special Representa-
11 tives on Future United States Financial Assistance for the
12 Northern Mariana Islands approved by Public Law 104-
13 134: *Provided further*, That of the funds provided herein
14 for American Samoa government operations, the Secretary
15 is directed to use up to \$20,000 to increase compensation
16 of the American Samoa High Court Justices: *Provided*
17 *further*, That of the amounts provided for technical assist-
18 ance, not to exceed \$1,339,000 shall be made available
19 for transfer to the Disaster Assistance Direct Loan Fi-
20 nancing Account of the Federal Emergency Management
21 Agency for the purpose of covering the cost of forgiving
22 the repayment obligation of the Government of the Virgin
23 Islands on Community Disaster Loan 841, as required by
24 section 504 of the Congressional Budget Act of 1974, as
25 amended (2 U.S.C. 661e): *Provided further*, That to the

1 extent that the cost of forgiving the repayment obligation
2 exceeds the \$1,339,000 provided in this Act, the Secretary
3 of the Interior shall transfer up to \$2,161,000 of unex-
4 pended appropriations for United States Virgin Islands
5 construction grants provided pursuant to Public Law 102-
6 154 to the Federal Emergency Management Agency to
7 meet the full costs associated with forgiveness of the Hur-
8 ricane Hugo Community Disaster Loan: *Provided further,*
9 That of the amounts provided for technical assistance, suf-
10 ficient funding shall be made available for a grant to the
11 Close Up Foundation: *Provided further,* That the funds
12 for the program of operations and maintenance improve-
13 ment are appropriated to institutionalize routine oper-
14 ations and maintenance improvement of capital infrastruc-
15 ture (with territorial participation and cost sharing to be
16 determined by the Secretary based on the grantees com-
17 mitment to timely maintenance of its capital assets): *Pro-*
18 *vided further,* That any appropriation for disaster assist-
19 ance under this heading in this Act or previous appropria-
20 tions Acts may be used as non-Federal matching funds
21 for the purpose of hazard mitigation grants provided pur-
22 suant to section 404 of the Robert T. Stafford Disaster
23 Relief and Emergency Assistance Act (42 U.S.C. 5170e).

24 COMPACT OF FREE ASSOCIATION

25 For economic assistance and necessary expenses for
26 the Federated States of Micronesia and the Republic of

1 the Marshall Islands as provided for in sections ~~122~~, ~~221~~,
2 ~~223~~, ~~232~~, and ~~233~~ of the Compact of Free Association,
3 and for economic assistance and necessary expenses for
4 the Republic of Palau as provided for in sections ~~122~~, ~~221~~,
5 ~~223~~, ~~232~~, and ~~233~~ of the Compact of Free Association,
6 \$~~23,245,000~~, to remain available until expended, as au-
7 thorized by Public Law ~~99-239~~ and Public Law ~~99-658~~.

8 DEPARTMENTAL MANAGEMENT

9 SALARIES AND EXPENSES

10 For necessary expenses for management of the De-
11 partment of the Interior, \$~~64,177,000~~ (reduced by
12 \$~~9,000,000~~), of which not to exceed \$~~8,500~~ may be for
13 official reception and representation expenses, of which up
14 to \$~~1,000,000~~ shall be available for workers compensation
15 payments and unemployment compensation payments as-
16 sociated with the orderly closure of the United States Bu-
17 reau of Mines.

18 OFFICE OF THE SOLICITOR

19 SALARIES AND EXPENSES

20 For necessary expenses of the Office of the Solicitor,
21 \$~~45,000,000~~.

22 OFFICE OF INSPECTOR GENERAL

23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of Inspector
25 General, \$~~30,490,000~~.

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, \$99,224,000, 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 2002, 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 U.S.C. 2701 et seq.), and Public Law 101-337, as amend-
2 ed (16 U.S.C. 19jj et seq.), \$5,497,000, to remain avail-
3 able until expended.

4 ADMINISTRATIVE PROVISIONS

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

18 GENERAL PROVISIONS, DEPARTMENT OF THE 19 INTERIOR

20 SEC. 101. Appropriations made in this title shall be
21 available for expenditure or transfer (within each bureau
22 or office), with the approval of the Secretary, for the emer-
23 gency reconstruction, replacement, or repair of aircraft,
24 buildings, utilities, or other facilities or equipment dam-
25 aged or destroyed by fire, flood, storm, or other unavoid-
26 able causes: *Provided*, That no funds shall be made avail-

1 able under this authority until funds specifically made
2 available to the Department of the Interior for emer-
3 gencies shall have been exhausted: *Provided further*, That
4 all funds used pursuant to this section are hereby des-
5 ignated by Congress to be “emergency requirements” pur-
6 suant to section 251(b)(2)(A) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985, and must be re-
8 plenished by a supplemental appropriation which must be
9 requested as promptly as possible.

10 SEC. 102. The Secretary may authorize the expendi-
11 ture or transfer of any no year appropriation in this title,
12 in addition to the amounts included in the budget pro-
13 grams of the several agencies, for the suppression or emer-
14 gency prevention of wildland fires on or threatening lands
15 under the jurisdiction of the Department of the Interior;
16 for the emergency rehabilitation of burned-over lands
17 under its jurisdiction; for emergency actions related to po-
18 tential or actual earthquakes, floods, volcanoes, storms, or
19 other unavoidable causes; for contingency planning subse-
20 quent to actual oil spills; for response and natural resource
21 damage assessment activities related to actual oil spills;
22 for the prevention, suppression, and control of actual or
23 potential grasshopper and Mormon cricket outbreaks on
24 lands under the jurisdiction of the Secretary, pursuant to
25 the authority in section 1773(b) of Public Law 99-198

1 (99 Stat. 1658); for emergency reclamation projects under
2 section 410 of Public Law 95-87; and shall transfer, from
3 any no year funds available to the Office of Surface Min-
4 ing Reclamation and Enforcement, such funds as may be
5 necessary to permit assumption of regulatory authority in
6 the event a primary State is not carrying out the regu-
7 latory provisions of the Surface Mining Act: *Provided*,
8 That appropriations made in this title for wildland fire
9 operations shall be available for the payment of obligations
10 incurred during the preceding fiscal year, and for reim-
11 bursement to other Federal agencies for destruction of ve-
12 hicles, aircraft, or other equipment in connection with
13 their use for wildland fire operations, such reimbursement
14 to be credited to appropriations currently available at the
15 time of receipt thereof: *Provided further*, That for wildland
16 fire operations, no funds shall be made available under
17 this authority until the Secretary determines that funds
18 appropriated for "wildland fire operations" shall be ex-
19 hausted within 30 days: *Provided further*, That all funds
20 used pursuant to this section are hereby designated by
21 Congress to be "emergency requirements" pursuant to
22 section 251(b)(2)(A) of the Balanced Budget and Emer-
23 gency Deficit Control Act of 1985, and must be replen-
24 ished by a supplemental appropriation which must be re-
25 quested as promptly as possible: *Provided further*, That

1 such replenishment funds shall be used to reimburse, on
2 a pro rata basis, accounts from which emergency funds
3 were transferred.

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

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

1 issue publications to members only or at a price to mem-
2 bers lower than to subscribers who are not members.

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

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

12 ~~SEC. 107.~~ No funds provided in this title may be ex-
13 pended by the Department of the Interior for the conduct
14 of offshore leasing and related activities placed under re-
15 striction in the President's moratorium statement of June
16 ~~12, 1998~~, in the areas of northern, central, and southern
17 California; the North Atlantic; Washington and Oregon;
18 the eastern Gulf of Mexico south of ~~26~~ degrees north lati-
19 tude and east of ~~86~~ degrees west longitude.

20 ~~SEC. 108.~~ No funds provided in this title may be ex-
21 pended by the Department of the Interior for the conduct
22 of offshore oil and natural gas preleasing, leasing, and re-
23 lated activities, on lands within the North Aleutian Basin
24 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. Appropriations made in this Act under the
17 headings Bureau of Indian Affairs and Office of Special
18 Trustee for American Indians and any available unobli-
19 gated balances from prior appropriations Acts made under
20 the same headings, shall be available for expenditure or
21 transfer for Indian trust management activities pursuant
22 to the Trust Management Improvement Project High
23 Level Implementation Plan.

24 SEC. 114. A grazing permit or lease that expires (or
25 is transferred) during fiscal year 2002 shall be renewed

1 under section 402 of the Federal Land Policy and Man-
2 agement Act of 1976, as amended (43 U.S.C. 1752) or
3 if applicable, section 510 of the California Desert Protec-
4 tion Act (16 U.S.C. 410aaa-50). The terms and condi-
5 tions contained in the expiring permit or lease shall con-
6 tinue in effect under the new permit or lease until such
7 time as the Secretary of the Interior completes processing
8 of such permit or lease in compliance with all applicable
9 laws and regulations, at which time such permit or lease
10 may be canceled, suspended or modified, in whole or in
11 part, to meet the requirements of such applicable laws and
12 regulations. Nothing in this section shall be deemed to
13 alter the Secretary's statutory authority.

14 SEC. 115. Notwithstanding any other provision of
15 law, for the purpose of reducing the backlog of Indian pro-
16 bate cases in the Department of the Interior, the hearing
17 requirements of chapter 10 of title 25, United States
18 Code, are deemed satisfied by a proceeding conducted by
19 an Indian probate judge, appointed by the Secretary with-
20 out regard to the provisions of title 5, United States Code,
21 governing the appointments in the competitive service, for
22 such period of time as the Secretary determines necessary:
23 *Provided*, That the basic pay of an Indian probate judge
24 so appointed may be fixed by the Secretary without regard
25 to the provisions of chapter 51, and subchapter III of

1 chapter 53 of title 5, United States Code, governing the
2 classification and pay of General Schedule employees, ex-
3 cept that no such Indian probate judge may be paid at
4 a level which exceeds the maximum rate payable for the
5 highest grade of the General Schedule, including locality
6 pay.

7 SEC. 116. Notwithstanding any other provision of
8 law, the Secretary of the Interior is authorized to redis-
9 tribute any Tribal Priority Allocation funds, including
10 tribal base funds, to alleviate tribal funding inequities by
11 transferring funds to address identified, unmet needs,
12 dual enrollment, overlapping service areas or inaccurate
13 distribution methodologies. No tribe shall receive a reduc-
14 tion in Tribal Priority Allocation funds of more than 10
15 percent in fiscal year 2002. Under circumstances of dual
16 enrollment, overlapping service areas or inaccurate dis-
17 tribution methodologies, the 10 percent limitation does not
18 apply.

19 SEC. 117. None of the funds in this Act may be used
20 to establish a new National Wildlife Refuge in the Kan-
21 kakee River basin that is inconsistent with the United
22 States Army Corps of Engineers' efforts to control flood-
23 ing and siltation in that area. Written certification of con-
24 sistency shall be submitted to the House and Senate Com-
25 mittees on Appropriations prior to refuge establishment.

1 ~~SEC. 118.~~ Funds appropriated for the Bureau of In-
2 dian Affairs for postsecondary schools for fiscal year 2002
3 shall be allocated among the schools proportionate to the
4 unmet need of the schools as determined by the Postsec-
5 ondary Funding Formula adopted by the Office of Indian
6 Education Programs.

7 ~~SEC. 119.~~ (a) The Secretary of the Interior shall take
8 such action as may be necessary to ensure that the lands
9 comprising the Huron Cemetery in Kansas City, Kansas
10 (as described in section ~~123~~ of Public Law 106-291) are
11 used only in accordance with this section.

12 (b) The lands of the Huron Cemetery shall be used
13 only: (1) for religious and cultural uses that are compat-
14 ible with the use of the lands as a cemetery; and (2) as
15 a burial ground.

16 ~~SEC. 120.~~ No funds appropriated for the Department
17 of the Interior by this Act or any other Act shall be used
18 to study or implement any plan to drain Lake Powell or
19 to reduce the water level of the lake below the range of
20 water levels required for the operation of the Glen Canyon
21 Dam.

22 ~~SEC. 121.~~ Notwithstanding any other provision of
23 law, in conveying the Twin Cities Research Center under
24 the authority provided by Public Law 104-134, as amend-
25 ed by Public Law 104-208, the Secretary may accept and

1 retain land and other forms of reimbursement: *Provided*,
2 That the Secretary may retain and use any such reim-
3 bursement until expended and without further appropria-
4 tion: (1) for the benefit of the National Wildlife Refuge
5 System within the State of Minnesota; and (2) for all ac-
6 tivities authorized by Public Law 100-696; 16 U.S.C.
7 460zz.

8 SEC. 122. Section 412(b) of the National Parks Om-
9 nibus Management Act of 1998, as amended (16 U.S.C.
10 5961) is amended by striking “2001” and inserting
11 “2002”.

12 SEC. 123. Notwithstanding other provisions of law,
13 the National Park Service may authorize, through cooper-
14 ative agreement, the Golden Gate National Parks Associa-
15 tion to provide fee-based education, interpretive and vis-
16 itor service functions within the Crissy Field and Fort
17 Point areas of the Presidio.

18 SEC. 124. Notwithstanding 31 U.S.C. 3302(b), sums
19 received by the Bureau of Land Management for the sale
20 of seeds or seedlings including those collected in fiscal year
21 2001, may be credited to the appropriation from which
22 funds were expended to acquire or grow the seeds or seed-
23 lings and are available without fiscal year limitation.

1 SEC. 125. TRIBAL SCHOOL CONSTRUCTION DEM-
2 ONSTRATION PROGRAM. (a) DEFINITIONS.—In this sec-
3 tion:

4 (1) CONSTRUCTION.—The term “construction”,
5 with respect to a tribally controlled school, includes
6 the construction or renovation of that school.

7 (2) INDIAN TRIBE.—The term “Indian tribe”
8 has the meaning given that term in section 4(e) of
9 the Indian Self-Determination and Education Assist-
10 ance Act (25 U.S.C. 450b(e)).

11 (3) SECRETARY.—The term “Secretary” means
12 the Secretary of the Interior.

13 (4) TRIBALLY CONTROLLED SCHOOL.—The
14 term “tribally controlled school” has the meaning
15 given that term in section 5212 of the Tribally Con-
16 trolled Schools Act of 1988 (25 U.S.C. 2511).

17 (5) DEPARTMENT.—The term “Department”
18 means the Department of the Interior.

19 (6) DEMONSTRATION PROGRAM.—The term
20 “demonstration program” means the Tribal School
21 Construction Demonstration Program.

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

1 (1) IN GENERAL.—Subject to the availability of
2 appropriations, in carrying out the demonstration
3 program under subsection (b), the Secretary shall
4 award a grant to each Indian tribe that submits an
5 application that is approved by the Secretary under
6 paragraph (2). The Secretary shall ensure that an
7 eligible Indian tribe currently on the Department's
8 priority list for construction of replacement edu-
9 cational facilities receives the highest priority for a
10 grant under this section.

11 (2) GRANT APPLICATIONS.—An application for
12 a grant under the section shall—

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

16 (B) be in such form as the Secretary deter-
17 mines appropriate.

18 (3) GRANT AGREEMENT.—As a condition to re-
19 ceiving a grant under this section, the Indian tribe
20 shall enter into an agreement with the Secretary
21 that specifies—

22 (A) the costs of construction under the
23 grant;

24 (B) that the Indian tribe shall be required
25 to contribute towards the cost of the construc-

1 tion a tribal share equal to 50 percent of the
2 costs; and

3 ~~(C)~~ any other term or condition that the
4 Secretary determines to be appropriate.

5 (4) ELIGIBILITY.—Grants awarded under the
6 demonstration program shall only be for construc-
7 tion of replacement tribally controlled schools.

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

17 SEC. 126. WHITE RIVER OIL SHALE MINE, UTAH.

18 ~~(a)~~ SALE.—The Administrator of General Services (re-
19 ferred to in this section as the “Administrator”) shall sell
20 all right, title, and interest of the United States in and
21 to the improvements and equipment described in sub-
22 section (b) that are situated on the land described in sub-
23 section (c) (referred to in this section as the “Mine”).

24 ~~(b)~~ DESCRIPTION OF IMPROVEMENTS AND EQUIP-
25 MENT.—The improvements and equipment referred to in

1 subsection (a) are the following improvements and equip-
2 ment associated with the Mine:

- 3 (1) Mine Service Building.
- 4 (2) Sewage Treatment Building.
- 5 (3) Electrical Switchgear Building.
- 6 (4) Water Treatment Building/Plant.
- 7 (5) Ventilation/Fan Building.
- 8 (6) Water Storage Tanks.
- 9 (7) Mine Hoist Cage and Headframe.
- 10 (8) Miscellaneous Mine-related equipment.

11 (c) DESCRIPTION OF LAND.—The land referred to in
12 subsection (a) is the land located in Uintah County, Utah,
13 known as the “White River Oil Shale Mine” and described
14 as follows:

- 15 (1) T. 10 S., R. 24 E., Salt Lake Meridian, sec-
16 tions 12 through 14, 19 through 30, 32, and 34.
- 17 (2) T. 10 S., R. 25 E., Salt Lake Meridian, sec-
18 tions 18 and 19.

19 (d) USE OF PROCEEDS.—The proceeds of the sale
20 under subsection (a)—

- 21 (1) shall be deposited in a special account in
22 the Treasury of the United States; and
- 23 (2) shall be available until expended, without
24 further Act of appropriation—

1 (A) first, to reimburse the Administrator
2 for the direct costs of the sale; and

3 (B) second, to reimburse the Bureau of
4 Land Management Utah State Office for the
5 costs of closing and rehabilitating the Mine.

6 (c) ~~MINE CLOSURE AND REHABILITATION.~~—The
7 closing and rehabilitation of the Mine (including closing
8 of the mine shafts, site grading, and surface revegetation)
9 shall be conducted in accordance with—

10 (1) the regulatory requirements of the State of
11 Utah, the Mine Safety and Health Administration,
12 and the Occupational Safety and Health Administra-
13 tion; and

14 (2) other applicable law.

15 TITLE II—RELATED AGENCIES

16 DEPARTMENT OF AGRICULTURE

17 FOREST SERVICE

18 FOREST AND RANGELAND RESEARCH

19 For necessary expenses of forest and rangeland re-
20 search as authorized by law, \$236,979,000, to remain
21 available until expended.

22 STATE AND PRIVATE FORESTRY

23 For necessary expenses of cooperating with and pro-
24 viding technical and financial assistance to States, terri-
25 tories, possessions, and others, and for forest health man-

1 agement, cooperative forestry, and education and land
2 conservation activities and conducting an international
3 program as authorized, \$277,771,000, to remain available
4 until expended, as authorized by law, of which
5 \$60,000,000 is for the Forest Legacy Program,
6 \$8,000,000 is for the Stewardship Incentives Program,
7 and \$36,000,000 is for the Urban and Community For-
8 estry Program, defined in section 250(e)(4)(E)(ix) of the
9 Balanced Budget and Emergency Deficit Control Act of
10 1985, as amended, for the purposes of such Act: *Provided*,
11 That, hereafter, “Forest Service State and Private For-
12 estry, Stewardship Incentives Program” shall be consid-
13 ered to be within the “State and Other Conservation sub-
14 category” in section 250(e)(4)(G) of the Balanced Budget
15 and Emergency Deficit Control Act of 1985, as amended:
16 *Provided further*, That none of the funds provided under
17 this heading for the acquisition of lands or interests in
18 lands shall be available until the House Committee on Ap-
19 propriations and the Senate Committee on Appropriations
20 provide to the Secretary, in writing, a list of specific acqui-
21 sitions to be undertaken with such funds.

22 NATIONAL FOREST SYSTEM

23 For necessary expenses of the Forest Service, not
24 otherwise provided, for management, protection, improve-
25 ment, and utilization of the National Forest System,

1 \$1,326,445,000 (reduced by \$6,000,000), to remain avail-
2 able until expended, which shall include 50 percent of all
3 moneys received during prior fiscal years as fees collected
4 under the Land and Water Conservation Fund Act of
5 1965, as amended, in accordance with section 4 of the Act
6 (16 U.S.C. 4601-6a(i)). *Provided*, That unobligated bal-
7 ances available at the start of fiscal year 2002 shall be
8 displayed by budget line item in the fiscal year 2003 budg-
9 et justification. *Provided further*, That the Secretary may
10 authorize the expenditure or transfer of such sums as nec-
11 essary to the Department of the Interior, Bureau of Land
12 Management for removal, preparation, and adoption of ex-
13 cess wild horses and burros from National Forest System
14 lands.

15 WILDLAND FIRE MANAGEMENT

16 For necessary expenses for forest fire presuppression
17 activities on National Forest System lands, for emergency
18 fire suppression on or adjacent to such lands or other
19 lands under fire protection agreement, and for emergency
20 rehabilitation of burned-over National Forest System
21 lands and water, \$1,402,305,000, to remain available until
22 expended. *Provided*, That such funds including unobli-
23 gated balances under this head, are available for repay-
24 ment of advances from other appropriations accounts pre-
25 viously transferred for such purposes. *Provided further*,
26 That not less than 50 percent of any unobligated balances

1 remaining (exclusive of amounts for hazardous fuels re-
2 duction) at the end of fiscal year 2000 shall be trans-
3 ferred, as repayment for past advances that have not been
4 repaid, to the fund established pursuant to section 3 of
5 Public Law 71-319 (16 U.S.C. 576 et seq.): *Provided fur-*
6 *ther,* That notwithstanding any other provision of law,
7 \$8,000,000 of funds appropriated under this appropria-
8 tion shall be used for Fire Science Research in support
9 of the Joint Fire Science Program: *Provided further,* That
10 all authorities for the use of funds, including the use of
11 contracts, grants, and cooperative agreements, available to
12 execute the Forest and Rangeland Research appropria-
13 tion, are also available in the utilization of these funds
14 for Fire Science Research: *Provided further,* That funds
15 provided shall be available for emergency rehabilitation
16 and restoration, hazard reduction activities in the urban-
17 wildland interface, support to Federal emergency re-
18 sponse, and wildfire suppression activities of the Forest
19 Service; *Provided further,* That of the funds provided,
20 \$227,010,000 is for hazardous fuel treatment,
21 \$81,000,000 is for rehabilitation and restoration,
22 \$38,000,000 is for capital improvement and maintenance
23 of fire facilities, \$27,265,000 is for research activities and
24 to make competitive research grants pursuant to the For-
25 est and Rangeland Renewable Resources Research Act, as

1 amended (16 U.S.C. 1641 et seq.); \$50,383,000 is for
2 state fire assistance, \$8,262,000 is for volunteer fire as-
3 sistance, \$11,974,000 is for forest health activities on
4 state, private, and Federal lands, and \$12,472,000 is for
5 economic action programs: *Provided further*, That
6 amounts in this paragraph may be transferred to the
7 “State and Private Forestry”, “National Forest System”,
8 “Forest and Rangeland Research”, and “Capital Improve-
9 ment and Maintenance” accounts to fund state fire assist-
10 ance, volunteer fire assistance, and forest health manage-
11 ment, vegetation and watershed management, heritage site
12 rehabilitation, wildlife and fish habitat management, trails
13 and facilities maintenance and restoration: *Provided fur-*
14 *ther*, That transfers of any amounts in excess of those au-
15 thorized in this paragraph, shall require approval of the
16 House and Senate Committees on Appropriations in com-
17 pliance with reprogramming procedures contained in
18 House Report No. 105–163: *Provided further*, That the
19 costs of implementing any cooperative agreement between
20 the Federal government and any non-Federal entity may
21 be shared, as mutually agreed on by the affected parties:
22 *Provided further*, That in entering into such grants or co-
23 operative agreements, the Secretary may consider the en-
24 hancement of local and small business employment oppor-
25 tunities for rural communities, and that in entering into

1 procurement contracts under this section on a best value
2 basis, the Secretary may take into account the ability of
3 an entity to enhance local and small business employment
4 opportunities in rural communities, and that the Secretary
5 may award procurement contracts, grants, or cooperative
6 agreements under this section to entities that include local
7 non-profit entities, Youth Conservation Corps or related
8 partnerships with State, local or non-profit youth groups,
9 or small or disadvantaged businesses: *Provided further,*
10 *That:*

11 (1) In expending the funds provided with re-
12 spect to this Act for hazardous fuels reduction, the
13 Secretary of the Interior and the Secretary of Agri-
14 culture may conduct fuel reduction treatments on
15 Federal lands using all contracting and hiring au-
16 thorities available to the Secretaries applicable to
17 hazardous fuel reduction activities under the
18 wildland fire management accounts. Notwith-
19 standing Federal government procurement and con-
20 tracting laws, the Secretaries may conduct fuel re-
21 duction treatments on Federal lands using grants
22 and cooperative agreements. Notwithstanding Fed-
23 eral government procurement and contracting laws,
24 in order to provide employment and training oppor-
25 tunities to people in rural communities, the Secre-

1 taries may award contracts, including contracts for
2 monitoring activities, to—

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

5 (B) Youth Conservation Corps crews or re-
6 lated partnerships, with State, local and non-
7 profit youth groups;

8 (C) small or micro-businesses; or

9 (D) other entities that will hire or train a
10 significant percentage of local people to com-
11 plete such contracts. The authorities described
12 above relating to contracts, grants, and cooper-
13 ative agreements are available until all funds
14 provided in this title for hazardous fuels reduc-
15 tion activities in the urban wildland interface
16 are obligated.

17 (2)(A) The Secretary of Agriculture may trans-
18 fer or reimburse funds to the United States Fish
19 and Wildlife Service of the Department of the Inte-
20 rior, or the National Marine Fisheries Service of the
21 Department of Commerce, for the costs of carrying
22 out their responsibilities under the Endangered Spe-
23 cies Act of 1973 (16 U.S.C. 1531 et seq.) to consult
24 and conference as required by section 7 of such Act

1 in connection with wildland fire management activi-
2 ties in fiscal years 2001 and 2002.

3 (B) Only those funds appropriated for fiscal
4 years 2001 and 2002 to Forest Service (USDA) for
5 wildland fire management are available to the Sec-
6 retary of Agriculture for such transfer or reimburse-
7 ment.

8 (C) The amount of the transfer or reimburse-
9 ment shall be as mutually agreed by the Secretary
10 of Agriculture and the Secretary of the Interior or
11 Secretary of Commerce, as applicable, or their des-
12 ignees. The amount shall in no case exceed the ac-
13 tual costs of consultation and conferencing in con-
14 nection with wildland fire management activities af-
15 fecting National Forest System lands.

16 For an additional amount, to liquidate obligations
17 previously incurred, \$274,147,000.

18 CAPITAL IMPROVEMENT AND MAINTENANCE

19 For necessary expenses of the Forest Service, not
20 otherwise provided for, \$535,513,000, to remain available
21 until expended for construction, reconstruction, mainte-
22 nance and acquisition of buildings and other facilities, and
23 for construction, reconstruction, repair and maintenance
24 of forest roads and trails by the Forest Service as author-
25 ized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205,
26 of which \$50,000,000 is for “Federal Infrastructure Im-

1 improvement", defined in section 250(c)(4)(E)(xiv) of the
2 Balanced Budget and Emergency Deficit Control Act of
3 1985, as amended, for the purposes of such Act: *Provided*,
4 That fiscal year 2001 balances in the Federal Infrastruc-
5 ture Improvement account for the Forest Service shall be
6 transferred to and merged with this appropriation, and
7 shall remain available until expended: *Provided further*,
8 That up to \$15,000,000 of the funds provided herein for
9 road maintenance shall be available for the decommis-
10 sioning of roads, including unauthorized roads not part
11 of the transportation system, which are no longer needed:
12 *Provided further*, That no funds shall be expended to de-
13 commission any system road until notice and an oppor-
14 tunity for public comment has been provided on each de-
15 commissioning project.

16 LAND ACQUISITION

17 For expenses necessary to carry out the provisions
18 of the Land and Water Conservation Fund Act of 1965,
19 as amended (16 U.S.C. 4601-4 through 11), including ad-
20 ministrative expenses, and for acquisition of land or wa-
21 ters, or interest therein, in accordance with statutory au-
22 thority applicable to the Forest Service, \$130,877,000 to
23 be derived from the Land and Water Conservation Fund,
24 to remain available until expended, and to be for the con-
25 servation activities defined in section 250(c)(4)(E)(iv) of

1 the Balanced Budget and Emergency Deficit Control Act
2 of 1985, as amended, for the purposes of such Act.

3 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
4 ACTS

5 For acquisition of lands within the exterior bound-
6 aries of the Cache, Uinta, and Wasatch National Forests,
7 Utah; the Toiyabe National Forest, Nevada; and the An-
8 geles, San Bernardino, Sequoia, and Cleveland National
9 Forests, California, as authorized by law, \$1,069,000, to
10 be derived from forest receipts.

11 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

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

18 RANGE BETTERMENT FUND

19 For necessary expenses of range rehabilitation, pro-
20 tection, and improvement, 50 percent of all moneys re-
21 ceived during the prior fiscal year, as fees for grazing do-
22 mestic livestock on lands in National Forests in the 16
23 Western States, pursuant to section 401(b)(1) of Public
24 Law 94-579, as amended, to remain available until ex-
25 pended, of which not to exceed 6 percent shall be available

1 for administrative expenses associated with on-the-ground
2 range rehabilitation, protection, and improvements.

3 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
4 RANGELAND RESEARCH

5 For expenses authorized by 16 U.S.C. 1643(b),
6 \$92,000, to remain available until expended, to be derived
7 from the fund established pursuant to the above Act.

8 MANAGEMENT OF NATIONAL FOREST LANDS FOR
9 SUBSISTENCE USES

10 For necessary expenses of the Forest Service to man-
11 age Federal lands in Alaska for subsistence uses under
12 title VIII of the Alaska National Interest Lands Conserva-
13 tion Act (Public Law 96-487), \$5,488,000, to remain
14 available until expended.

15 ADMINISTRATIVE PROVISIONS, FOREST SERVICE

16 Appropriations to the Forest Service for the current
17 fiscal year shall be available for: (1) purchase of not to
18 exceed 132 passenger motor vehicles of which eight will
19 be used primarily for law enforcement purposes and of
20 which 130 shall be for replacement; acquisition of 25 pas-
21 senger motor vehicles from excess sources, and hire of
22 such vehicles; operation and maintenance of aircraft, the
23 purchase of not to exceed seven for replacement only, and
24 acquisition of sufficient aircraft from excess sources to
25 maintain the operable fleet at 195 aircraft for use in For-
26 est Service wildland fire programs and other Forest Serv-

1 ice programs; notwithstanding other provisions of law, ex-
2 isting aircraft being replaced may be sold, with proceeds
3 derived or trade-in value used to offset the purchase price
4 for the replacement aircraft; (2) services pursuant to 7
5 U.S.C. 2225, and not to exceed \$100,000 for employment
6 under 5 U.S.C. 3109; (3) purchase, erection, and alter-
7 ation of buildings and other public improvements (7
8 U.S.C. 2250); (4) for expenses pursuant to the Volunteers
9 in the National Forest Act of 1972 (16 U.S.C. 558a,
10 558d, and 558a note); (5) the cost of uniforms as author-
11 ized by 5 U.S.C. 5901–5902; and (6) for debt collection
12 contracts in accordance with 31 U.S.C. 3718(c).

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

22 Funds appropriated to the Forest Service shall be
23 available for assistance to or through the Agency for Inter-
24 national Development and the Foreign Agricultural Serv-
25 ice in connection with forest and rangeland research, tech-

1 nical information, and assistance in foreign countries, and
2 shall be available to support forestry and related natural
3 resource activities outside the United States and its terri-
4 tories and possessions, including technical assistance, edu-
5 cation and training, and cooperation with United States
6 and international organizations.

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

15 None of the funds available to the Forest Service may
16 be reprogrammed without the advance approval of the
17 House and Senate Committees on Appropriations in ac-
18 cordance with the procedures contained in House Report
19 No. 105-163.

20 No funds available to the Forest Service shall be
21 transferred to the Working Capital Fund of the Depart-
22 ment of Agriculture that exceed the total amount trans-
23 ferred during fiscal year 2000 for such purposes without
24 the advance approval of the House and Senate Committees
25 on Appropriations.

1 Funds available to the Forest Service shall be avail-
2 able to conduct a program of not less than \$2,000,000
3 for high priority projects within the scope of the approved
4 budget which shall be carried out by the Youth Conserva-
5 tion Corps, defined in section 250(e)(4)(E)(xii) of the Bal-
6 anced Budget and Emergency Deficit Control Act of 1985,
7 as amended, for the purposes of such Act.

8 Of the funds available to the Forest Service, \$2,500
9 is available to the Chief of the Forest Service for official
10 reception and representation expenses.

11 Pursuant to sections 405(b) and 410(b) of Public
12 Law 101-593, of the funds available to the Forest Service,
13 up to \$2,250,000 may be advanced in a lump sum as Fed-
14 eral financial assistance to the National Forest Founda-
15 tion, without regard to when the Foundation incurs ex-
16 penses, for administrative expenses or projects on or bene-
17 fitting National Forest System lands or related to Forest
18 Service programs: *Provided*, That of the Federal funds
19 made available to the Foundation, no more than \$300,000
20 shall be available for administrative expenses: *Provided*
21 *further*, That the Foundation shall obtain, by the end of
22 the period of Federal financial assistance, private con-
23 tributions to match on at least one-for-one basis funds
24 made available by the Forest Service: *Provided further*,
25 That the Foundation may transfer Federal funds to a

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

13 Pursuant to section 2(b)(2) of Public Law 98-244,
14 \$2,650,000 of the funds available to the Forest Service
15 shall be available for matching funds to the National Fish
16 and Wildlife Foundation, as authorized by 16 U.S.C.
17 3701-3709, and may be advanced in a lump sum as Fed-
18 eral financial assistance, without regard to when expenses
19 are incurred, for projects on or benefitting National For-
20 est System lands or related to Forest Service programs:
21 *Provided*, That the Foundation shall obtain, by the end
22 of the period of Federal financial assistance, private con-
23 tributions to match on at least one-for-one basis funds ad-
24 vanced by the Forest Service: *Provided further*, That the
25 Foundation may transfer Federal funds to a non-Federal

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

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

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

21 Funds appropriated to the Forest Service shall be
22 available for payments to counties within the Columbia
23 River Gorge National Scenic Area, pursuant to sections
24 14(c)(1) and (2), and section 16(a)(2) of Public Law 99-
25 663.

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

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

24 Notwithstanding any other provision of law, any ap-
25 propriations or funds available to the Forest Service not

1 to exceed \$500,000 may be used to reimburse the Office
2 of the General Counsel (OGC), Department of Agri-
3 culture, for travel and related expenses incurred as a re-
4 sult of OGC assistance or participation requested by the
5 Forest Service at meetings, training sessions, management
6 reviews, land purchase negotiations and similar non-litiga-
7 tion related matters. Future budget justifications for both
8 the Forest Service and the Department of Agriculture
9 should clearly display the sums previously transferred and
10 the requested funding transfers.

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

18 The Forest Service shall fund indirect expenses, that
19 is expenses not directly related to specific programs or to
20 the accomplishment of specific work on-the-ground, from
21 any funds available to the Forest Service: *Provided*, That
22 the Forest Service shall implement and adhere to the defi-
23 nitions of indirect expenditures established pursuant to
24 Public Law 105-277 on a nationwide basis without flexi-
25 bility for modification by any organizational level except

1 the Washington Office, and when changed by the Wash-
2 ington Office, such changes in definition shall be reported
3 in budget requests submitted by the Forest Service: *Pro-*
4 *vided further,* That the Forest Service shall provide in all
5 future budget justifications, planned indirect expenditures
6 in accordance with the definitions, summarized and dis-
7 played to the Regional, Station, Area, and detached unit
8 office level. The justification shall display the estimated
9 source and amount of indirect expenditures, by expanded
10 budget line item, of funds in the agency's annual budget
11 justification. The display shall include appropriated funds
12 and the Knutson-Vandenberg, Brush Disposal, Coopera-
13 tive Work-Other, and Salvage Sale funds. Changes be-
14 tween estimated and actual indirect expenditures shall be
15 reported in subsequent budget justifications: *Provided,*
16 That during fiscal year 2002 the Secretary shall limit total
17 annual indirect obligations from the Brush Disposal,
18 Knutson-Vandenberg, Reforestation, Salvage Sale, and
19 Roads and Trails funds to 20 percent of the total obliga-
20 tions from each fund. Obligations in excess of 20 percent
21 which would otherwise be charged to the above funds may
22 be charged to appropriated funds available to the Forest
23 Service subject to notification of the Committees on Ap-
24 propriations of the House and Senate.

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 \$750,000.

6 The Secretary of Agriculture may authorize the sale
7 of excess buildings, facilities, and other properties owned
8 by the Forest Service and located on the Green Mountain
9 National Forest, the revenues of which shall be retained
10 by the Forest Service and available to the Secretary with-
11 out further appropriation and until expended for mainte-
12 nance and rehabilitation activities on the Green Mountain
13 National Forest.

14 DEPARTMENT OF ENERGY

15 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

16 For necessary expenses in carrying out fossil energy
17 research and development activities, under the authority
18 of the Department of Energy Organization Act (Public
19 Law 95-91), including the acquisition of interest, includ-
20 ing defeasible and equitable interests in any real property
21 or any facility or for plant or facility acquisition or expan-
22 sion, and for conducting inquiries, technological investiga-
23 tions and research concerning the extraction, processing,
24 use, and disposal of mineral substances without objection-
25 able social and environmental costs (30 U.S.C. 3, 1602,

1 and 1603), \$579,000,000, to remain available until ex-
2 pended, of which \$150,000,000 is to be available, after
3 coordination with the private sector, for a request for pro-
4 posals for a Clean Coal Power Initiative providing for com-
5 petitively-awarded research, development and demonstra-
6 tion of commercial scale technologies to reduce the bar-
7 riers to continued and expanded coal use: *Provided*, That
8 all awards shall be cost-shared with industry participants:
9 *Provided further*, That in order to enhance the return to
10 the taxpayer, provisions for royalties from commercializa-
11 tion of funded technologies shall be included in the pro-
12 gram solicitation, including provisions for reasonable roy-
13 alties from sale or licensing of technologies from both do-
14 mestic and foreign transactions: *Provided further*, That no
15 part of the sum herein made available shall be used for
16 the field testing of nuclear explosives in the recovery of
17 oil and gas: *Provided further*, That up to 4 percent of pro-
18 gram direction funds available to the National Energy
19 Technology Laboratory may be used to support Depart-
20 ment of Energy activities not included in this account.

21 NAVAL PETROLEUM AND OIL SHALE RESERVES

22 For expenses necessary to carry out engineering stud-
23 ies to determine the cost of development, the predicted rate
24 and quantity of petroleum recovery, the methodology, and
25 the equipment specifications for development of Shannon
26 Formation at Naval Petroleum Reserve Numbered 3, uti-

1 lizing a below-the-reservoir production method,
 2 \$17,371,000, to remain available until expended: *Pro-*
 3 *vided*, That, notwithstanding any other provision of law,
 4 unobligated funds remaining from prior years shall be
 5 available for all naval petroleum and oil shale reserve ac-
 6 tivities.

7 ELK HILLS SCHOOL LANDS FUND

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses in fulfilling installment pay-
 10 ments under the Settlement Agreement entered into by
 11 the United States and the State of California on October
 12 11, 1996, as authorized by section 3415 of Public Law
 13 104-106, \$36,000,000, to be derived by transfer from
 14 funds appropriated in prior years under the heading
 15 "Clean Coal Technology".

16 ENERGY CONSERVATION

17 For necessary expenses in carrying out energy con-
 18 servation activities, \$940,805,000 to remain available
 19 until expended: *Provided*, That \$311,000,000 shall be for
 20 use in energy conservation grant programs as defined in
 21 section 3008(3) of Public Law 99-509 (15 U.S.C. 4507):
 22 *Provided further*, That notwithstanding section 3003(d)(2)
 23 of Public Law 99-509, such sums shall be allocated to
 24 the eligible programs as follows: \$249,000,000 for weath-
 25 erization assistance grants and \$62,000,000 for State en-
 26 ergy conservation grants: *Provided further*, That the Sec-

1 retary of Energy may waive up to 50 percent of the cost-
2 sharing requirement for weatherization assistance for a
3 State which he finds to be experiencing fiscal hardship or
4 major changes in energy markets or suppliers or other
5 temporary limitations on its ability to provide matching
6 funds, provided that the State is demonstrably engaged
7 in continuing activities to secure non-Federal resources
8 and that such waiver is limited to 1 fiscal year and that
9 no State may be granted such waiver more than twice:
10 *Provided further, That, hereafter, Indian tribal direct*
11 grantees of weatherization assistance shall not be required
12 to provide matching funds.

13 ECONOMIC REGULATION

14 For necessary expenses in carrying out the activities
15 of the Office of Hearings and Appeals, \$1,996,000, to re-
16 main available until expended.

17 STRATEGIC PETROLEUM RESERVE

18 For necessary expenses for Strategic Petroleum Re-
19 serve facility development and operations and program
20 management activities pursuant to the Energy Policy and
21 Conservation Act of 1975, as amended (42 U.S.C. 6201
22 et seq.), \$179,009,000, to remain available until expended,
23 of which \$8,000,000 shall be available for maintenance of
24 a Northeast Home Heating Oil Reserve.

1 ENERGY INFORMATION ADMINISTRATION

2 For necessary expenses in carrying out the activities
3 of the Energy Information Administration, \$78,499,000,
4 to remain available until expended.

5 ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY

6 Appropriations under this Act for the current fiscal
7 year shall be available for hire of passenger motor vehicles;
8 hire, maintenance, and operation of aircraft; purchase, re-
9 pair, and cleaning of uniforms; and reimbursement to the
10 General Services Administration for security guard serv-
11 ices.

12 From appropriations under this Act, transfers of
13 sums may be made to other agencies of the Government
14 for the performance of work for which the appropriation
15 is made.

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

21 The Secretary is authorized to accept lands, build-
22 ings, equipment, and other contributions from public and
23 private sources and to prosecute projects in cooperation
24 with other agencies, Federal, State, private or foreign:
25 *Provided*, That revenues and other moneys received by or

1 for the account of the Department of Energy or otherwise
2 generated by sale of products in connection with projects
3 of the Department appropriated under this Act may be
4 retained by the Secretary of Energy, to be available until
5 expended, and used only for plant construction, operation,
6 costs, and payments to cost-sharing entities as provided
7 in appropriate cost-sharing contracts or agreements: *Pro-*
8 *vided further,* That the remainder of revenues after the
9 making of such payments shall be covered into the Treas-
10 ury as miscellaneous receipts: *Provided further,* That any
11 contract, agreement, or provision thereof entered into by
12 the Secretary pursuant to this authority shall not be exe-
13 cuted prior to the expiration of 30 calendar days (not in-
14 cluding any day in which either House of Congress is not
15 in session because of adjournment of more than 3 calendar
16 days to a day certain) from the receipt by the Speaker
17 of the House of Representatives and the President of the
18 Senate of a full comprehensive report on such project, in-
19 cluding the facts and circumstances relied upon in support
20 of the proposed project.

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

1 *vided further*, That \$15,000,000 shall remain available
2 until expended, for the Indian Catastrophic Health Emer-
3 gency Fund: *Provided further*, That \$445,776,000 for con-
4 tract medical care shall remain available for obligation
5 until September 30, 2003: *Provided further*, That of the
6 funds provided, up to \$22,000,000 shall be used to carry
7 out the loan repayment program under section 108 of the
8 Indian Health Care Improvement Act: *Provided further*,
9 That funds provided in this Act may be used for 1-year
10 contracts and grants which are to be performed in 2 fiscal
11 years, so long as the total obligation is recorded in the
12 year for which the funds are appropriated: *Provided fur-*
13 *ther*, That the amounts collected by the Secretary of
14 Health and Human Services under the authority of title
15 IV of the Indian Health Care Improvement Act shall re-
16 main available until expended for the purpose of achieving
17 compliance with the applicable conditions and require-
18 ments of titles XVIII and XIX of the Social Security Act
19 (exclusive of planning, design, or construction of new fa-
20 cilities): *Provided further*, That funding contained herein,
21 and in any earlier appropriations Acts for scholarship pro-
22 grams under the Indian Health Care Improvement Act
23 (25 U.S.C. 1613) shall remain available for obligation
24 until September 30, 2003: *Provided further*, That amounts
25 received by tribes and tribal organizations under title IV

1 of the Indian Health Care Improvement Act shall be re-
2 ported and accounted for and available to the receiving
3 tribes and tribal organizations until expended: *Provided*
4 *further*, That, notwithstanding any other provision of law,
5 of the amounts provided herein, not to exceed
6 \$268,234,000 shall be for payments to tribes and tribal
7 organizations for contract or grant support costs associ-
8 ated with contracts, grants, self-governance compacts or
9 annual funding agreements between the Indian Health
10 Service and a tribe or tribal organization pursuant to the
11 Indian Self-Determination Act of 1975, as amended, prior
12 to or during fiscal year 2002, of which not to exceed
13 \$20,000,000 may be used for contract support costs asso-
14 ciated with new or expanded self-determination contracts,
15 grants, self-governance compacts or annual funding agree-
16 ments: *Provided further*, That such costs should be paid
17 at a rate commensurate with existing contracts and no
18 new or expanded self-determination contracts, grants, self-
19 governance compacts or annual funding agreements shall
20 be entered into once the \$20,000,000 has been committed:
21 *Provided further*, That no existing self-determination con-
22 tract, grant, self-governance compact or annual funding
23 agreement shall receive direct contract support costs in ex-
24 cess of the amount received in fiscal year 2001 for such
25 costs: *Provided further*, That funds available for the In-

1 dian Health Care Improvement Fund may be used, as
2 needed, to carry out activities typically funded under the
3 Indian Health Facilities account.

4 INDIAN HEALTH FACILITIES

5 For construction, repair, maintenance, improvement,
6 and equipment of health and related auxiliary facilities,
7 including quarters for personnel; preparation of plans,
8 specifications, and drawings; acquisition of sites; purchase
9 and erection of modular buildings, and purchases of trail-
10 ers; and for provision of domestic and community sanita-
11 tion facilities for Indians, as authorized by section 7 of
12 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
13 Self-Determination Act, and the Indian Health Care Im-
14 provement Act, and for expenses necessary to carry out
15 such Acts and titles II and III of the Public Health Serv-
16 ice Act with respect to environmental health and facilities
17 support activities of the Indian Health Service,
18 \$369,795,000, to remain available until expended: *Pro-*
19 *vided*, That notwithstanding any other provision of law,
20 funds appropriated for the planning, design, construction
21 or renovation of health facilities for the benefit of an In-
22 dian tribe or tribes may be used to purchase land for sites
23 to construct, improve, or enlarge health or related facili-
24 ties: *Provided further*, That from the funds appropriated
25 herein, \$5,000,000 shall be designated by the Indian
26 Health Service as a contribution to the Yukon-Kuskokwim

1 Health Corporation (YKHC) to start a priority project for
2 the acquisition of land, planning, design and construction
3 of 79 staff quarters at Bethel, Alaska, subject to a nego-
4 tiated project agreement between the YKHC and the In-
5 dian Health Service: *Provided further*, That this project
6 shall not be subject to the construction provisions of the
7 Indian Self-Determination and Education Assistance Act
8 and shall be removed from the Indian Health Service pri-
9 ority list upon completion: *Provided further*, That the Fed-
10 eral Government shall not be liable for any property dam-
11 ages or other construction claims that may arise from
12 YKHC undertaking this project: *Provided further*, That
13 the land shall be owned or leased by the YKHC and title
14 to quarters shall remain vested with the YKHC: *Provided*
15 *further*, That \$5,000,000 shall remain available until ex-
16 pended for the purpose of funding up to two joint venture
17 health care facility projects authorized under the Indian
18 Health Care Improvement Act, as amended: *Provided fur-*
19 *ther*, That priority, by rank order, shall be given to tribes
20 with outpatient projects on the existing Indian Health
21 Services priority list that have Service-approved planning
22 documents, and can demonstrate by March 1, 2002, the
23 financial capability necessary to provide an appropriate fa-
24 cility: *Provided further*, That joint venture funds
25 unallocated after March 1, 2002, shall be made available

1 for joint venture projects on a competitive basis giving pri-
2 ority to tribes that currently have no existing federally-
3 owned health care facility; have planning documents meet-
4 ing Indian Health Service requirements prepared for ap-
5 proval by the Service and can demonstrate the financial
6 capability needed to provide an appropriate facility: *Pro-*
7 *vided further*, That the Indian Health Service shall request
8 additional staffing, operation and maintenance funds for
9 these facilities in future budget requests: *Provided further*,
10 That not to exceed \$500,000 shall be used by the Indian
11 Health Service to purchase TRANSAM equipment from
12 the Department of Defense for distribution to the Indian
13 Health Service and tribal facilities: *Provided further*, That
14 not to exceed \$500,000 shall be used by the Indian Health
15 Service to obtain ambulances for the Indian Health Serv-
16 ice and tribal facilities in conjunction with an existing
17 interagency agreement between the Indian Health Service
18 and the General Services Administration: *Provided further*,
19 That not to exceed \$500,000 shall be placed in a Demoli-
20 tion Fund, available until expended, to be used by the In-
21 dian Health Service for demolition of Federal buildings:
22 *Provided further*, That notwithstanding the provisions of
23 title III, section 306, of the Indian Health Care Improve-
24 ment Act (Public Law 94-437, as amended), construction
25 contracts authorized under title I of the Indian Self-Deter-

1 mination and Education Assistance Act of 1975, as
2 amended, may be used rather than grants to fund small
3 ambulatory facility construction projects: *Provided further,*
4 That if a contract is used, the HHS is authorized to im-
5 prove municipal, private, or tribal lands, and that at no
6 time, during construction or after completion of the
7 project will the Federal Government have any rights or
8 title to any real or personal property acquired as a part
9 of the contract.

10 ADMINISTRATIVE PROVISIONS; INDIAN HEALTH SERVICE

11 Appropriations in this Act to the Indian Health Serv-
12 ice shall be available for services as authorized by 5 U.S.C.
13 3109 but at rates not to exceed the per diem rate equiva-
14 lent to the maximum rate payable for senior-level positions
15 under 5 U.S.C. 5376; hire of passenger motor vehicles and
16 aircraft; purchase of medical equipment; purchase of re-
17 prints; purchase, renovation and erection of modular
18 buildings and renovation of existing facilities; payments
19 for telephone service in private residences in the field,
20 when authorized under regulations approved by the Sec-
21 retary; and for uniforms or allowances therefore as au-
22 thorized by 5 U.S.C. 5901–5902; and for expenses of at-
23 tendance at meetings which are concerned with the func-
24 tions or activities for which the appropriation is made or
25 which will contribute to improved conduct, supervision, or
26 management of those functions or activities.

1 In accordance with the provisions of the Indian
2 Health Care Improvement Act, non-Indian patients may
3 be extended health care at all tribally administered or In-
4 dian Health Service facilities, subject to charges, and the
5 proceeds along with funds recovered under the Federal
6 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
7 be credited to the account of the facility providing the
8 service and shall be available without fiscal year limitation.
9 Notwithstanding any other law or regulation, funds trans-
10 ferred from the Department of Housing and Urban Devel-
11 opment to the Indian Health Service shall be administered
12 under Public Law 86–121 (the Indian Sanitation Facili-
13 ties Act) and Public Law 93–638, as amended.

14 Funds appropriated to the Indian Health Service in
15 this Act, except those used for administrative and program
16 direction purposes, shall not be subject to limitations di-
17 rected at curtailing Federal travel and transportation.

18 Notwithstanding any other provision of law, funds
19 previously or herein made available to a tribe or tribal or-
20 ganization through a contract, grant, or agreement au-
21 thorized by title I or title III of the Indian Self-Determina-
22 tion and Education Assistance Act of 1975 (25 U.S.C.
23 450), may be deobligated and reobligated to a self-deter-
24 mination contract under title I, or a self-governance agree-
25 ment under title III of such Act and thereafter shall re-

1 main available to the tribe or tribal organization without
2 fiscal year limitation.

3 None of the funds made available to the Indian
4 Health Service in this Act shall be used to implement the
5 final rule published in the Federal Register on September
6 16, 1987, by the Department of Health and Human Serv-
7 ices, relating to the eligibility for the health care services
8 of the Indian Health Service until the Indian Health Serv-
9 ice has submitted a budget request reflecting the increased
10 costs associated with the proposed final rule, and such re-
11 quest has been included in an appropriations Act and en-
12 acted into law.

13 Funds made available in this Act are to be appor-
14 tioned to the Indian Health Service as appropriated in this
15 Act, and accounted for in the appropriation structure set
16 forth in this Act.

17 With respect to functions transferred by the Indian
18 Health Service to tribes or tribal organizations, the Indian
19 Health Service is authorized to provide goods and services
20 to those entities, on a reimbursable basis, including pay-
21 ment in advance with subsequent adjustment. The reim-
22 bursements received therefrom, along with the funds re-
23 ceived from those entities pursuant to the Indian Self-De-
24 termination Act, may be credited to the same or subse-

1 quent appropriation account which provided the funding.

2 Such amounts shall remain available until expended.

3 Reimbursements for training, technical assistance, or
4 services provided by the Indian Health Service will contain
5 total costs, including direct, administrative, and overhead
6 associated with the provision of goods, services, or tech-
7 nical assistance.

8 The appropriation structure for the Indian Health
9 Service may not be altered without advance approval of
10 the House and Senate Committees on Appropriations.

11 OTHER RELATED AGENCIES

12 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of Navajo and
15 Hopi Indian Relocation as authorized by Public Law 93-
16 531, \$15,148,000, to remain available until expended:
17 *Provided*, That funds provided in this or any other appro-
18 priations Act are to be used to relocate eligible individuals
19 and groups including evictees from District 6, Hopi-parti-
20 tioned lands residents, those in significantly substandard
21 housing, and all others certified as eligible and not in-
22 cluded in the preceding categories: *Provided further*, That
23 none of the funds contained in this or any other Act may
24 be used by the Office of Navajo and Hopi Indian Reloca-
25 tion to evict any single Navajo or Navajo family who, as

1 of November 30, 1985, was physically domiciled on the
2 lands partitioned to the Hopi Tribe unless a new or re-
3 placement home is provided for such household: *Provided*
4 *further*, That no relocatee will be provided with more than
5 one new or replacement home: *Provided further*, That the
6 Office shall relocate any certified eligible relocatees who
7 have selected and received an approved homesite on the
8 Navajo reservation or selected a replacement residence off
9 the Navajo reservation or on the land acquired pursuant
10 to 25 U.S.C. 640d-10.

11 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
12 CULTURE AND ARTS DEVELOPMENT

13 PAYMENT TO THE INSTITUTE

14 For payment to the Institute of American Indian and
15 Alaska Native Culture and Arts Development, as author-
16 ized by title XV of Public Law 99-498, as amended (20
17 U.S.C. 56 part A), \$4,490,000.

18 SMITHSONIAN INSTITUTION

19 SALARIES AND EXPENSES

20 For necessary expenses of the Smithsonian Institu-
21 tion, as authorized by law, including research in the fields
22 of art, science, and history; development, preservation, and
23 documentation of the National Collections; presentation of
24 public exhibits and performances; collection, preparation,
25 dissemination, and exchange of information and publica-

1 tions; conduct of education, training, and museum assist-
2 ance programs; maintenance, alteration, operation, lease
3 (for terms not to exceed 30 years), and protection of build-
4 ings, facilities, and approaches; not to exceed \$100,000
5 for services as authorized by 5 U.S.C. 3109; up to five
6 replacement passenger vehicles; purchase, rental, repair,
7 and cleaning of uniforms for employees; \$396,200,000, of
8 which not to exceed \$53,030,000 is for the instrumenta-
9 tion program; collections acquisition, Museum Support
10 Center equipment and move, exhibition reinstallation, the
11 National Museum of the American Indian, the repatriation
12 of skeletal remains program, research equipment, informa-
13 tion management, Latino programming, and outreach,
14 and including such funds as may be necessary to support
15 American overseas research centers and a total of
16 \$125,000 for the Council of American Overseas Research
17 Centers: *Provided*, That funds appropriated herein are
18 available for advance payments to independent contractors
19 performing research services or participating in official
20 Smithsonian presentations: *Provided further*, That the
21 Smithsonian Institution may expend Federal appropria-
22 tions designated in this Act for lease or rent payments
23 for long term and swing space, as rent payable to the
24 Smithsonian Institution, and such rent payments may be
25 deposited into the general trust funds of the Institution

1 to the extent that federally supported activities are housed
2 in the 900 H Street, N.W. building in the District of Co-
3 lumbia: *Provided further*, That this use of Federal appro-
4 priations shall not be construed as debt service, a Federal
5 guarantee of, a transfer of risk to, or an obligation of the
6 Federal Government: *Provided further*, That no appro-
7 priated funds may be used to service debt which is in-
8 curred to finance the costs of acquiring the 900 H Street
9 building or of planning, designing, and constructing im-
10 provements to such building.

11 REPAIR, RESTORATION AND ALTERATION OF FACILITIES

12 For necessary expenses of maintenance, repair, res-
13 toration, and alteration of facilities owned or occupied by
14 the Smithsonian Institution, by contract or otherwise, as
15 authorized by section 2 of the Act of August 22, 1949
16 (~~63 Stat. 623~~), including not to exceed \$10,000 for serv-
17 ices as authorized by 5 U.S.C. 3109, \$67,900,000, to re-
18 main available until expended, of which \$10,000,000 is
19 provided for maintenance, repair, rehabilitation and alter-
20 ation of facilities at the National Zoological Park: *Pro-*
21 *vided*, That contracts awarded for environmental systems,
22 protection systems, and repair or restoration of facilities
23 of the Smithsonian Institution may be negotiated with se-
24 lected contractors and awarded on the basis of contractor
25 qualifications as well as price.

1 CONSTRUCTION

2 For necessary expenses for construction,
3 \$30,000,000, to remain available until expended.

4 ADMINISTRATIVE PROVISIONS, SMITHSONIAN

5 INSTITUTION

6 None of the funds in this or any other Act may be
7 used to make any changes to the existing Smithsonian
8 science programs including closure of facilities, relocation
9 of staff or redirection of functions and programs without
10 approval by the Board of Regents of recommendations re-
11 ceived from the Science Commission.

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

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

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

1 NATIONAL GALLERY OF ART

2 SALARIES AND EXPENSES

3 For the upkeep and operations of the National Gal-
4 lery of Art, the protection and care of the works of art
5 therein, and administrative expenses incident thereto, as
6 authorized by the Act of March 24, 1937 (50 Stat. 51),
7 as amended by the public resolution of April 13, 1939
8 (Public Resolution 9, Seventy-sixth Congress), including
9 services as authorized by 5 U.S.C. 3109; payment in ad-
10 vance when authorized by the treasurer of the Gallery for
11 membership in library, museum, and art associations or
12 societies whose publications or services are available to
13 members only, or to members at a price lower than to the
14 general public; purchase, repair, and cleaning of uniforms
15 for guards, and uniforms, or allowances therefor, for other
16 employees as authorized by law (5 U.S.C. 5901-5902);
17 purchase or rental of devices and services for protecting
18 buildings and contents thereof, and maintenance, alter-
19 ation, improvement, and repair of buildings, approaches,
20 and grounds; and purchase of services for restoration and
21 repair of works of art for the National Gallery of Art by
22 contracts made, without advertising, with individuals,
23 firms, or organizations at such rates or prices and under
24 such terms and conditions as the Gallery may deem prop-
25 er, \$68,967,000, of which not to exceed \$3,026,000 for

1 the special exhibition program shall remain available until
2 expended.

3 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

4 For necessary expenses of repair, restoration and
5 renovation of buildings, grounds and facilities owned or
6 occupied by the National Gallery of Art, by contract or
7 otherwise, as authorized, \$14,220,000, to remain available
8 until expended: *Provided*, That contracts awarded for envi-
9 ronmental systems, protection systems, and exterior repair
10 or renovation of buildings of the National Gallery of Art
11 may be negotiated with selected contractors and awarded
12 on the basis of contractor qualifications as well as price.

13 JOHN F. KENNEDY CENTER FOR THE PERFORMING
14 ARTS

15 OPERATIONS AND MAINTENANCE

16 For necessary expenses for the operation, mainte-
17 nance and security of the John F. Kennedy Center for
18 the Performing Arts, \$15,000,000.

19 CONSTRUCTION

20 For necessary expenses for capital repair and restora-
21 tion of the existing features of the building and site of
22 the John F. Kennedy Center for the Performing Arts,
23 \$19,000,000, to remain available until expended.

1 NATIONAL ENDOWMENT FOR THE HUMANITIES

2 GRANTS AND ADMINISTRATION

3 For necessary expenses to carry out the National
4 Foundation on the Arts and the Humanities Act of 1965,
5 as amended, \$107,882,000, shall be available to the Na-
6 tional Endowment for the Humanities for support of ac-
7 tivities in the humanities, pursuant to section 7(e) of the
8 Act, and for administering the functions of the Act, to
9 remain available until expended.

10 MATCHING GRANTS

11 To carry out the provisions of section 10(a)(2) of the
12 National Foundation on the Arts and the Humanities Act
13 of 1965, as amended, \$15,622,000, to remain available
14 until expended, of which \$11,622,000 shall be available
15 to the National Endowment for the Humanities for the
16 purposes of section 7(h): *Provided*, That this appropria-
17 tion shall be available for obligation only in such amounts
18 as may be equal to the total amounts of gifts, bequests,
19 and devises of money, and other property accepted by the
20 chairman or by grantees of the Endowment under the pro-
21 visions of subsections 11(a)(2)(B) and 11(a)(3)(B) during
22 the current and preceding fiscal years for which equal
23 amounts have not previously been appropriated.

1 INSTITUTE OF MUSEUM AND LIBRARY SERVICES
2 OFFICE OF MUSEUM SERVICES
3 GRANTS AND ADMINISTRATION

4 For carrying out subtitle C of the Museum and Li-
5 brary Services Act of 1996, as amended, \$26,899,000, to
6 remain available until expended.

7 CHALLENGE AMERICA ARTS FUND
8 CHALLENGE AMERICA GRANTS

9 For necessary expenses as authorized by Public Law
10 89-209, as amended, \$17,000,000, for support for arts
11 education and public outreach activities to be administered
12 by the National Endowment for the Arts, to remain avail-
13 able until expended.

14 ADMINISTRATIVE PROVISIONS

15 None of the funds appropriated to the National
16 Foundation on the Arts and the Humanities may be used
17 to process any grant or contract documents which do not
18 include the text of 18 U.S.C. 1913: *Provided*, That none
19 of the funds appropriated to the National Foundation on
20 the Arts and the Humanities may be used for official re-
21 ception and representation expenses: *Provided further*,
22 That funds from nonappropriated sources may be used as
23 necessary for official reception and representation ex-
24 penses.

1 COMMISSION OF FINE ARTS
2 SALARIES AND EXPENSES

3 For expenses made necessary by the Act establishing
4 a Commission of Fine Arts (40 U.S.C. 104), \$1,274,000:
5 *Provided*, That the Commission is authorized to charge
6 fees to cover the full costs of its publications, and such
7 fees shall be credited to this account as an offsetting col-
8 lection, to remain available until expended without further
9 appropriation.

10 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

11 For necessary expenses as authorized by Public Law
12 99-190 (20 U.S.C. 956(a)), as amended, \$7,000,000.

13 ADVISORY COUNCIL ON HISTORIC PRESERVATION
14 SALARIES AND EXPENSES

15 For necessary expenses of the Advisory Council on
16 Historic Preservation (Public Law 89-665, as amended),
17 \$3,400,000: *Provided*, That none of these funds shall be
18 available for compensation of level V of the Executive
19 Schedule or higher positions.

20 NATIONAL CAPITAL PLANNING COMMISSION
21 SALARIES AND EXPENSES

22 For necessary expenses, as authorized by the Na-
23 tional Capital Planning Act of 1952 (40 U.S.C. 71-71i),
24 including services as authorized by 5 U.S.C. 3109,
25 \$7,253,000: *Provided*, That all appointed members of the
26 Commission will be compensated at a rate not to exceed

1 the daily equivalent of the annual rate of pay for positions
 2 at level IV of the Executive Schedule for each day such
 3 member is engaged in the actual performance of duties.

4 UNITED STATES HOLOCAUST MEMORIAL COUNCIL
 5 HOLOCAUST MEMORIAL MUSEUM

6 For expenses of the Holocaust Memorial Museum, as
 7 authorized by Public Law 96-388 (36 U.S.C. 1401), as
 8 amended (36 U.S.C. 2301-2310), \$36,028,000, of which
 9 \$1,900,000 for the museum's repair and rehabilitation
 10 program and \$1,264,000 for the museum's exhibitions
 11 program shall remain available until expended.

12 PRESIDIO TRUST

13 PRESIDIO TRUST FUND

14 For necessary expenses to carry out title I of the Om-
 15 nibus Parks and Public Lands Management Act of 1996,
 16 \$22,427,000, shall be available to the Presidio Trust, to
 17 remain available until expended.

18 TITLE III—GENERAL PROVISIONS

19 SEC. 301. The expenditure of any appropriation
 20 under this Act for any consulting service through procure-
 21 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
 22 to those contracts where such expenditures are a matter
 23 of public record and available for public inspection, except
 24 where otherwise provided under existing law, or under ex-
 25 isting Executive Order issued pursuant to existing law.

1 SEC. 302. 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. 303. 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. 304. 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. 305. 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. 306. None of the funds in this Act may be used
20 to plan, prepare, or offer for sale timber from trees classi-
21 fied as giant sequoia (*Sequoiadendron giganteum*) which
22 are located on National Forest System or Bureau of Land
23 Management lands in a manner different than such sales
24 were conducted in fiscal year 2001.

1 SEC. 307. None of the funds made available by this
2 Act may be obligated or expended by the National Park
3 Service to enter into or implement a concession contract
4 which permits or requires the removal of the underground
5 lunchroom at the Carlsbad Caverns National Park.

6 SEC. 308. None of the funds made available in this
7 Act may be used: (1) to demolish the bridge between Jer-
8 sey City, New Jersey, and Ellis Island; or (2) to prevent
9 pedestrian use of such bridge, when it is made known to
10 the Federal official having authority to obligate or expend
11 such funds that such pedestrian use is consistent with gen-
12 erally accepted safety standards.

13 SEC. 309. (a) LIMITATION OF FUNDS.—None of the
14 funds appropriated or otherwise made available pursuant
15 to this Act shall be obligated or expended to accept or
16 process applications for a patent for any mining or mill
17 site claim located under the general mining laws.

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

1 37) for placer claims, and section 2337 of the Revised
2 Statutes (30 U.S.C. 42) for mill site claims, as the case
3 may be, were fully complied with by the applicant by that
4 date.

5 (c) REPORT.—On September 30, 2002, the Secretary
6 of the Interior shall file with the House and Senate Com-
7 mittees on Appropriations and the Committee on Re-
8 sources of the House of Representatives and the Com-
9 mittee on Energy and Natural Resources of the Senate
10 a report on actions taken by the Department under the
11 plan submitted pursuant to section 314(e) of the Depart-
12 ment of the Interior and Related Agencies Appropriations
13 Act, 1997 (Public Law 104–208).

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

1 ~~SEC. 310.~~ Notwithstanding any other provision of
2 law, amounts appropriated to or earmarked in Committee
3 reports for the Bureau of Indian Affairs and the Indian
4 Health Service by Public Laws ~~103-138, 103-332, 104-~~
5 ~~134, 104-208, 105-83, 105-277, 106-113, and 106-291~~
6 for payments to tribes and tribal organizations for con-
7 tract support costs associated with self-determination or
8 self-governance contracts, grants, compacts, or annual
9 funding agreements with the Bureau of Indian Affairs or
10 the Indian Health Service as funded by such Acts, are the
11 total amounts available for fiscal years 1994 through 2001
12 for such purposes, except that, for the Bureau of Indian
13 Affairs, tribes and tribal organizations may use their trib-
14 al priority allocations for unmet indirect costs of ongoing
15 contracts, grants, self-governance compacts or annual
16 funding agreements.

17 ~~SEC. 311.~~ Notwithstanding any other provision of
18 law, for fiscal year 2002 the Secretaries of Agriculture and
19 the Interior are authorized to limit competition for water-
20 shed restoration project contracts as part of the “Jobs in
21 the Woods” Program established in Region 10 of the For-
22 est Service to individuals and entities in historically tim-
23 ber-dependent areas in the States of Washington, Oregon,
24 northern California and Alaska that have been affected by
25 reduced timber harvesting on Federal lands. The Secre-

1 taries shall consider the benefits to the local economy in
2 evaluating bids and designing procurements which create
3 economic opportunities for local contractors.

4 SEC. 312. (a) RECREATIONAL FEE DEMONSTRATION
5 PROGRAM.—Subsection (f) of section 315 of the Depart-
6 ment of the Interior and Related Agencies Appropriations
7 Act, 1996 (as contained in section 101(e) of Public Law
8 104–134; 110 Stat. 1321–200; 16 U.S.C. 4601–6a note),
9 is amended—

10 (1) by striking “commence on October 1, 1995,
11 and end on September 30, 2002” and inserting “end
12 on September 30, 2006”; and

13 (2) by striking “September 30, 2005” and in-
14 serting “September 30, 2009”.

15 (b) EXPANSION OF PROGRAM.—Subsection (b) of
16 such section is amended by striking “no fewer than 10,
17 but as many as 100.”

18 (c) REVENUE SHARING.—Subsection (d)(1) of such
19 section is amended by inserting “the Secure Rural Schools
20 and Community Self-Determination Act of 2000 (Public
21 Law 106–393; 16 U.S.C. 500 note),” before “and any
22 other provision”.

23 (d) DISCOUNTED FEES.—Subsection (b)(2) of such
24 section is amended by inserting after “testing” the fol-

1 lowing: “, including the provision of discounted or free ad-
2 mission or use as the Secretary considers appropriate”.

3 (c) SPECIAL USE PERMITS.—Subsection (b) of such
4 section is amended—

5 (1) in paragraph (4), by striking “and” at the
6 end of the paragraph;

7 (2) in paragraph (5), by striking the period at
8 the end of the paragraph and inserting “; and”; and

9 (3) by adding at the end the following new
10 paragraph:

11 “(6) in fiscal year 2003 and thereafter may re-
12 tain, for distribution and use as provided in sub-
13 section (c), fees imposed by the Forest Service for
14 the issuance of recreation special use authorizations
15 not exceeding 1 year under any provision of law.”.

16 (f) CAPITAL PROJECTS.—Subsection (c)(2) of such
17 section is amended by adding at the end the following new
18 subparagraph:

19 “(D) None of the funds collected under this section
20 may be used to plan, design, or construct a visitor center
21 or any other permanent structure without prior approval
22 of the Committee on Appropriations of the House of Rep-
23 resentatives and the Committee on Appropriations of the
24 Senate if the estimated total cost of the structure exceeds
25 \$500,000.”.

1 SEC. 313. All interests created under leases, conces-
2 sions, permits and other agreements associated with the
3 properties administered by the Presidio Trust, hereafter
4 shall be exempt from all taxes and special assessments of
5 every kind by the State of California and its political sub-
6 divisions.

7 SEC. 314. None of the funds made available in this
8 or any other Act for any fiscal year may be used to des-
9 ignate, or to post any sign designating, any portion of Ca-
10 navaeral National Seashore in Brevard County, Florida, as
11 a clothing-optional area or as an area in which public nu-
12 dity is permitted, if such designation would be contrary
13 to county ordinance.

14 SEC. 315. Of the funds provided to the National En-
15 dowment for the Arts—

16 (1) The Chairperson shall only award a grant
17 to an individual if such grant is awarded to such in-
18 dividual for a literature fellowship, National Herit-
19 age Fellowship, or American Jazz Masters Fellow-
20 ship.

21 (2) The Chairperson shall establish procedures
22 to ensure that no funding provided through a grant,
23 except a grant made to a State or local arts agency,
24 or regional group, may be used to make a grant to
25 any other organization or individual to conduct ac-

1 tivity independent of the direct grant recipient.
2 Nothing in this subsection shall prohibit payments
3 made in exchange for goods and services.

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

8 SEC. 316. The National Endowment for the Arts and
9 the National Endowment for the Humanities are author-
10 ized to solicit, accept, receive, and invest in the name of
11 the United States, gifts, bequests, or devises of money and
12 other property or services and to use such in furtherance
13 of the functions of the National Endowment for the Arts
14 and the National Endowment for the Humanities. Any
15 proceeds from such gifts, bequests, or devises, after ac-
16 ceptance by the National Endowment for the Arts or the
17 National Endowment for the Humanities, shall be paid by
18 the donor or the representative of the donor to the Chair-
19 man. The Chairman shall enter the proceeds in a special
20 interest-bearing account to the credit of the appropriate
21 endowment for the purposes specified in each case.

22 SEC. 317. (a) In providing services or awarding fi-
23 nancial assistance under the National Foundation on the
24 Arts and the Humanities Act of 1965 from funds appro-
25 priated under this Act, the Chairperson of the National

1 Endowment for the Arts shall ensure that priority is given
2 to providing services or awarding financial assistance for
3 projects, productions, workshops, or programs that serve
4 underserved populations.

5 (b) In this section:

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

12 (2) The term “poverty line” means the poverty
13 line (as defined by the Office of Management and
14 Budget, and revised annually in accordance with sec-
15 tion 673(2) of the Community Services Block Grant
16 Act (42 U.S.C. 9902(2))) applicable to a family of
17 the size involved.

18 (c) In providing services and awarding financial as-
19 sistance under the National Foundation on the Arts and
20 Humanities Act of 1965 with funds appropriated by this
21 Act, the Chairperson of the National Endowment for the
22 Arts shall ensure that priority is given to providing serv-
23 ices or awarding financial assistance for projects, produc-
24 tions, workshops, or programs that will encourage public

1 knowledge, education, understanding, and appreciation of
2 the arts.

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

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

10 (2) the Chairperson shall not make grants ex-
11 ceeding 15 percent, in the aggregate, of such funds
12 to any single State, excluding grants made under the
13 authority of paragraph (1);

14 (3) the Chairperson shall report to the Con-
15 gress annually and by State, on grants awarded by
16 the Chairperson in each grant category under sec-
17 tion 5 of such Act; and

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

21 SEC. 318. None of the funds in this Act may be used
22 to support Government-wide administrative functions un-
23 less such functions are justified in the budget process and
24 funding is approved by the House and Senate Committees
25 on Appropriations.

1 SEC. 319. Notwithstanding any other provision of
2 law, none of the funds in this Act may be used for GSA
3 Telecommunication Centers.

4 SEC. 320. None of the funds in this Act may be used
5 for planning, design or construction of improvements to
6 Pennsylvania Avenue in front of the White House without
7 the advance approval of the House and Senate Committees
8 on Appropriations.

9 SEC. 321. Amounts deposited during fiscal year 2001
10 in the roads and trails fund provided for in the fourteenth
11 paragraph under the heading "FOREST SERVICE" of
12 the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501),
13 shall be used by the Secretary of Agriculture, without re-
14 gard to the State in which the amounts were derived, to
15 repair or reconstruct roads, bridges, and trails on National
16 Forest System lands or to carry out and administer
17 projects to improve forest health conditions, which may
18 include the repair or reconstruction of roads, bridges, and
19 trails on National Forest System lands in the wildland-
20 community interface where there is an abnormally high
21 risk of fire. The projects shall emphasize reducing risks
22 to human safety and public health and property and en-
23 hancing ecological functions, long-term forest productivity,
24 and biological integrity. The projects may be completed
25 in a subsequent fiscal year. Funds shall not be expended

1 under this section to replace funds which would otherwise
2 appropriately be expended from the timber salvage sale
3 fund. Nothing in this section shall be construed to exempt
4 any project from any environmental law.

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

11 SEC. 323. No timber sale in Region 10 shall be adver-
12 tised if the indicated rate is deficit when appraised under
13 the transaction evidence appraisal system using domestic
14 Alaska values for western red cedar: *Provided*, That sales
15 which are deficit when appraised under the transaction
16 evidence appraisal system using domestic Alaska values
17 for western red cedar may be advertised upon receipt of
18 a written request by a prospective, informed bidder, who
19 has the opportunity to review the Forest Service's cruise
20 and harvest cost estimate for that timber. Program accom-
21 plishments shall be based on volume sold. Should Region
22 10 sell, in fiscal year 2001, the annual average portion
23 of the decadal allowable sale quantity called for in the cur-
24 rent Tongass Land Management Plan in sales which are
25 not deficit when appraised under the transaction evidence

1 appraisal system using domestic Alaska values for western
2 red cedar, all of the western red cedar timber from those
3 sales which is surplus to the needs of domestic processors
4 in Alaska, shall be made available to domestic processors
5 in the contiguous 48 United States at prevailing domestic
6 prices. Should Region 10 sell, in fiscal year 2001, less
7 than the annual average portion of the decadal allowable
8 sale quantity called for in the current Tongass Land Man-
9 agement Plan in sales which are not deficit when ap-
10 praised under the transaction evidence appraisal system
11 using domestic Alaska values for western red cedar, the
12 volume of western red cedar timber available to domestic
13 processors at prevailing domestic prices in the contiguous
14 48 United States shall be that volume: (i) which is surplus
15 to the needs of domestic processors in Alaska; and (ii) is
16 that percent of the surplus western red cedar volume de-
17 termined by calculating the ratio of the total timber vol-
18 ume which has been sold on the Tongass to the annual
19 average portion of the decadal allowable sale quantity
20 called for in the current Tongass Land Management Plan.
21 The percentage shall be calculated by Region 10 on a roll-
22 ing basis as each sale is sold (for purposes of this amend-
23 ment, a "rolling basis" shall mean that the determination
24 of how much western red cedar is eligible for sale to var-
25 ious markets shall be made at the time each sale is award-

1 ed). Western red cedar shall be deemed “surplus to the
2 needs of domestic processors in Alaska” when the timber
3 sale holder has presented to the Forest Service docu-
4 mentation of the inability to sell western red cedar logs
5 from a given sale to domestic Alaska processors at price
6 equal to or greater than the log selling value stated in
7 the contract. All additional western red cedar volume not
8 sold to Alaska or contiguous 48 United States domestic
9 processors may be exported to foreign markets at the elec-
10 tion of the timber sale holder. All Alaska yellow cedar may
11 be sold at prevailing export prices at the election of the
12 timber sale holder.

13 SEC. 324. The Forest Service, in consultation with
14 the Department of Labor, shall review Forest Service
15 campground concessions policy to determine if modifica-
16 tions can be made to Forest Service contracts for camp-
17 grounds so that such concessions fall within the regulatory
18 exemption of 29 CFR 4.122(b). The Forest Service shall
19 offer in fiscal year 2002 such concession prospectuses
20 under the regulatory exemption, except that, any pro-
21 spectus that does not meet the requirements of the regu-
22 latory exemption shall be offered as a service contract in
23 accordance with the requirements of 41 U.S.C. 351–358.

24 SEC. 325. A project undertaken by the Forest Service
25 under the Recreation Fee Demonstration Program as au-

1 thorized by section 315 of the Department of the Interior
2 and Related Agencies Appropriations Act for Fiscal Year
3 1996, as amended, shall not result in—

4 (1) displacement of the holder of an authoriza-
5 tion to provide commercial recreation services on
6 Federal lands. Prior to initiating any project, the
7 Secretary shall consult with potentially affected
8 holders to determine what impacts the project may
9 have on the holders. Any modifications to the au-
10 thorization shall be made within the terms and con-
11 ditions of the authorization and authorities of the
12 impacted agency.

13 (2) the return of a commercial recreation serv-
14 ice to the Secretary for operation when such services
15 have been provided in the past by a private sector
16 provider, except when—

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

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

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

24 In such cases, the agency may use the Recreation Fee
25 Demonstration Program to provide for operations until a

1 subsequent operator can be found through the offering of
2 a new prospectus.

3 SEC. 326. For fiscal years 2002 and 2003, the Sec-
4 retary of Agriculture is authorized to limit competition for
5 fire and fuel treatment and watershed restoration con-
6 tracts in the Giant Sequoia National Monument and the
7 Sequoia National Forest. Preference for employment shall
8 be given to dislocated and displaced workers in Tulare,
9 Kern and Fresno Counties, California, for work associated
10 with the establishment of the Giant Sequoia National
11 Monument.

12 SEC. 327. EXPEDITIOUS TREATMENT OF FOREST
13 PLAN REVISIONS.—The Secretary of Agriculture shall
14 complete revisions to all land and resource management
15 plans to manage a unit of the National Forest System pur-
16 suant to Section 6 of the Forest and Rangeland Renew-
17 able Resources Planning Act of 1974 (16 U.S.C. 1604)
18 as expeditiously as practicable using the funds provided
19 for that purpose by this Act.

20 SEC. 328. Until September 30, 2003, the authority
21 of the Secretary of Agriculture to enter into a cooperative
22 agreement under the first section of Public Law 94-148
23 (16 U.S.C. 565a-1) for a purpose described in such sec-
24 tion includes the authority to use that legal instrument
25 when the principal purpose of the resulting relationship

1 is to the mutually significant benefit of the Forest Service
2 and the other party or parties to the agreement, including
3 nonprofit entities.

4 SEC. 329. (a) PILOT PROGRAM AUTHORIZING CON-
5 VEYANCE OF EXCESS FOREST SERVICE STRUCTURES.—
6 The Secretary of Agriculture may convey, by sale or ex-
7 change, any or all right, title, and interest of the United
8 States in and to excess buildings and other structures lo-
9 cated on National Forest System lands and under the ju-
10 risdiction of the Forest Service. The conveyance may in-
11 clude the land on which the building or other structure
12 is located and such other land immediately adjacent to the
13 building or structure as the Secretary considers necessary.

14 (b) LIMITATION.—Not more than 10 conveyances
15 may be made under the authority of this section, and the
16 Secretary of Agriculture shall obtain the concurrence of
17 the Committee on Appropriations of the House of Rep-
18 resentatives and the Committee on Appropriations of the
19 Senate in advance of each conveyance.

20 (c) USE OF PROCEEDS.—The proceeds derived from
21 the sale of a building or other structure under this section
22 shall be retained by the Secretary of Agriculture and shall
23 be available to the Secretary, without further appropria-
24 tion until expended, for maintenance and rehabilitation ac-

1 tivities within the Forest Service Region in which the
2 building or structure is located.

3 (d) DURATION OF AUTHORITY.—The authority pro-
4 vided by this section expires on September 30, 2005.

5 SEC. 330. Section 551(e) of the Land Between the
6 Lakes Protection Act of 1998 (16 U.S.C. 460ll–61(e)) is
7 amended by striking “2002” and inserting “2004”.

8 SEC. 331. Section 323(a) of the Department of the
9 Interior and Related Agencies Appropriations Act, 1999,
10 as included in Public Law 105–277, Div. A, section 101(e)
11 is amended by inserting “and fiscal years 2002 through
12 2005,” before “to the extent funds are otherwise avail-
13 able”.

14 SEC. 332. No funds made available under this Act
15 shall be made available to any person or entity who has
16 been convicted of violating the Act of March 3, 1933 (41
17 U.S.C. 10a–10e, popularly know as the “Buy American
18 Act”).

19 SEC. 333. No funds provided in this Act may be ex-
20 pended to conduct preleasing, leasing and related activities
21 under either the Mineral Leasing Act (30 U.S.C. 181 et
22 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
23 1331 et seq.) within the boundaries of a National Monu-
24 ment established pursuant to the Act of June 8, 1906 (16
25 U.S.C. 431 et seq.) as such boundary existed on January

1 20, 2001, except where such activities are allowed under
2 the Presidential proclamation establishing such monu-
3 ment.

4 ~~SEC. 334.~~ None of the funds in this Act may be used
5 to execute a final lease agreement for oil or gas develop-
6 ment in the area of the Gulf of Mexico known as Lease
7 Sale 181 prior to April 1, 2002.

8 ~~SEC. 335.~~ None of the funds made available in this
9 Act may be used to suspend or revise the final regulations
10 published in the Federal Register on November 21, 2000,
11 that amended part 3809 of title 43, Code of Federal Regu-
12 lations.

13 This Act may be cited as the “Department of the In-
14 terior and Related Agencies Appropriations Act, 2002”.
15 *That the following sums are appropriated, out of any*
16 *money in the Treasury not otherwise appropriated, for the*
17 *Department of the Interior and related agencies for the fis-*
18 *cal year ending September 30, 2002, and for other purposes,*
19 *namely:*

20 *TITLE I—DEPARTMENT OF THE INTERIOR*

21 *BUREAU OF LAND MANAGEMENT*

22 *MANAGEMENT OF LANDS AND RESOURCES*

23 *For expenses necessary for protection, use, improve-*
24 *ment, development, disposal, cadastral surveying, classifica-*
25 *tion, acquisition of easements and other interests in lands,*

1 *and performance of other functions, including maintenance*
2 *of facilities, as authorized by law, in the management of*
3 *lands and their resources under the jurisdiction of the Bu-*
4 *reau of Land Management, including the general adminis-*
5 *tration of the Bureau, and assessment of mineral potential*
6 *of public lands pursuant to Public Law 96-487 (16 U.S.C.*
7 *3150(a)), \$775,962,000, to remain available until expended,*
8 *of which \$700,000 is for riparian management projects in*
9 *the Rio Puerco watershed, New Mexico, and of which*
10 *\$1,000,000 is for high priority projects which shall be car-*
11 *ried out by the Youth Conservation Corps, defined in section*
12 *250(c)(4)(E)(xii) of the Balanced Budget and Emergency*
13 *Deficit Control Act of 1985, as amended, for the purposes*
14 *of such Act; of which \$4,000,000 shall be available for as-*
15 *essment of the mineral potential of public lands in Alaska*
16 *pursuant to section 1010 of Public Law 96-487 (16 U.S.C.*
17 *3150); and of which not to exceed \$1,000,000 shall be de-*
18 *rived from the special receipt account established by the*
19 *Land and Water Conservation Act of 1965, as amended (16*
20 *U.S.C. 460l-6a(i)); and of which \$3,000,000 shall be avail-*
21 *able in fiscal year 2002 subject to a match by at least an*
22 *equal amount by the National Fish and Wildlife Founda-*
23 *tion, to such Foundation for cost-shared projects supporting*
24 *conservation of Bureau lands and such funds shall be ad-*
25 *vanced to the Foundation as a lump sum grant without*

1 regard to when expenses are incurred; in addition,
2 \$32,298,000 for Mining Law Administration program oper-
3 ations, including the cost of administering the mining
4 claim fee program; to remain available until expended, to
5 be reduced by amounts collected by the Bureau and credited
6 to this appropriation from annual mining claim fees so as
7 to result in a final appropriation estimated at not more
8 than \$775,962,000, and \$2,000,000, to remain available
9 until expended, from communication site rental fees estab-
10 lished by the Bureau for the cost of administering commu-
11 nication site activities: Provided, That appropriations here-
12 in made shall not be available for the destruction of healthy,
13 unadopted, wild horses and burros in the care of the Bureau
14 or its contractors: Provided further, That of the amount
15 provided, \$28,000,000 is for the conservation activities de-
16 fined in section 250(c)(4)(E) of the Balanced Budget and
17 Emergency Deficit Control Act of 1985, as amended, for the
18 purposes of such Act: Provided further, That balances in
19 the Federal Infrastructure Improvement account shall be
20 transferred to and merged with this appropriation, and
21 shall remain available until expended.

22 **WILDLAND FIRE MANAGEMENT**

23 *For necessary expenses for fire preparedness, suppres-*
24 *sion operations, fire science and research, emergency reha-*
25 *bilitation, hazardous fuels reduction, and rural fire assist-*
26 *ance by the Department of the Interior, \$589,421,000, to*

1 *remain available until expended, of which not to exceed*
2 *\$19,774,000 shall be for the renovation or construction of*
3 *fire facilities: Provided, That not less than \$111,255,000 of*
4 *the funds available for hazardous fuels reduction under this*
5 *heading shall be for alleviating immediate emergency*
6 *threats to urban wildland interface areas as defined by the*
7 *Secretary of the Interior: Provided further, That such funds*
8 *are also available for repayment of advances to other appro-*
9 *priation accounts from which funds were previously trans-*
10 *ferred for such purposes: Provided further, That unobligated*
11 *balances of amounts previously appropriated to the “Fire*
12 *Protection” and “Emergency Department of the Interior*
13 *Firefighting Fund” may be transferred and merged with*
14 *this appropriation: Provided further, That persons hired*
15 *pursuant to 43 U.S.C. 1469 may be furnished subsistence*
16 *and lodging without cost from funds available from this ap-*
17 *propriation: Provided further, That notwithstanding 42*
18 *U.S.C. 1856d, sums received by a bureau or office of the*
19 *Department of the Interior for fire protection rendered pur-*
20 *suant to 42 U.S.C. 1856 et seq., protection of United States*
21 *property, may be credited to the appropriation from which*
22 *funds were expended to provide that protection, and are*
23 *available without fiscal year limitation: Provided further,*
24 *That using the amounts designated under this title of this*
25 *Act, the Secretary of the Interior may enter into procure-*

1 *ment contracts, grants, or cooperative agreements, for haz-*
2 *ardous fuels reduction activities, and for training and mon-*
3 *itoring associated with such hazardous fuels reduction ac-*
4 *tivities, on Federal land, or on adjacent non-Federal land*
5 *for activities that benefit resources on Federal land: Pro-*
6 *vided further, That the costs of implementing any coopera-*
7 *tive agreement between the Federal government and any*
8 *non-Federal entity may be shared, as mutually agreed on*
9 *by the affected parties: Provided further, That in entering*
10 *into such grants or cooperative agreements, the Secretary*
11 *may consider the enhancement of local and small business*
12 *employment opportunities for rural communities, and that*
13 *in entering into procurement contracts under this section*
14 *on a best value basis, the Secretary may take into account*
15 *the ability of an entity to enhance local and small business*
16 *employment opportunities in rural communities, and that*
17 *the Secretary may award procurement contracts, grants, or*
18 *cooperative agreements under this section to entities that*
19 *include local non-profit entities, Youth Conservation Corps*
20 *or related partnerships, or small or disadvantaged busi-*
21 *nesses: Provided further, That funds appropriated under*
22 *this head may be used to reimburse the United States Fish*
23 *and Wildlife Service and the National Marine Fisheries*
24 *Service for the costs of carrying out their responsibilities*
25 *under the Endangered Species Act of 1973 (16 U.S.C. 1531*

1 *et seq.) to consult and conference, as required by section*
2 *7 of such Act in connection with wildland fire management*
3 *activities.*

4 *For an additional amount to cover necessary expenses*
5 *for burned areas rehabilitation and fire suppression by the*
6 *Department of the Interior, \$70,000,000, to remain avail-*
7 *able until expended, of which \$50,000,000 is for wildfire*
8 *suppression and \$20,000,000 is for burned areas rehabilita-*
9 *tion: Provided, That the entire amount appropriated in this*
10 *paragraph is designated by the Congress as an emergency*
11 *requirement pursuant to section 251(b)(2)(A) of the Bal-*
12 *anced Budget and Emergency Deficit Control Act of 1985,*
13 *as amended: Provided further, That these funds shall be*
14 *available only to the extent an official budget request for*
15 *a specific dollar amount, that includes designation of the*
16 *entire amount of the request as an emergency requirement*
17 *as defined in the Balanced Budget and Emergency Deficit*
18 *Control Act of 1985, as amended, is transmitted by the*
19 *President to the Congress.*

20 *CENTRAL HAZARDOUS MATERIALS FUND*

21 *For necessary expenses of the Department of the Inte-*
22 *rior and any of its component offices and bureaus for the*
23 *remedial action, including associated activities, of haz-*
24 *ardous waste substances, pollutants, or contaminants pur-*
25 *suant to the Comprehensive Environmental Response, Com-*
26 *pensation, and Liability Act, as amended (42 U.S.C. 9601*

1 *et seq.*), \$9,978,000, to remain available until expended:
2 *Provided, That notwithstanding 31 U.S.C. 3302, sums re-*
3 *covered from or paid by a party in advance of or as reim-*
4 *bursement for remedial action or response activities con-*
5 *ducted by the Department pursuant to section 107 or 113(f)*
6 *of such Act, shall be credited to this account to be available*
7 *until expended without further appropriation: Provided*
8 *further, That such sums recovered from or paid by any*
9 *party are not limited to monetary payments and may in-*
10 *clude stocks, bonds or other personal or real property, which*
11 *may be retained, liquidated, or otherwise disposed of by the*
12 *Secretary and which shall be credited to this account.*

13 *CONSTRUCTION*

14 *For construction of buildings, recreation facilities,*
15 *roads, trails, and appurtenant facilities, \$12,976,000, to re-*
16 *main available until expended.*

17 *PAYMENTS IN LIEU OF TAXES*

18 *For expenses necessary to implement the Act of October*
19 *20, 1976, as amended (31 U.S.C. 6901–6907),*
20 *\$220,000,000, of which not to exceed \$400,000 shall be*
21 *available for administrative expenses and of which*
22 *\$50,000,000 is for the conservation activities defined in sec-*
23 *tion 250(c)(4)(E)(xiii) of the Balanced Budget and Emer-*
24 *gency Deficit Control Act of 1985, as amended, for the pur-*
25 *poses of such Act: Provided, That no payment shall be made*

1 *to otherwise eligible units of local government if the com-*
2 *puted amount of the payment is less than \$100.*

3 *LAND ACQUISITION*

4 *For expenses necessary to carry out sections 205, 206,*
5 *and 318(d) of Public Law 94-579, including administra-*
6 *tive expenses and acquisition of lands or waters, or interests*
7 *therein, \$45,686,000, to be derived from the Land and*
8 *Water Conservation Fund, to remain available until ex-*
9 *pended, and to be for the conservation activities defined in*
10 *section 250(c)(4)(E)(i) of the Balanced Budget and Emer-*
11 *gency Deficit Control Act of 1985, as amended, for the pur-*
12 *poses of such Act.*

13 *OREGON AND CALIFORNIA GRANT LANDS*

14 *For expenses necessary for management, protection,*
15 *and development of resources and for construction, oper-*
16 *ation, and maintenance of access roads, reforestation, and*
17 *other improvements on the revested Oregon and California*
18 *Railroad grant lands, on other Federal lands in the Oregon*
19 *and California land-grant counties of Oregon, and on adja-*
20 *cent rights-of-way; and acquisition of lands or interests*
21 *therein including existing connecting roads on or adjacent*
22 *to such grant lands; \$106,061,000, to remain available until*
23 *expended: Provided, That 25 percent of the aggregate of all*
24 *receipts during the current fiscal year from the revested Or-*
25 *egon and California Railroad grant lands is hereby made*
26 *a charge against the Oregon and California land-grant*

1 *fund and shall be transferred to the General Fund in the*
2 *Treasury in accordance with the second paragraph of sub-*
3 *section (b) of title II of the Act of August 28, 1937 (50 Stat.*
4 *876).*

5 *FOREST ECOSYSTEMS HEALTH AND RECOVERY FUND*
6 *(REVOLVING FUND, SPECIAL ACCOUNT)*

7 *In addition to the purposes authorized in Public Law*
8 *102–381, funds made available in the Forest Ecosystem*
9 *Health and Recovery Fund can be used for the purpose of*
10 *planning, preparing, and monitoring salvage timber sales*
11 *and forest ecosystem health and recovery activities such as*
12 *release from competing vegetation and density control treat-*
13 *ments. The Federal share of receipts (defined as the portion*
14 *of salvage timber receipts not paid to the counties under*
15 *43 U.S.C. 1181f and 43 U.S.C. 1181–1 et seq., and Public*
16 *Law 103–66) derived from treatments funded by this ac-*
17 *count shall be deposited into the Forest Ecosystem Health*
18 *and Recovery Fund.*

19 *RANGE IMPROVEMENTS*

20 *For rehabilitation, protection, and acquisition of lands*
21 *and interests therein, and improvement of Federal range-*
22 *lands pursuant to section 401 of the Federal Land Policy*
23 *and Management Act of 1976 (43 U.S.C. 1701), notwith-*
24 *standing any other Act, sums equal to 50 percent of all*
25 *moneys received during the prior fiscal year under sections*
26 *3 and 15 of the Taylor Grazing Act (43 U.S.C. 315 et seq.)*

1 *and the amount designated for range improvements from*
2 *grazing fees and mineral leasing receipts from Bankhead-*
3 *Jones lands transferred to the Department of the Interior*
4 *pursuant to law, but not less than \$10,000,000, to remain*
5 *available until expended: Provided, That not to exceed*
6 *\$600,000 shall be available for administrative expenses.*

7 *SERVICE CHARGES, DEPOSITS, AND FORFEITURES*

8 *For administrative expenses and other costs related to*
9 *processing application documents and other authorizations*
10 *for use and disposal of public lands and resources, for costs*
11 *of providing copies of official public land documents, for*
12 *monitoring construction, operation, and termination of fa-*
13 *cilities in conjunction with use authorizations, and for re-*
14 *habilitation of damaged property, such amounts as may be*
15 *collected under Public Law 94-579, as amended, and Public*
16 *Law 93-153, to remain available until expended: Provided,*
17 *That notwithstanding any provision to the contrary of sec-*
18 *tion 305(a) of Public Law 94-579 (43 U.S.C. 1735(a)), any*
19 *moneys that have been or will be received pursuant to that*
20 *section, whether as a result of forfeiture, compromise, or set-*
21 *tlement, if not appropriate for refund pursuant to section*
22 *305(c) of that Act (43 U.S.C. 1735(c)), shall be available*
23 *and may be expended under the authority of this Act by*
24 *the Secretary to improve, protect, or rehabilitate any public*
25 *lands administered through the Bureau of Land Manage-*
26 *ment which have been damaged by the action of a resource*

1 *developer, purchaser, permittee, or any unauthorized per-*
2 *son, without regard to whether all moneys collected from*
3 *each such action are used on the exact lands damaged which*
4 *led to the action: Provided further, That any such moneys*
5 *that are in excess of amounts needed to repair damage to*
6 *the exact land for which funds were collected may be used*
7 *to repair other damaged public lands.*

8 *MISCELLANEOUS TRUST FUNDS*

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

17 *ADMINISTRATIVE PROVISIONS*

18 *Appropriations for the Bureau of Land Management*
19 *shall be available for purchase, erection, and dismantlement*
20 *of temporary structures, and alteration and maintenance*
21 *of necessary buildings and appurtenant facilities to which*
22 *the United States has title; up to \$100,000 for payments,*
23 *at the discretion of the Secretary, for information or evi-*
24 *dence concerning violations of laws administered by the Bu-*
25 *reau; miscellaneous and emergency expenses of enforcement*
26 *activities authorized or approved by the Secretary and to*

1 *be accounted for solely on her certificate, not to exceed*
2 *\$10,000: Provided, That notwithstanding 44 U.S.C. 501,*
3 *the Bureau may, under cooperative cost-sharing and part-*
4 *nership arrangements authorized by law, procure printing*
5 *services from cooperators in connection with jointly pro-*
6 *duced publications for which the cooperators share the cost*
7 *of printing either in cash or in services, and the Bureau*
8 *determines the cooperator is capable of meeting accepted*
9 *quality standards: Provided further, That section 28f(a) of*
10 *title 30, United States Code, is amended:*

11 (1) *In section 28f(a), by striking the first sen-*
12 *tence and inserting, “The holder of each unpatented*
13 *mining claim, mill, or tunnel site, located pursuant*
14 *to the mining laws of the United States, whether lo-*
15 *cated before, on or after the enactment of this Act,*
16 *shall pay to the Secretary of the Interior, on or before*
17 *September 1 of each year for years 2002 through*
18 *2006, a claim maintenance fee of \$100 per claim or*
19 *site”;* and

20 (2) *In section 28g, by striking “and before Sep-*
21 *tember 30, 2001” and inserting in lieu thereof “and*
22 *before September 30, 2006”.*

1 *UNITED STATES FISH AND WILDLIFE SERVICE*2 *RESOURCE MANAGEMENT*

3 *For necessary expenses of the United States Fish and*
4 *Wildlife Service, for scientific and economic studies, con-*
5 *servation, management, investigations, protection, and uti-*
6 *lization of fishery and wildlife resources, except whales,*
7 *seals, and sea lions, maintenance of the herd of long-horned*
8 *cattle on the Wichita Mountains Wildlife Refuge, general*
9 *administration, and for the performance of other authorized*
10 *functions related to such resources by direct expenditure,*
11 *contracts, grants, cooperative agreements and reimbursable*
12 *agreements with public and private entities, \$845,814,000*
13 *to remain available until September 30, 2003, except as oth-*
14 *erwise provided herein, of which \$100,000 is for the Univer-*
15 *sity of Idaho for developing research mechanisms in support*
16 *of salmon and trout recovery in the Columbia and Snake*
17 *River basins and their tributaries, of which \$140,000 shall*
18 *be made available for the preparation of, and not later than*
19 *July 31, 2002, submission to Congress of a report on, a*
20 *feasibility study and situational appraisal of the Hacken-*
21 *sack Meadowlands, New Jersey, to identify management ob-*
22 *jectives and address strategies for preservation efforts, and*
23 *of which \$31,000,000 is for conservation activities defined*
24 *in section 250(c)(4)(E) of the Balanced Budget and Emer-*
25 *gency Deficit Control Act of 1985, as amended, for the pur-*

1 poses of such Act: Provided, That balances in the Federal
2 Infrastructure Improvement account shall be transferred to
3 and merged with this appropriation, and shall remain
4 available until expended: Provided further, That not less
5 than \$2,000,000 shall be provided to local governments in
6 southern California for planning associated with the Nat-
7 ural Communities Conservation Planning (NCCP) pro-
8 gram and shall remain available until expended: Provided
9 further, That not less than \$2,000,000 for high priority
10 projects which shall be carried out by the Youth Conserva-
11 tion Corps, defined in section 250(c)(4)(E)(xii) of the Bal-
12 anced Budget and Emergency Deficit Control Act of 1985,
13 as amended, for the purposes of such Act: Provided further,
14 That not to exceed \$9,000,000 shall be used for imple-
15 menting subsections (a), (b), (c), and (e) of section 4 of the
16 Endangered Species Act, as amended, for species that are
17 indigenous to the United States (except for processing peti-
18 tions, developing and issuing proposed and final regula-
19 tions, and taking any other steps to implement actions de-
20 scribed in subsection (c)(2)(A), (c)(2)(B)(i), or
21 (c)(2)(B)(ii)): Provided further, That of the amount avail-
22 able for law enforcement, up to \$400,000 to remain avail-
23 able until expended, may at the discretion of the Secretary,
24 be used for payment for information, rewards, or evidence
25 concerning violations of laws administered by the Service,

1 *and miscellaneous and emergency expenses of enforcement*
2 *activity, authorized or approved by the Secretary and to*
3 *be accounted for solely on her certificate: Provided further,*
4 *That of the amount provided for environmental contami-*
5 *nants, up to \$1,000,000 may remain available until ex-*
6 *pended for contaminant sample analyses: Provided further,*
7 *That \$1,100,000 shall be made available to the National*
8 *Fish and Wildlife Foundation to carry out a competitively*
9 *awarded grant program for State, local, or other organiza-*
10 *tions in Maine to fund on-the-ground projects to further At-*
11 *lantic salmon conservation and restoration efforts, at least*
12 *\$550,000 of which shall be awarded to projects that will*
13 *also assist industries in Maine affected by the listing of At-*
14 *lantic salmon under the Endangered Species Act.*

15 *CONSTRUCTION*

16 *For construction, improvement, acquisition, or re-*
17 *moval of buildings and other facilities required in the con-*
18 *servation, management, investigation, protection, and utili-*
19 *zation of fishery and wildlife resources, and the acquisition*
20 *of lands and interests therein; \$55,526,000, to remain avail-*
21 *able until expended.*

22 *LAND ACQUISITION*

23 *For expenses necessary to carry out the Land and*
24 *Water Conservation Fund Act of 1965, as amended (16*
25 *U.S.C. 460l-4 through 11), including administrative ex-*
26 *penses, and for acquisition of land or waters, or interest*

1 *therein, in accordance with statutory authority applicable*
2 *to the United States Fish and Wildlife Service,*
3 *\$108,401,000, to be derived from the Land and Water Con-*
4 *servaion Fund, to remain available until expended, and*
5 *to be for the conservation activities defined in section*
6 *250(c)(4)(E)(ii) of the Balanced Budget and Emergency*
7 *Deficit Control Act of 1985, as amended, for the purposes*
8 *of such Act, of which \$500,000 shall be available to acquire*
9 *land for the Don Edwards National Wildlife Refuge, Cali-*
10 *fornia, of which not more than \$500,000 shall be used for*
11 *acquisition of 1,750 acres for the Red River National Wild-*
12 *life Refuge, and of which \$3,000,000 shall be for the acquisi-*
13 *tion of lands in the Cahaba River National Wildlife Refuge,*
14 *and of which \$1,500,000 shall be for emergencies and hard-*
15 *ships, and of which \$1,500,000 shall be for inholdings.*

16 *LANDOWNER INCENTIVE PROGRAM*

17 *For expenses necessary to carry out the Land and*
18 *Water Conservation Fund Act of 1965, as amended (16*
19 *U.S.C. 460l-4 through 11), including administrative ex-*
20 *penses, and for private conservation efforts to be carried out*
21 *on private lands, \$50,000,000, to be derived from the Land*
22 *and Water Conservation Fund, to remain available until*
23 *expended, and to be for conservation spending category ac-*
24 *tivities pursuant to section 251(c) of the Balanced Budget*
25 *and Emergency Deficit Control Act of 1985, as amended,*
26 *for the purposes of discretionary spending limits: Provided,*

1 *That the amount provided herein is for a Landowner Incentive Program established by the Secretary that provides*
2 *matching, competitively awarded grants to States, the Dis-*
3 *trict of Columbia, Tribes, Puerto Rico, Guam, the United*
4 *States Virgin Islands, the Northern Mariana Islands, and*
5 *American Samoa, to establish, or supplement existing,*
6 *landowner incentive programs that provide technical and*
7 *financial assistance, including habitat protection and res-*
8 *toration, to private landowners for the protection and man-*
9 *agement of habitat to benefit federally listed, proposed, or*
10 *candidate species, or other at-risk species on private lands.*

12

STEWARDSHIP GRANTS

13 *For expenses necessary to carry out the Land and*
14 *Water Conservation Fund Act of 1965, as amended (16*
15 *U.S.C. 460l-4 through 11), including administrative ex-*
16 *penses, and for private conservation efforts to be carried out*
17 *on private lands, \$10,000,000, to be derived from the Land*
18 *and Water Conservation Fund, to remain available until*
19 *expended, and to be for conservation spending category ac-*
20 *tivities pursuant to section 251(c) of the Balanced Budget*
21 *and Emergency Deficit Control Act of 1985, as amended,*
22 *for the purposes of discretionary spending limits: Provided,*
23 *That the amount provided herein is for the Secretary to*
24 *establish a Private Stewardship Grants Program to provide*
25 *grants and other assistance to individuals and groups en-*
26 *gaged in private conservation efforts that benefit federally*

1 *listed, proposed, or candidate species, or other at-risk spe-*
2 *cies.*

3 *COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND*

4 *For expenses necessary to carry out section 6 of the*
5 *Endangered Species Act of 1973 (16 U.S.C. 1531–1543),*
6 *as amended, \$91,000,000, to be derived from the Coopera-*
7 *tive Endangered Species Conservation Fund, to remain*
8 *available until expended, and to be for the conservation ac-*
9 *tivities defined in section 250(c)(4)(E)(v) of the Balanced*
10 *Budget and Emergency Deficit Control Act of 1985, as*
11 *amended, for the purposes of such Act.*

12 *NATIONAL WILDLIFE REFUGE FUND*

13 *For expenses necessary to implement the Act of October*
14 *17, 1978 (16 U.S.C. 715s), \$14,414,000.*

15 *NORTH AMERICAN WETLANDS CONSERVATION FUND*

16 *For expenses necessary to carry out the provisions of*
17 *the North American Wetlands Conservation Act, Public*
18 *Law 101–233, as amended, \$42,000,000, to remain avail-*
19 *able until expended and to be for the conservation activities*
20 *defined in section 250(c)(4)(E)(vi) of the Balanced Budget*
21 *and Emergency Deficit Control Act of 1985, as amended,*
22 *for the purposes of such Act.*

23 *MULTINATIONAL SPECIES CONSERVATION FUND*

24 *For expenses necessary to carry out the African Ele-*
25 *phant Conservation Act (16 U.S.C. 4201–4203, 4211–4213,*
26 *4221–4225, 4241–4245, and 1538), the Asian Elephant*

1 *Conservation Act of 1997 (16 U.S.C. 4261–4266), the Rhi-*
2 *noceros and Tiger Conservation Act of 1994 (16 U.S.C.*
3 *5301–5306), and the Great Ape Conservation Act of 2000*
4 *(16 U.S.C. 6301), \$4,000,000, to remain available until ex-*
5 *pended: Provided, That funds made available under this*
6 *Act, Public Law 106–291, and Public Law 106–554 and*
7 *hereafter in annual appropriations acts for rhinoceros,*
8 *tiger, Asian elephant, and great ape conservation programs*
9 *are exempt from any sanctions imposed against any coun-*
10 *try under section 102 of the Arms Export Control Act (22*
11 *U.S.C. 2799aa–1).*

12 *STATE WILDLIFE GRANTS*

13 *(INCLUDING RESCISSION)*

14 *For wildlife conservation grants to States and to the*
15 *District of Columbia, Puerto Rico, Guam, the U.S. Virgin*
16 *Islands, the Northern Mariana Islands, and American*
17 *Samoa, under the provisions of the Fish and Wildlife Act*
18 *of 1956 and the Fish and Wildlife Coordination Act, for*
19 *the development and implementation of programs for the*
20 *benefit of wildlife and their habitat, including species that*
21 *are not hunted or fished, \$100,000,000, to be derived from*
22 *the Land and Water Conservation Fund, to remain avail-*
23 *able until expended, and to be for the conservation activities*
24 *defined in section 250(c)(4)(E) of the Balanced Budget and*
25 *Emergency Deficit Control Act of 1985, as amended, for the*
26 *purposes of such Act: Provided, That the Secretary shall,*

1 *after deducting administrative expenses, apportion the*
2 *amount provided herein in the following manner: (A) to*
3 *the District of Columbia and to the Commonwealth of Puer-*
4 *to Rico, each a sum equal to not more than one-half of 1*
5 *percent thereof: and (B) to Guam, American Samoa, the*
6 *U.S. Virgin Islands, and the Commonwealth of the North-*
7 *ern Mariana Islands, each a sum equal to not more than*
8 *one-fourth of 1 percent thereof: Provided further, That the*
9 *Secretary shall apportion the remaining amount in the fol-*
10 *lowing manner: (A) one-third of which is based on the ratio*
11 *to which the land area of such State bears to the total land*
12 *area of all such States; and (B) two-thirds of which is based*
13 *on the ratio to which the population of such State bears*
14 *to the total population of all such States: Provided further,*
15 *That the amounts apportioned under this paragraph shall*
16 *be adjusted equitably so that no State shall be apportioned*
17 *a sum which is less than 1 percent of the amount available*
18 *for apportionment under this paragraph for any fiscal year*
19 *or more than 5 percent of such amount: Provided further,*
20 *That the Federal share of planning grants shall not exceed*
21 *75 percent of the total costs of such projects and the Federal*
22 *share of implementation grants shall not exceed 50 percent*
23 *of the total costs of such projects: Provided further, That*
24 *the non-Federal share of such projects may not be derived*
25 *from Federal grant programs: Provided further, That no*

1 *State, territory, or other jurisdiction shall receive a grant*
2 *unless it has developed, or committed to develop by October*
3 *1, 2005, a comprehensive wildlife conservation plan, con-*
4 *sistent with criteria established by the Secretary of the Inte-*
5 *rior, that considers the broad range of the State, territory,*
6 *or other jurisdiction's wildlife and associated habitats, with*
7 *appropriate priority placed on those species with the great-*
8 *est conservation need and taking into consideration the rel-*
9 *ative level of funding available for the conservation of those*
10 *species: Provided further, That any amount apportioned in*
11 *2002 to any State, territory, or other jurisdiction that re-*
12 *mains unobligated as of September 30, 2003, shall be re-*
13 *apportioned, together with funds appropriated in 2004, in*
14 *the manner provided herein.*

15 *Of the amounts appropriated in title VIII of Public*
16 *Law 106-291, \$49,890,000 for State Wildlife Grants are*
17 *rescinded.*

18 *ADMINISTRATIVE PROVISIONS*

19 *Appropriations and funds available to the United*
20 *States Fish and Wildlife Service shall be available for pur-*
21 *chase of not to exceed 74 passenger motor vehicles, of which*
22 *69 are for replacement only (including 32 for police-type*
23 *use); repair of damage to public roads within and adjacent*
24 *to reservation areas caused by operations of the Service; op-*
25 *tions for the purchase of land at not to exceed \$1 for each*

1 *option; facilities incident to such public recreational uses*
2 *on conservation areas as are consistent with their primary*
3 *purpose; and the maintenance and improvement of aquaria,*
4 *buildings, and other facilities under the jurisdiction of the*
5 *Service and to which the United States has title, and which*
6 *are used pursuant to law in connection with management*
7 *and investigation of fish and wildlife resources: Provided,*
8 *That notwithstanding 44 U.S.C. 501, the Service may,*
9 *under cooperative cost sharing and partnership arrange-*
10 *ments authorized by law, procure printing services from co-*
11 *operators in connection with jointly produced publications*
12 *for which the cooperators share at least one-half the cost*
13 *of printing either in cash or services and the Service deter-*
14 *mines the cooperator is capable of meeting accepted quality*
15 *standards: Provided further, That the Service may accept*
16 *donated aircraft as replacements for existing aircraft: Pro-*
17 *vided further, That notwithstanding any other provision of*
18 *law, the Secretary of the Interior may not spend any of*
19 *the funds appropriated in this Act for the purchase of lands*
20 *or interests in lands to be used in the establishment of any*
21 *new unit of the National Wildlife Refuge System unless the*
22 *purchase is approved in advance by the House and Senate*
23 *Committees on Appropriations in compliance with the re-*
24 *programming procedures contained in Senate Report 105-*
25 *56.*

1 *NATIONAL PARK SERVICE*2 *OPERATION OF THE NATIONAL PARK SYSTEM*

3 *For expenses necessary for the management, operation,*
4 *and maintenance of areas and facilities administered by*
5 *the National Park Service (including special road mainte-*
6 *nance service to trucking permittees on a reimbursable*
7 *basis), and for the general administration of the National*
8 *Park Service, \$1,473,128,000, of which \$10,881,000 for re-*
9 *search, planning and interagency coordination in support*
10 *of land acquisition for Everglades restoration shall remain*
11 *available until expended; and of which \$72,640,000, to re-*
12 *main available until September 30, 2003, is for mainte-*
13 *nance repair or rehabilitation projects for constructed as-*
14 *sets, operation of the National Park Service automated fa-*
15 *cility management software system, and comprehensive fa-*
16 *cility condition assessments; and of which \$2,000,000 is for*
17 *the Youth Conservation Corps, defined in section*
18 *250(c)(4)(E)(xii) of the Balanced Budget and Emergency*
19 *Deficit Control Act of 1985, as amended, for the purposes*
20 *of such Act, for high priority projects: Provided, That the*
21 *only funds in this account which may be made available*
22 *to support United States Park Police are those funds ap-*
23 *proved for emergency law and order incidents pursuant to*
24 *established National Park Service procedures, those funds*
25 *needed to maintain and repair United States Park Police*

1 *administrative facilities, and those funds necessary to reim-*
2 *burse the United States Park Police account for the*
3 *unbudgeted overtime and travel costs associated with special*
4 *events for an amount not to exceed \$10,000 per event subject*
5 *to the review and concurrence of the Washington head-*
6 *quarters office.*

7 *UNITED STATES PARK POLICE*

8 *For expenses necessary to carry out the programs of*
9 *the United States Park Police, \$66,106,000.*

10 *CONTRIBUTION FOR ANNUITY BENEFITS*

11 *For reimbursement (not heretofore made), pursuant to*
12 *provisions of Public Law 85-157, to the District of Colum-*
13 *bia on a monthly basis for benefit payments by the District*
14 *of Columbia to United States Park Police annuitants under*
15 *the provisions of the Policeman and Fireman's Retirement*
16 *and Disability Act (Act), to the extent those payments ex-*
17 *ceed contributions made by active Park Police members cov-*
18 *ered under the Act, such amounts as hereafter may be nec-*
19 *essary: Provided, That hereafter the appropriations made*
20 *to the National Park Service shall not be available for this*
21 *purpose.*

22 *NATIONAL RECREATION AND PRESERVATION*

23 *For expenses necessary to carry out recreation pro-*
24 *grams, natural programs, cultural programs, heritage part-*
25 *nership programs, environmental compliance and review,*
26 *international park affairs, statutory or contractual aid for*

1 *other activities, and grant administration, not otherwise*
2 *provided for, \$66,287,000, of which \$300,000 in heritage*
3 *partnership funds are for the Erie Canalway National Her-*
4 *itage Corridor, of which \$101,000 in statutory or contrac-*
5 *tual aid is for the Brown Foundation for Educational Eq-*
6 *uity, and of which \$250,000 is for a cultural program grant*
7 *to the Underground Railroad Coalition of Delaware.*

8 *URBAN PARK AND RECREATION FUND*

9 *For expenses necessary to carry out the provisions of*
10 *the Urban Park and Recreation Recovery Act of 1978 (16*
11 *U.S.C. 2501 et seq.), \$20,000,000, to remain available until*
12 *expended and to be for the conservation activities defined*
13 *in section 250(c)(4)(E)(x) of the Balanced Budget and*
14 *Emergency Deficit Control Act of 1985, as amended, for the*
15 *purposes of such Act.*

16 *HISTORIC PRESERVATION FUND*

17 *For expenses necessary in carrying out the Historic*
18 *Preservation Act of 1966, as amended (16 U.S.C. 470), and*
19 *the Omnibus Parks and Public Lands Management Act of*
20 *1996 (Public Law 104–333), \$74,000,000, to be derived*
21 *from the Historic Preservation Fund, to remain available*
22 *until September 30, 2003, and to be for the conservation*
23 *activities defined in section 250(c)(4)(E)(xi) of the Bal-*
24 *anced Budget and Emergency Deficit Control Act of 1985,*
25 *as amended, for the purposes of such Act: Provided, That*
26 *of the amount provided \$30,000,000 shall be for Save Amer-*

1 ica's Treasures for priority preservation projects, including
2 preservation of intellectual and cultural artifacts, preserva-
3 tion of historic structures and sites, and buildings to house
4 cultural and historic resources and to provide educational
5 opportunities: Provided further, That any individual Save
6 America's Treasures grant shall be matched by non-Federal
7 funds: Provided further, That individual projects shall only
8 be eligible for one grant, and all projects to be funded shall
9 be approved by the House and Senate Committees on Ap-
10 propriations prior to the commitment of grant funds: Pro-
11 vided further, That Save America's Treasures funds allo-
12 cated for Federal projects shall be available by transfer to
13 appropriate accounts of individual agencies, after approval
14 of such projects by the Secretary of the Interior: Provided
15 further, That none of the funds provided for Save America's
16 Treasures may be used for administrative expenses, and
17 staffing for the program shall be available from the existing
18 staffing levels in the National Park Service.

19 CONSTRUCTION

20 For construction, improvements, repair or replacement
21 of physical facilities, including the modifications authorized
22 by section 104 of the Everglades National Park Protection
23 and Expansion Act of 1989, \$338,585,000, to remain avail-
24 able until expended, of which \$60,000,000 is for conserva-
25 tion activities defined in section 250(c)(4)(E) of the Bal-

1 *anced Budget and Emergency Deficit Control Act of 1985,*
2 *as amended, for the purposes of such Act.*

3 *LAND AND WATER CONSERVATION FUND*

4 *(RESCISSION)*

5 *The contract authority provided for fiscal year 2002*
6 *by 16 U.S.C. 460l–10a is rescinded.*

7 *LAND ACQUISITION AND STATE ASSISTANCE*

8 *For expenses necessary to carry out the Land and*
9 *Water Conservation Act of 1965, as amended (16 U.S.C.*
10 *460l–4 through 11), including administrative expenses, and*
11 *for acquisition of lands or waters, or interest therein, in*
12 *accordance with the statutory authority applicable to the*
13 *National Park Service, \$287,036,000, to be derived from the*
14 *Land and Water Conservation Fund, to remain available*
15 *until expended and to be for the conservation activities de-*
16 *finied in section 250(c)(4)(E)(iii) of the Balanced Budget*
17 *and Emergency Deficit Control Act of 1985, as amended,*
18 *for the purposes of such Act, of which \$164,000,000 is for*
19 *the State assistance program including \$4,000,000 to ad-*
20 *minister the State assistance program, and of which*
21 *\$11,000,000 shall be for grants, not covering more than 50*
22 *percent of the total cost of any acquisition to be made with*
23 *such funds, to States and local communities for purposes*
24 *of acquiring lands or interests in lands to preserve and pro-*
25 *tect Civil War battlefield sites identified in the July 1993*
26 *Report on the Nation’s Civil War Battlefields prepared by*

1 *the Civil War Sites Advisory Commission: Provided, That*
2 *lands or interests in land acquired with Civil War battle-*
3 *field grants shall be subject to the requirements of para-*
4 *graph 6(f)(3) of the Land and Water Conservation Fund*
5 *Act of 1965 (16 U.S.C. 460l-8(f)(3)): Provided further,*
6 *That of the amounts provided under this heading,*
7 *\$15,000,000 may be for Federal grants to the State of Flor-*
8 *ida for the acquisition of lands or waters, or interests there-*
9 *in, within the Everglades watershed (consisting of lands*
10 *and waters within the boundaries of the South Florida*
11 *Water Management District, Florida Bay and the Florida*
12 *Keys, including the areas known as the Frog Pond, the*
13 *Rocky Glades and the Eight and One-Half Square Mile*
14 *Area) under terms and conditions deemed necessary by the*
15 *Secretary to improve and restore the hydrological function*
16 *of the Everglades watershed; and \$16,000,000 may be for*
17 *project modifications authorized by section 104 of the Ever-*
18 *glades National Park Protection and Expansion Act: Pro-*
19 *vided further, That funds provided under this heading for*
20 *assistance to the State of Florida to acquire lands within*
21 *the Everglades watershed are contingent upon new match-*
22 *ing non-Federal funds by the State and shall be subject to*
23 *an agreement that the lands to be acquired will be managed*
24 *in perpetuity for the restoration of the Everglades: Provided*
25 *further, That none of the funds provided for the State As-*

1 *sistance program may be used to establish a contingency*
2 *fund.*

3 *ADMINISTRATIVE PROVISIONS*

4 *Appropriations for the National Park Service shall be*
5 *available for the purchase of not to exceed 315 passenger*
6 *motor vehicles, of which 256 shall be for replacement only,*
7 *including not to exceed 237 for police-type use, 11 buses,*
8 *and 8 ambulances: Provided, That none of the funds appro-*
9 *priated to the National Park Service may be used to process*
10 *any grant or contract documents which do not include the*
11 *text of 18 U.S.C. 1913: Provided further, That none of the*
12 *funds appropriated to the National Park Service may be*
13 *used to implement an agreement for the redevelopment of*
14 *the southern end of Ellis Island until such agreement has*
15 *been submitted to the Congress and shall not be imple-*
16 *mented prior to the expiration of 30 calendar days (not*
17 *including any day in which either House of Congress is*
18 *not in session because of adjournment of more than three*
19 *calendar days to a day certain) from the receipt by the*
20 *Speaker of the House of Representatives and the President*
21 *of the Senate of a full and comprehensive report on the de-*
22 *velopment of the southern end of Ellis Island, including the*
23 *facts and circumstances relied upon in support of the pro-*
24 *posed project.*

1 *None of the funds in this Act may be spent by the Na-*
2 *tional Park Service for activities taken in direct response*
3 *to the United Nations Biodiversity Convention.*

4 *The National Park Service may distribute to operating*
5 *units based on the safety record of each unit the costs of*
6 *programs designed to improve workplace and employee safe-*
7 *ty, and to encourage employees receiving workers' com-*
8 *pensation benefits pursuant to chapter 81 of title 5, United*
9 *States Code, to return to appropriate positions for which*
10 *they are medically able.*

11 *UNITED STATES GEOLOGICAL SURVEY*

12 *SURVEYS, INVESTIGATIONS, AND RESEARCH*

13 *For expenses necessary for the United States Geological*
14 *Survey to perform surveys, investigations, and research cov-*
15 *ering topography, geology, hydrology, biology, and the min-*
16 *eral and water resources of the United States, its territories*
17 *and possessions, and other areas as authorized by 43 U.S.C.*
18 *31, 1332, and 1340; classify lands as to their mineral and*
19 *water resources; give engineering supervision to power per-*
20 *mittees and Federal Energy Regulatory Commission licens-*
21 *ees; administer the minerals exploration program (30*
22 *U.S.C. 641); and publish and disseminate data relative to*
23 *the foregoing activities; and to conduct inquiries into the*
24 *economic conditions affecting mining and materials proc-*
25 *essing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C.*

1 98g(1)) and related purposes as authorized by law and to
2 publish and disseminate data; \$892,474,000, of which
3 \$64,318,000 shall be available only for cooperation with
4 States or municipalities for water resources investigations;
5 and of which \$16,400,000 shall remain available until ex-
6 pended for conducting inquiries into the economic condi-
7 tions affecting mining and materials processing industries;
8 and of which \$8,000,000 shall remain available until ex-
9 pended for satellite operations; and of which \$23,226,000
10 shall be available until September 30, 2003 for the oper-
11 ation and maintenance of facilities and deferred mainte-
12 nance; and of which \$164,424,000 shall be available until
13 September 30, 2003 for the biological research activity and
14 the operation of the Cooperative Research Units: Provided,
15 That none of these funds provided for the biological research
16 activity shall be used to conduct new surveys on private
17 property, unless specifically authorized in writing by the
18 property owner: Provided further, That of the amount pro-
19 vided herein, \$25,000,000 is for the conservation activities
20 defined in section 250(c)(4)(E)(viii) of the Balanced Budget
21 and Emergency Deficit Control Act of 1985, as amended,
22 for the purposes of such Act: Provided further, That no part
23 of this appropriation shall be used to pay more than one-
24 half the cost of topographic mapping or water resources

1 *data collection and investigations carried on in cooperation*
2 *with States and municipalities.*

3 *ADMINISTRATIVE PROVISIONS*

4 *The amount appropriated for the United States Geo-*
5 *logical Survey shall be available for the purchase of not to*
6 *exceed 53 passenger motor vehicles, of which 48 are for re-*
7 *placement only; reimbursement to the General Services Ad-*
8 *ministration for security guard services; contracting for the*
9 *furnishing of topographic maps and for the making of geo-*
10 *physical or other specialized surveys when it is administra-*
11 *tively determined that such procedures are in the public in-*
12 *terest; construction and maintenance of necessary buildings*
13 *and appurtenant facilities; acquisition of lands for gauging*
14 *stations and observation wells; expenses of the United States*
15 *National Committee on Geology; and payment of compensa-*
16 *tion and expenses of persons on the rolls of the Survey duly*
17 *appointed to represent the United States in the negotiation*
18 *and administration of interstate compacts: Provided, That*
19 *activities funded by appropriations herein made may be ac-*
20 *complished through the use of contracts, grants, or coopera-*
21 *tive agreements as defined in 31 U.S.C. 6302 et seq.*

22 *MINERALS MANAGEMENT SERVICE*

23 *ROYALTY AND OFFSHORE MINERALS MANAGEMENT*

24 *For expenses necessary for minerals leasing and envi-*
25 *ronmental studies, regulation of industry operations, and*
26 *collection of royalties, as authorized by law; for enforcing*

1 laws and regulations applicable to oil, gas, and other min-
2 erals leases, permits, licenses and operating contracts; and
3 for matching grants or cooperative agreements; including
4 the purchase of not to exceed eight passenger motor vehicles
5 for replacement only, \$151,933,000, of which \$84,021,000,
6 shall be available for royalty management activities; and
7 an amount not to exceed \$102,730,000, to be credited to this
8 appropriation and to remain available until expended,
9 from additions to receipts resulting from increases to rates
10 in effect on August 5, 1993, from rate increases to fee collec-
11 tions for Outer Continental Shelf administrative activities
12 performed by the Minerals Management Service over and
13 above the rates in effect on September 30, 1993, and from
14 additional fees for Outer Continental Shelf administrative
15 activities established after September 30, 1993: Provided,
16 That to the extent \$102,730,000 in additions to receipts are
17 not realized from the sources of receipts stated above, the
18 amount needed to reach \$102,730,000 shall be credited to
19 this appropriation from receipts resulting from rental rates
20 for Outer Continental Shelf leases in effect before August
21 5, 1993: Provided further, That \$3,000,000 for computer ac-
22 quisitions shall remain available until September 30, 2003:
23 Provided further, That funds appropriated under this Act
24 shall be available for the payment of interest in accordance
25 with 30 U.S.C. 1721(b) and (d): Provided further, That not

1 to exceed \$3,000 shall be available for reasonable expenses
2 related to promoting volunteer beach and marine cleanup
3 activities: Provided further, That notwithstanding any
4 other provision of law, \$15,000 under this heading shall be
5 available for refunds of overpayments in connection with
6 certain Indian leases in which the Director of the Minerals
7 Management Service (MMS) concurred with the claimed re-
8 fund due, to pay amounts owed to Indian allottees or tribes,
9 or to correct prior unrecoverable erroneous payments: Pro-
10 vided further, That MMS may under the royalty-in-kind
11 pilot program use a portion of the revenues from royalty-
12 in-kind sales, without regard to fiscal year limitation, to
13 pay for transportation to wholesale market centers or up-
14 stream pooling points, and to process or otherwise dispose
15 of royalty production taken in kind: Provided further, That
16 MMS shall analyze and document the expected return in
17 advance of any royalty-in-kind sales to assure to the max-
18 imum extent practicable that royalty income under the
19 pilot program is equal to or greater than royalty income
20 recognized under a comparable royalty-in-value program.

21 *OIL SPILL RESEARCH*

22 *For necessary expenses to carry out title I, section*
23 *1016, title IV, sections 4202 and 4303, title VII, and title*
24 *VIII, section 8201 of the Oil Pollution Act of 1990,*

1 \$6,118,000, which shall be derived from the Oil Spill Liabil-
2 ity Trust Fund, to remain available until expended.

3 *OFFICE OF SURFACE MINING RECLAMATION AND*
4 *ENFORCEMENT*
5 *REGULATION AND TECHNOLOGY*

6 *For necessary expenses to carry out the provisions of*
7 *the Surface Mining Control and Reclamation Act of 1977,*
8 *Public Law 95–87, as amended, including the purchase of*
9 *not to exceed 10 passenger motor vehicles, for replacement*
10 *only; \$102,144,000: Provided, That the Secretary of the In-*
11 *terior, pursuant to regulations, may use directly or through*
12 *grants to States, moneys collected in fiscal year 2002 for*
13 *civil penalties assessed under section 518 of the Surface*
14 *Mining Control and Reclamation Act of 1977 (30 U.S.C.*
15 *1268), to reclaim lands adversely affected by coal mining*
16 *practices after August 3, 1977, to remain available until*
17 *expended: Provided further, That appropriations for the Of-*
18 *fice of Surface Mining Reclamation and Enforcement may*
19 *provide for the travel and per diem expenses of State and*
20 *tribal personnel attending Office of Surface Mining Rec-*
21 *lamation and Enforcement sponsored training.*

22 *ABANDONED MINE RECLAMATION FUND*

23 *For necessary expenses to carry out title IV of the Sur-*
24 *face Mining Control and Reclamation Act of 1977, Public*
25 *Law 95–87, as amended, including the purchase of not more*
26 *than 10 passenger motor vehicles for replacement only,*

1 \$203,171,000, to be derived from receipts of the Abandoned
2 Mine Reclamation Fund and to remain available until ex-
3 pended; of which up to \$10,000,000, to be derived from the
4 Federal Expenses Share of the Fund, shall be for supple-
5 mental grants to States for the reclamation of abandoned
6 sites with acid mine rock drainage from coal mines, and
7 for associated activities, through the Appalachian Clean
8 Streams Initiative: Provided, That grants to minimum pro-
9 gram States will be \$1,600,000 per State in fiscal year
10 2002: Provided further, That of the funds herein provided
11 up to \$18,000,000 may be used for the emergency program
12 authorized by section 410 of Public Law 95-87, as amend-
13 ed, of which no more than 25 percent shall be used for emer-
14 gency reclamation projects in any one State and funds for
15 federally administered emergency reclamation projects
16 under this proviso shall not exceed \$11,000,000: Provided
17 further, That prior year unobligated funds appropriated for
18 the emergency reclamation program shall not be subject to
19 the 25 percent limitation per State and may be used with-
20 out fiscal year limitation for emergency projects: Provided
21 further, That pursuant to Public Law 97-365, the Depart-
22 ment of the Interior is authorized to use up to 20 percent
23 from the recovery of the delinquent debt owed to the United
24 States Government to pay for contracts to collect these debts:
25 Provided further, That funds made available under title IV

1 of Public Law 95–87 may be used for any required non-
2 Federal share of the cost of projects funded by the Federal
3 Government for the purpose of environmental restoration
4 related to treatment or abatement of acid mine drainage
5 from abandoned mines: Provided further, That such projects
6 must be consistent with the purposes and priorities of the
7 Surface Mining Control and Reclamation Act: Provided
8 further, That the State of Maryland may set aside the great-
9 er of \$1,000,000 or 10 percent of the total of the grants
10 made available to the State under title IV of the Surface
11 Mining Control and Reclamation Act of 1977, as amended
12 (30 U.S.C. 1231 et seq.), if the amount set aside is deposited
13 in an acid mine drainage abatement and treatment fund
14 established under a State law, pursuant to which law the
15 amount (together with all interest earned on the amount)
16 is expended by the State to undertake acid mine drainage
17 abatement and treatment projects, except that before any
18 amounts greater than 10 percent of its title IV grants are
19 deposited in an acid mine drainage abatement and treat-
20 ment fund, the State of Maryland must first complete all
21 Surface Mining Control and Reclamation Act priority one
22 projects.

1 *BUREAU OF INDIAN AFFAIRS*2 *OPERATION OF INDIAN PROGRAMS*

3 *For expenses necessary for the operation of Indian pro-*
4 *grams, as authorized by law, including the Snyder Act of*
5 *November 2, 1921 (25 U.S.C. 13), the Indian Self-Deter-*
6 *mination and Education Assistance Act of 1975 (25 U.S.C.*
7 *450 et seq.), as amended, the Education Amendments of*
8 *1978 (25 U.S.C. 2001–2019), and the Tribally Controlled*
9 *Schools Act of 1988 (25 U.S.C. 2501 et seq.), as amended,*
10 *\$1,804,322,000, to remain available until September 30,*
11 *2003 except as otherwise provided herein, of which not to*
12 *exceed \$89,864,000 shall be for welfare assistance payments*
13 *and notwithstanding any other provision of law, including*
14 *but not limited to the Indian Self-Determination Act of*
15 *1975, as amended, not to exceed \$130,209,000 shall be*
16 *available for payments to tribes and tribal organizations*
17 *for contract support costs associated with ongoing contracts,*
18 *grants, compacts, or annual funding agreements entered*
19 *into with the Bureau prior to or during fiscal year 2002,*
20 *as authorized by such Act, except that tribes and tribal or-*
21 *ganizations may use their tribal priority allocations for*
22 *unmet indirect costs of ongoing contracts, grants, or com-*
23 *pacts, or annual funding agreements and for unmet welfare*
24 *assistance costs; and up to \$3,000,000 shall be for the In-*
25 *dian Self-Determination Fund which shall be available for*

1 *the transitional cost of initial or expanded tribal contracts,*
2 *grants, compacts or cooperative agreements with the Bureau*
3 *under such Act; and of which not to exceed \$436,427,000*
4 *for school operations costs of Bureau-funded schools and*
5 *other education programs shall become available on July*
6 *1, 2002, and shall remain available until September 30,*
7 *2003; and of which not to exceed \$58,540,000 shall remain*
8 *available until expended for housing improvement, road*
9 *maintenance, attorney fees, litigation support, the Indian*
10 *Self-Determination Fund, land records improvement, and*
11 *the Navajo-Hopi Settlement Program: Provided, That not-*
12 *withstanding any other provision of law, including but not*
13 *limited to the Indian Self-Determination Act of 1975, as*
14 *amended, and 25 U.S.C. 2008, not to exceed \$43,065,000*
15 *within and only from such amounts made available for*
16 *school operations shall be available to tribes and tribal or-*
17 *ganizations for administrative cost grants associated with*
18 *the operation of Bureau-funded schools: Provided further,*
19 *That any forestry funds allocated to a tribe which remain*
20 *unobligated as of September 30, 2003, may be transferred*
21 *during fiscal year 2004 to an Indian forest land assistance*
22 *account established for the benefit of such tribe within the*
23 *tribe's trust fund account: Provided further, That any such*
24 *unobligated balances not so transferred shall expire on Sep-*
25 *tember 30, 2004.*

CONSTRUCTION

1
2 *For construction, repair, improvement, and mainte-*
3 *nance of irrigation and power systems, buildings, utilities,*
4 *and other facilities, including architectural and engineering*
5 *services by contract; acquisition of lands, and interests in*
6 *lands; and preparation of lands for farming, and for con-*
7 *struction of the Navajo Indian Irrigation Project pursuant*
8 *to Public Law 87-483, \$360,132,000, to remain available*
9 *until expended: Provided, That such amounts as may be*
10 *available for the construction of the Navajo Indian Irriga-*
11 *tion Project may be transferred to the Bureau of Reclama-*
12 *tion: Provided further, That not to exceed 6 percent of con-*
13 *tract authority available to the Bureau of Indian Affairs*
14 *from the Federal Highway Trust Fund may be used to cover*
15 *the road program management costs of the Bureau: Pro-*
16 *vided further, That any funds provided for the Safety of*
17 *Dams program pursuant to 25 U.S.C. 13 shall be made*
18 *available on a nonreimbursable basis: Provided further,*
19 *That for fiscal year 2002, in implementing new construc-*
20 *tion or facilities improvement and repair project grants in*
21 *excess of \$100,000 that are provided to tribally controlled*
22 *grant schools under Public Law 100-297, as amended, the*
23 *Secretary of the Interior shall use the Administrative and*
24 *Audit Requirements and Cost Principles for Assistance Pro-*
25 *grams contained in 43 CFR part 12 as the regulatory re-*

1 *quirements: Provided further, That such grants shall not*
2 *be subject to section 12.61 of 43 CFR; the Secretary and*
3 *the grantee shall negotiate and determine a schedule of pay-*
4 *ments for the work to be performed: Provided further, That*
5 *in considering applications, the Secretary shall consider*
6 *whether the Indian tribe or tribal organization would be*
7 *deficient in assuring that the construction projects conform*
8 *to applicable building standards and codes and Federal,*
9 *tribal, or State health and safety standards as required by*
10 *25 U.S.C. 2005(a), with respect to organizational and fi-*
11 *nancial management capabilities: Provided further, That if*
12 *the Secretary declines an application, the Secretary shall*
13 *follow the requirements contained in 25 U.S.C. 2505(f):*
14 *Provided further, That any disputes between the Secretary*
15 *and any grantee concerning a grant shall be subject to the*
16 *disputes provision in 25 U.S.C. 2508(e).*

17 *INDIAN LAND AND WATER CLAIM SETTLEMENTS AND*
18 *MISCELLANEOUS PAYMENTS TO INDIANS*

19 *For miscellaneous payments to Indian tribes and indi-*
20 *viduals and for necessary administrative expenses,*
21 *\$60,949,000, to remain available until expended; of which*
22 *\$24,870,000 shall be available for implementation of en-*
23 *acted Indian land and water claim settlements pursuant*
24 *to Public Laws 101–618 and 102–575, and for implementa-*
25 *tion of other enacted water rights settlements; of which*
26 *\$7,950,000 shall be available for future water supplies fa-*

1 *ilities under Public Law 106–163; of which \$21,875,000*
2 *shall be available pursuant to Public Laws 99–264, 100–*
3 *580, 106–263, 106–425, 106–554, and 106–568; and of*
4 *which \$6,254,000 shall be available for the consent decree*
5 *entered by the U.S. District Court, Western District of*
6 *Michigan in United States v. Michigan, Case No. 2:73 CV*
7 *26.*

8 *INDIAN GUARANTEED LOAN PROGRAM ACCOUNT*

9 *For the cost of guaranteed loans, \$4,500,000, as au-*
10 *thorized by the Indian Financing Act of 1974, as amended:*
11 *Provided, That such costs, including the cost of modifying*
12 *such loans, shall be as defined in section 502 of the Congres-*
13 *sional Budget Act of 1974: Provided further, That these*
14 *funds are available to subsidize total loan principal, any*
15 *part of which is to be guaranteed, not to exceed \$75,000,000.*

16 *In addition, for administrative expenses to carry out*
17 *the guaranteed loan programs, \$486,000.*

18 *ADMINISTRATIVE PROVISIONS*

19 *The Bureau of Indian Affairs may carry out the oper-*
20 *ation of Indian programs by direct expenditure, contracts,*
21 *cooperative agreements, compacts and grants, either di-*
22 *rectly or in cooperation with States and other organiza-*
23 *tions.*

24 *Appropriations for the Bureau of Indian Affairs (ex-*
25 *cept the revolving fund for loans, the Indian loan guarantee*
26 *and insurance fund, and the Indian Guaranteed Loan Pro-*

1 gram account) shall be available for expenses of exhibits,
2 and purchase of not to exceed 229 passenger motor vehicles,
3 of which not to exceed 187 shall be for replacement only.

4 Notwithstanding any other provision of law, no funds
5 available to the Bureau of Indian Affairs for central office
6 operations, pooled overhead general administration (except
7 facilities operations and maintenance), or provided to im-
8 plement the recommendations of the National Academy of
9 Public Administration's August 1999 report shall be avail-
10 able for tribal contracts, grants, compacts, or cooperative
11 agreements with the Bureau of Indian Affairs under the
12 provisions of the Indian Self-Determination Act or the
13 Tribal Self-Governance Act of 1994 (Public Law 103-413).

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

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

1 *Appropriations made available in this or any other*
2 *Act for schools funded by the Bureau shall be available only*
3 *to the schools in the Bureau school system as of September*
4 *1, 1996. No funds available to the Bureau shall be used to*
5 *support expanded grades for any school or dormitory be-*
6 *yond the grade structure in place or approved by the Sec-*
7 *retary of the Interior at each school in the Bureau school*
8 *system as of October 1, 1995. Funds made available under*
9 *this Act may not be used to establish a charter school at*
10 *a Bureau-funded school (as that term is defined in section*
11 *1146 of the Education Amendments of 1978 (25 U.S.C.*
12 *2026)), except that a charter school that is in existence on*
13 *the date of the enactment of this Act and that has operated*
14 *at a Bureau-funded school before September 1, 1999, may*
15 *continue to operate during that period, but only if the char-*
16 *ter school pays to the Bureau a pro rata share of funds*
17 *to reimburse the Bureau for the use of the real and personal*
18 *property (including buses and vans), the funds of the char-*
19 *ter school are kept separate and apart from Bureau funds,*
20 *and the Bureau does not assume any obligation for charter*
21 *school programs of the State in which the school is located*
22 *if the charter school loses such funding. Employees of Bu-*
23 *reau-funded schools sharing a campus with a charter school*
24 *and performing functions related to the charter school's op-*
25 *eration and employees of a charter school shall not be treat-*

1 *ed as Federal employees for purposes of chapter 171 of title*
2 *28, United States Code (commonly known as the “Federal*
3 *Tort Claims Act”).*

4 *DEPARTMENTAL OFFICES*

5 *INSULAR AFFAIRS*

6 *ASSISTANCE TO TERRITORIES*

7 *For expenses necessary for assistance to territories*
8 *under the jurisdiction of the Department of the Interior,*
9 *\$76,450,000, of which: (1) \$71,922,000 shall be available*
10 *until expended for technical assistance, including mainte-*
11 *nance assistance, disaster assistance, insular management*
12 *controls, coral reef initiative activities, and brown tree*
13 *snake control and research; grants to the judiciary in Amer-*
14 *ican Samoa for compensation and expenses, as authorized*
15 *by law (48 U.S.C. 1661(c)); grants to the Government of*
16 *American Samoa, in addition to current local revenues, for*
17 *construction and support of governmental functions; grants*
18 *to the Government of the Virgin Islands as authorized by*
19 *law; grants to the Government of Guam, as authorized by*
20 *law; and grants to the Government of the Northern Mariana*
21 *Islands as authorized by law (Public Law 94–241; 90 Stat.*
22 *272); and (2) \$4,528,000 shall be available for salaries and*
23 *expenses of the Office of Insular Affairs: Provided, That all*
24 *financial transactions of the territorial and local govern-*
25 *ments herein provided for, including such transactions of*

1 *all agencies or instrumentalities established or used by such*
2 *governments, may be audited by the General Accounting Of-*
3 *fice, at its discretion, in accordance with chapter 35 of title*
4 *31, United States Code: Provided further, That Northern*
5 *Mariana Islands Covenant grant funding shall be provided*
6 *according to those terms of the Agreement of the Special*
7 *Representatives on Future United States Financial Assist-*
8 *ance for the Northern Mariana Islands approved by Public*
9 *Law 104–134: Provided further, That of the amounts pro-*
10 *vided for technical assistance, not to exceed \$2,000,000 shall*
11 *be made available for transfer to the Disaster Assistance*
12 *Direct Loan Financing Account of the Federal Emergency*
13 *Management Agency for the purpose of covering the cost of*
14 *forgiving the repayment obligation of the Government of the*
15 *Virgin Islands on Community Disaster Loan 841, as re-*
16 *quired by section 504 of the Congressional Budget Act of*
17 *1974, as amended (2 U.S.C. 661c): Provided further, That*
18 *of the amounts provided for technical assistance, sufficient*
19 *funding shall be made available for a grant to the Close*
20 *Up Foundation: Provided further, That the funds for the*
21 *program of operations and maintenance improvement are*
22 *appropriated to institutionalize routine operations and*
23 *maintenance improvement of capital infrastructure in*
24 *American Samoa, Guam, the Virgin Islands, the Common-*
25 *wealth of the Northern Mariana Islands, the Republic of*

1 *Palau, the Republic of the Marshall Islands, and the Fed-*
2 *erated States of Micronesia through assessments of long-*
3 *range operations maintenance needs, improved capability*
4 *of local operations and maintenance institutions and agen-*
5 *cies (including management and vocational education*
6 *training), and project-specific maintenance (with terri-*
7 *torial participation and cost sharing to be determined by*
8 *the Secretary based on the individual territory's commit-*
9 *ment to timely maintenance of its capital assets): Provided*
10 *further, That any appropriation for disaster assistance*
11 *under this heading in this Act or previous appropriations*
12 *Acts may be used as non-Federal matching funds for the*
13 *purpose of hazard mitigation grants provided pursuant to*
14 *section 404 of the Robert T. Stafford Disaster Relief and*
15 *Emergency Assistance Act (42 U.S.C. 5170c).*

16 *COMPACT OF FREE ASSOCIATION*

17 *For economic assistance and necessary expenses for the*
18 *Federated States of Micronesia and the Republic of the Mar-*
19 *shall Islands as provided for in sections 122, 221, 223, 232,*
20 *and 233 of the Compact of Free Association, and for eco-*
21 *nomie assistance and necessary expenses for the Republic*
22 *of Palau as provided for in sections 122, 221, 223, 232,*
23 *and 233 of the Compact of Free Association, \$23,245,000,*
24 *to remain available until expended, as authorized by Public*
25 *Law 99–239 and Public Law 99–658.*

1 *DEPARTMENTAL MANAGEMENT*2 *SALARIES AND EXPENSES*

3 *For necessary expenses for management of the Depart-*
4 *ment of the Interior, \$67,541,000, of which not to exceed*
5 *\$8,500 may be for official reception and representation ex-*
6 *penses, and of which up to \$1,000,000 shall be available*
7 *for workers compensation payments and unemployment*
8 *compensation payments associated with the orderly closure*
9 *of the United States Bureau of Mines.*

10 *OFFICE OF THE SOLICITOR*11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the Office of the Solicitor,*
13 *\$44,074,000.*

14 *OFFICE OF INSPECTOR GENERAL*15 *SALARIES AND EXPENSES*

16 *For necessary expenses of the Office of Inspector Gen-*
17 *eral, \$34,302,000, of which \$3,812,000 shall be for procure-*
18 *ment by contract of independent auditing services to audit*
19 *the consolidated Department of the Interior annual finan-*
20 *cial statement and the annual financial statement of the*
21 *Department of the Interior bureaus and offices funded in*
22 *this Act.*

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, \$99,224,000, 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 2002, 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 been*
23 *a loss: Provided further, That notwithstanding any other*
24 *provision of law, the Secretary shall not be required to pro-*
25 *vide a quarterly statement of performance for any Indian*

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

7 *INDIAN LAND CONSOLIDATION*

8 *For consolidation of fractional interests in Indian*
9 *lands and expenses associated with redetermining and re-*
10 *distributing escheated interests in allotted lands, and for*
11 *necessary expenses to carry out the Indian Land Consolida-*
12 *tion Act of 1983, as amended, by direct expenditure or coop-*
13 *erative agreement, \$10,980,000, to remain available until*
14 *expended and which may be transferred to the Bureau of*
15 *Indian Affairs and Departmental Management.*

16 *NATURAL RESOURCE DAMAGE ASSESSMENT AND*
17 *RESTORATION*

18 *NATURAL RESOURCE DAMAGE ASSESSMENT FUND*

19 *To conduct natural resource damage assessment activi-*
20 *ties by the Department of the Interior necessary to carry*
21 *out the provisions of the Comprehensive Environmental Re-*
22 *sponse, Compensation, and Liability Act, as amended (42*
23 *U.S.C. 9601 et seq.), Federal Water Pollution Control Act,*
24 *as amended (33 U.S.C. 1251 et seq.), the Oil Pollution Act*
25 *of 1990 (Public Law 101–380) (33 U.S.C. 2701 et seq.),*

1 *and Public Law 101–337, as amended (16 U.S.C. 19jj et*
2 *seq.), \$5,872,000, to remain available until expended.*

3 *ADMINISTRATIVE PROVISIONS*

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

17 *GENERAL PROVISIONS, DEPARTMENT OF THE*
18 *INTERIOR*

19 *SEC. 101. Appropriations made in this title shall be*
20 *available for expenditure or transfer (within each bureau*
21 *or office), with the approval of the Secretary, for the emer-*
22 *gency reconstruction, replacement, or repair of aircraft,*
23 *buildings, utilities, or other facilities or equipment dam-*
24 *aged or destroyed by fire, flood, storm, or other unavoidable*
25 *causes: Provided, That no funds shall be made available*
26 *under this authority until funds specifically made available*

1 *to the Department of the Interior for emergencies shall have*
2 *been exhausted: Provided further, That all funds used pur-*
3 *suant to this section are hereby designated by Congress to*
4 *be “emergency requirements” pursuant to section*
5 *251(b)(2)(A) of the Balanced Budget and Emergency Def-*
6 *icit Control Act of 1985, and must be replenished by a sup-*
7 *plemental appropriation which must be requested as*
8 *promptly as possible.*

9 *SEC. 102. The Secretary may authorize the expendi-*
10 *ture or transfer of any no year appropriation in this title,*
11 *in addition to the amounts included in the budget programs*
12 *of the several agencies, for the suppression or emergency*
13 *prevention of wildland fires on or threatening lands under*
14 *the jurisdiction of the Department of the Interior; for the*
15 *emergency rehabilitation of burned-over lands under its ju-*
16 *risdiction; for emergency actions related to potential or ac-*
17 *tual earthquakes, floods, volcanoes, storms, or other un-*
18 *avoidable causes; for contingency planning subsequent to*
19 *actual oil spills; for response and natural resource damage*
20 *assessment activities related to actual oil spills; for the pre-*
21 *vention, suppression, and control of actual or potential*
22 *grasshopper and Mormon cricket outbreaks on lands under*
23 *the jurisdiction of the Secretary, pursuant to the authority*
24 *in section 1773(b) of Public Law 99–198 (99 Stat. 1658);*
25 *for emergency reclamation projects under section 410 of*

1 *Public Law 95–87; and shall transfer, from any no year*
2 *funds available to the Office of Surface Mining Reclamation*
3 *and Enforcement, such funds as may be necessary to permit*
4 *assumption of regulatory authority in the event a primacy*
5 *State is not carrying out the regulatory provisions of the*
6 *Surface Mining Act: Provided, That appropriations made*
7 *in this title for wildland fire operations shall be available*
8 *for the payment of obligations incurred during the pre-*
9 *ceding fiscal year, and for reimbursement to other Federal*
10 *agencies for destruction of vehicles, aircraft, or other equip-*
11 *ment in connection with their use for wildland fire oper-*
12 *ations, such reimbursement to be credited to appropriations*
13 *currently available at the time of receipt thereof: Provided*
14 *further, That for wildland fire operations, no funds shall*
15 *be made available under this authority until the Secretary*
16 *determines that funds appropriated for “wildland fire oper-*
17 *ations” shall be exhausted within thirty days: Provided fur-*
18 *ther, That all funds used pursuant to this section are hereby*
19 *designated by Congress to be “emergency requirements”*
20 *pursuant to section 251(b)(2)(A) of the Balanced Budget*
21 *and Emergency Deficit Control Act of 1985, and must be*
22 *replenished by a supplemental appropriation which must*
23 *be requested as promptly as possible: Provided further, That*
24 *such replenishment funds shall be used to reimburse, on a*

1 *pro rata basis, accounts from which emergency funds were*
2 *transferred.*

3 *SEC. 103. Appropriations made in this title shall be*
4 *available for operation of warehouses, garages, shops, and*
5 *similar facilities, wherever consolidation of activities will*
6 *contribute to efficiency or economy, and said appropri-*
7 *tions shall be reimbursed for services rendered to any other*
8 *activity in the same manner as authorized by sections 1535*
9 *and 1536 of title 31, United States Code: Provided, That*
10 *reimbursements for costs and supplies, materials, equip-*
11 *ment, and for services rendered may be credited to the ap-*
12 *propriation current at the time such reimbursements are*
13 *received.*

14 *SEC. 104. Appropriations made to the Department of*
15 *the Interior in this title shall be available for services as*
16 *authorized by 5 U.S.C. 3109, when authorized by the Sec-*
17 *retary, in total amount not to exceed \$500,000; hire, main-*
18 *tenance, and operation of aircraft; hire of passenger motor*
19 *vehicles; purchase of reprints; payment for telephone service*
20 *in private residences in the field, when authorized under*
21 *regulations approved by the Secretary; and the payment of*
22 *dues, when authorized by the Secretary, for library member-*
23 *ship in societies or associations which issue publications to*
24 *members only or at a price to members lower than to sub-*
25 *scribers who are not members.*

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

5 *SEC. 106. Annual appropriations made in this title*
6 *shall be available for obligation in connection with con-*
7 *tracts issued for services or rentals for periods not in excess*
8 *of 12 months beginning at any time during the fiscal year.*

9 *SEC. 107. No funds provided in this title may be ex-*
10 *pended by the Department of the Interior for the conduct*
11 *of offshore preleasing, leasing and related activities placed*
12 *under restriction in the President’s moratorium statement*
13 *of June 12, 1998, in the areas of northern, central, and*
14 *southern California; the North Atlantic; Washington and*
15 *Oregon; and the eastern Gulf of Mexico south of 26 degrees*
16 *north latitude and east of 86 degrees west longitude.*

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

22 *SEC. 109. No funds provided in this title may be ex-*
23 *pended by the Department of the Interior to conduct offshore*
24 *oil and natural gas preleasing, leasing and related activi-*
25 *ties in the eastern Gulf of Mexico planning area for any*

1 *lands located outside Sale 181, as identified in the final*
2 *Outer Continental Shelf 5-Year Oil and Gas Leasing Pro-*
3 *gram, 1997–2002.*

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

8 *SEC. 111. Advance payments made under this title to*
9 *Indian tribes, tribal organizations, and tribal consortia*
10 *pursuant to the Indian Self-Determination and Education*
11 *Assistance Act (25 U.S.C. 450 et seq.) or the Tribally Con-*
12 *trolled Schools Act of 1988 (25 U.S.C. 2501 et seq.) may*
13 *be invested by the Indian tribe, tribal organization, or con-*
14 *sortium before such funds are expended for the purposes of*
15 *the grant, compact, or annual funding agreement so long*
16 *as such funds are—*

17 *(1) invested by the Indian tribe, tribal organiza-*
18 *tion, or consortium only in obligations of the United*
19 *States, or in obligations or securities that are guaran-*
20 *teed or insured by the United States, or mutual (or*
21 *other) funds registered with the Securities and Ex-*
22 *change Commission and which only invest in obliga-*
23 *tions of the United States or securities that are guar-*
24 *anteed or insured by the United States; or*

1 (2) *deposited only into accounts that are insured*
2 *by an agency or instrumentality of the United States,*
3 *or are fully collateralized to ensure protection of the*
4 *funds, even in the event of a bank failure.*

5 *SEC. 112. Appropriations made in this Act under the*
6 *headings Bureau of Indian Affairs and Office of Special*
7 *Trustee for American Indians and any available unobli-*
8 *gated balances from prior appropriations Acts made under*
9 *the same headings, shall be available for expenditure or*
10 *transfer for Indian trust management activities pursuant*
11 *to the Trust Management Improvement Project High Level*
12 *Implementation Plan.*

13 *SEC. 113. A grazing permit or lease that expires (or*
14 *is transferred) during fiscal year 2002 shall be renewed*
15 *under section 402 of the Federal Land Policy and Manage-*
16 *ment Act of 1976, as amended (43 U.S.C. 1752) or if appli-*
17 *cable, section 510 of the California Desert Protection Act*
18 *(16 U.S.C. 410aaa–50). The terms and conditions con-*
19 *tained in the expiring permit or lease shall continue in ef-*
20 *fect under the new permit or lease until such time as the*
21 *Secretary of the Interior completes processing of such per-*
22 *mit or lease in compliance with all applicable laws and*
23 *regulations, at which time such permit or lease may be can-*
24 *celed, suspended or modified, in whole or in part, to meet*
25 *the requirements of such applicable laws and regulations.*

1 *Nothing in this section shall be deemed to alter the Sec-*
2 *retary's statutory authority.*

3 *SEC. 114. Notwithstanding any other provision of law,*
4 *for the purpose of reducing the backlog of Indian probate*
5 *cases in the Department of the Interior, the hearing require-*
6 *ments of chapter 10 of title 25, United States Code, are*
7 *deemed satisfied by a proceeding conducted by an Indian*
8 *probate judge, appointed by the Secretary without regard*
9 *to the provisions of title 5, United States Code, governing*
10 *the appointments in the competitive service, for such period*
11 *of time as the Secretary determines necessary: Provided,*
12 *That the basic pay of an Indian probate judge so appointed*
13 *may be fixed by the Secretary without regard to the provi-*
14 *sions of chapter 51, and subchapter III of chapter 53 of*
15 *title 5, United States Code, governing the classification and*
16 *pay of General Schedule employees, except that no such In-*
17 *dian probate judge may be paid at a level which exceeds*
18 *the maximum rate payable for the highest grade of the Gen-*
19 *eral Schedule, including locality pay.*

20 *SEC. 115. Notwithstanding any other provision of law,*
21 *the Secretary of the Interior is authorized to redistribute*
22 *any Tribal Priority Allocation funds, including tribal base*
23 *funds, to alleviate tribal funding inequities by transferring*
24 *funds to address identified, unmet needs, dual enrollment,*
25 *overlapping service areas or inaccurate distribution meth-*

1 *odologies. No tribe shall receive a reduction in Tribal Pri-*
2 *ority Allocation funds of more than 10 percent in fiscal*
3 *year 2002. Under circumstances of dual enrollment, over-*
4 *lapping service areas or inaccurate distribution methodolo-*
5 *gies, the 10 percent limitation does not apply.*

6 *SEC. 116. Funds appropriated for the Bureau of In-*
7 *dian Affairs for postsecondary schools for fiscal year 2002*
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. 117. (a) The Secretary of the Interior shall take*
13 *such action as may be necessary to ensure that the lands*
14 *comprising the Huron Cemetery in Kansas City, Kansas*
15 *(as described in section 123 of Public Law 106–291) are*
16 *used only in accordance with this section.*

17 *(b) The lands of the Huron Cemetery shall be used only*
18 *(1) for religious and cultural uses that are compatible with*
19 *the use of the lands as a cemetery, and (2) as a burial*
20 *ground.*

21 *SEC. 118. Notwithstanding any other provision of law,*
22 *in conveying the Twin Cities Research Center under the au-*
23 *thority provided by Public Law 104–134, as amended by*
24 *Public Law 104–208, the Secretary may accept and retain*
25 *land and other forms of reimbursement: Provided, That the*

1 *Secretary may retain and use any such reimbursement*
2 *until expended and without further appropriation: (1) for*
3 *the benefit of the National Wildlife Refuge System within*
4 *the State of Minnesota; and (2) for all activities authorized*
5 *by Public Law 100–696; 16 U.S.C. 460zz.*

6 *SEC. 119. Section 412(b) of the National Parks Omni-*
7 *bus Management Act of 1998, as amended (16 U.S.C. 5961)*
8 *is amended by striking “2001” and inserting “2002”.*

9 *SEC. 120. Notwithstanding other provisions of law, the*
10 *National Park Service may authorize, through cooperative*
11 *agreement, the Golden Gate National Parks Association to*
12 *provide fee-based education, interpretive and visitor service*
13 *functions within the Crissy Field and Fort Point areas of*
14 *the Presidio.*

15 *SEC. 121. Notwithstanding 31 U.S.C. 3302(b), sums*
16 *received by the Bureau of Land Management for the sale*
17 *of seeds or seedlings including those collected in fiscal year*
18 *2001, may be credited to the appropriation from which*
19 *funds were expended to acquire or grow the seeds or seed-*
20 *lings and are available without fiscal year limitation.*

21 *SEC. 122. TRIBAL SCHOOL CONSTRUCTION DEM-*
22 *ONSTRATION PROGRAM. (a) DEFINITIONS.—In this section:*
23 *(1) CONSTRUCTION.—The term “construction”,*
24 *with respect to a tribally controlled school, includes*
25 *the construction or renovation of that school.*

1 (2) *INDIAN TRIBE*.—The term “Indian tribe” has
2 the meaning given that term in section 4(e) of the In-
3 dian Self-Determination and Education Assistance
4 Act (25 U.S.C. 450b(e)).

5 (3) *SECRETARY*.—The term “secretary” means
6 the Secretary of the Interior.

7 (4) *TRIBALLY CONTROLLED SCHOOL*.—The term
8 “tribally controlled school” has the meaning given
9 that term in section 5212 of the Tribally Controlled
10 Schools Act of 1988 (25 U.S.C. 2511).

11 (5) *DEPARTMENT*.—The term “Department”
12 means the Department of the Interior.

13 (6) *DEMONSTRATION PROGRAM*.—The term
14 “demonstration program” means the Tribal School
15 Construction Demonstration Program.

16 (b) *IN GENERAL*.—The Secretary shall carry out a
17 demonstration program to provide grants to Indian tribes
18 for the construction of tribally controlled schools.

19 (1) *IN GENERAL*.—Subject to the availability of
20 appropriations, in carrying out the demonstration
21 program under subsection (b), the Secretary shall
22 award a grant to each Indian tribe that submits an
23 application that is approved by the Secretary under
24 paragraph (2). The Secretary shall ensure that an eli-
25 gible Indian tribe currently on the Department’s pri-

1 *ority list for constructing of replacement educational*
2 *facilities receives the highest priority for a grant*
3 *under this section.*

4 (2) *GRANT APPLICATIONS.—An application for a*
5 *grant under the section shall—*

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

9 (B) *be in such form as the Secretary deter-*
10 *mines appropriate.*

11 (3) *GRANT AGREEMENT.—As a condition to re-*
12 *ceiving a grant under this section, the Indian tribe*
13 *shall enter into an agreement with the Secretary that*
14 *specifies—*

15 (A) *the costs of construction under the*
16 *grant;*

17 (B) *that the Indian tribe shall be required*
18 *to contribute towards the cost of the construction*
19 *a tribal share equal to 50 percent of the costs;*
20 *and*

21 (C) *any other term or condition that the*
22 *Secretary determines to be appropriate.*

23 (4) *ELIGIBILITY.—Grants awarded under the*
24 *demonstration program shall only be for construction*
25 *on replacement tribally controlled schools.*

1 (c) *EFFECT OF GRANT.*—A grant received under this
2 section shall be in addition to any other funds received by
3 an Indian tribe under any other provision of law. The re-
4 ceipt of a grant under this section shall not affect the eligi-
5 bility of an Indian tribe receiving funding, or the amount
6 of funding received by the Indian tribe, under the Tribally
7 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.) or
8 the Indian Self-Determination and Education Assistance
9 Act (25 U.S.C. 450 et seq.).

10 *SEC. 123. WHITE RIVER OIL SHALE MINE, UTAH. (a)*
11 *SALE.*—The Administrator of General Services (referred to
12 in this section as the “Administrator”) shall sell all right,
13 title, and interest of the United States in and to the im-
14 provements and equipment described in subsection (b) that
15 are situated on the land described in subsection (c) (referred
16 to in this section as the “Mine”).

17 (b) *DESCRIPTION OF IMPROVEMENTS AND EQUIP-*
18 *MENT.*—The improvements and equipment referred to in
19 subsection (a) are the following improvements and equip-
20 ment associated with the Mine:

- 21 (1) *Mine Service Building.*
- 22 (2) *Sewage Treatment Building.*
- 23 (3) *Electrical Switchgear Building.*
- 24 (4) *Water Treatment Building/Plant.*
- 25 (5) *Ventilation/Fan Building.*

1 (6) *Water Storage Tanks.*

2 (7) *Mine Hoist Cage and Headframe.*

3 (8) *Miscellaneous Mine-related equipment.*

4 (c) *DESCRIPTION OF LAND.—The land referred to in*
5 *subsection (a) is the land located in Uintah County, Utah,*
6 *known as the “White River Oil Shale Mine” and described*
7 *as follows:*

8 (1) *T. 10 S., R. 24 E., Salt Lake Meridian, sec-*
9 *tions 12 through 14, 19 through 30, 33, and 34.*

10 (2) *T. 10 S., R. 25 E., Salt Lake Meridian, sec-*
11 *tions 18 and 19.*

12 (d) *USE OF PROCEEDS.—The proceeds of the sale*
13 *under subsection (a)—*

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

16 (2) *shall be available until expended, without*
17 *further Act of appropriation—*

18 (A) *first, to reimburse the Administrator for*
19 *the direct costs of the sale; and*

20 (B) *second, to reimburse the Bureau of*
21 *Land Management Utah State Office for the*
22 *costs of closing and rehabilitating the Mine.*

23 (e) *MINE CLOSURE AND REHABILITATION.—The clos-*
24 *ing and rehabilitation of the Mine (including closing of the*

1 mine shafts, site grading, and surface revegetation) shall
2 be conducted in accordance with—

3 (1) the regulatory requirements of the State of
4 Utah, the Mine Safety and Health Administration,
5 and the Occupational Safety and Health Administra-
6 tion; and

7 (2) other applicable law.

8 *SEC. 124. The Secretary of the Interior may use or*
9 *contract for the use of helicopters or motor vehicles on the*
10 *Sheldon and Hart National Wildlife Refuges for the purpose*
11 *of capturing and transporting horses and burros. The provi-*
12 *sions of subsection (a) of the Act of September 8, 1959 (73*
13 *Stat. 470; 18 U.S.C. 47(a)) shall not be applicable to such*
14 *use. Such use shall be in accordance with humane proce-*
15 *dures prescribed by the Secretary.*

16 *SEC. 125. Upon application of the Governor of a State,*
17 *the Secretary of the Interior shall (1) transfer not to exceed*
18 *25 percent of that State's formula allocation under the*
19 *heading "National Park Service, Land Acquisition and*
20 *State Assistance" to increase the State's allocation under*
21 *the heading "United States Fish and Wildlife Service, State*
22 *Wildlife Grants" or (2) transfer not to exceed 25 percent*
23 *of the State's formula allocation under the heading "United*
24 *States Fish and Wildlife Service, State Wildlife Grants" to*
25 *increase the State's formula allocation under the heading*

1 “National Park Service, Land Acquisition and State Assist-
2 ance”.

3 *SEC. 126. Section 819 of Public Law 106–568 is here-
4 by repealed.*

5 *SEC. 127. Moore’s Landing at the Cape Romain Na-
6 tional Wildlife Refuge in South Carolina is hereby named
7 for George Garris and shall hereafter be referred to in any
8 law, document, or records of the United States as “Garris
9 Landing”.*

10 *SEC. 128. PRELEASING, LEASING, AND RELATED AC-
11 TIVITIES. None of the funds made available by this Act shall
12 be used to conduct any preleasing, leasing, or other related
13 activity under the Mineral Leasing Act (30 U.S.C. 181 et
14 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
15 1331 et seq.) within the boundary (in effect as of January
16 20, 2001) of a national monument established under the
17 Act of June 8, 1906 (16 U.S.C. 431 et seq.), except to the
18 extent that such a preleasing, leasing, or other related activ-
19 ity is allowed under the Presidential proclamation estab-
20 lishing the monument.*

21 *SEC. 129. (a) The National Park Service shall make
22 further evaluations of national significance, suitability and
23 feasibility for the Glenwood locality and each of the twelve
24 Special Landscape Areas (including combinations of such
25 areas) as identified by the National Park Service in the*

1 *course of undertaking the Special Resource Study of the*
2 *Loess Hills Landform Region of Western Iowa.*

3 *(b) The National Park Service shall provide the results*
4 *of these evaluations no later than January 15, 2002, to the*
5 *Committees on Appropriations of the Senate and the House*
6 *of Representatives, the Committee on Energy and Natural*
7 *Resources of the Senate, and the Committee on Resources*
8 *of the House of Representatives.*

9 *SEC. 130. From within available funds the National*
10 *Park Service shall conduct an Environmental Impact*
11 *Statement on vessel entries into such park taking into ac-*
12 *count possible impacts on whale populations: Provided,*
13 *That none of the funds available under this Act shall be*
14 *used to reduce or increase the number of permits and vessel*
15 *entries into the park below or above the levels established*
16 *by the National Park Service effective for the 2001 season*
17 *until the Environmental Impact Statement required by law*
18 *is completed notwithstanding any other provision of law:*
19 *Provided further, That nothing in this section shall preclude*
20 *the Secretary from adjusting the number of permits or vessel*
21 *entries if the Secretary determines that it is necessary to*
22 *protect park resources.*

23 *SEC. 131. No funds contained in this Act shall be used*
24 *to approve the transfer of lands on South Fox Island,*
25 *Michigan until Congress has authorized such transfer.*

1 *SEC. 132. (a) FINDINGS.—Congress makes the fol-*
2 *lowing findings:*

3 *(1) The land described in subsection (b) is—*

4 *(A) the site of cultural, ceremonial, spir-*
5 *itual, archaeological, and traditional gathering*
6 *sites of significance to the Pechanga Band of*
7 *Luiseno Mission Indians;*

8 *(B) the site of what is considered to be the*
9 *oldest living coastal live oak; and*

10 *(C) the site of the historic Erle Stanley*
11 *Gardner Ranch.*

12 *(2) Based on the finding described in paragraph*
13 *(1), local and county officials have expressed their*
14 *support for the efforts of the Pechanga Band of*
15 *Luiseno Mission Indians to have the land described in*
16 *subsection (b) held in trust by the United States for*
17 *purposes of preservation.*

18 *(b) DECLARATION OF LAND HELD IN TRUST.—Not-*
19 *withstanding any other provision of law, the land held in*
20 *fee by the Pechanga Band of Luiseno Mission Indians, as*
21 *described in Document No. 211130 of the Riverside County,*
22 *California Office of the Recorder and recorded on May 15,*
23 *2001, located within the boundaries of the county of River-*
24 *side within the State of California, is hereby declared to*
25 *be held by the United States in trust for the benefit of the*

1 *Pechanga Band of Luiseno Mission Indians and shall be*
2 *part of the Pechanga Indian Reservation.*

3 *SEC. 133. SENSE OF CONGRESS CONCERNING COASTAL*
4 *IMPACT ASSISTANCE. (a) FINDINGS.—Congress finds that—*

5 *(1) the United States continues to be reliant on*
6 *fossil fuels (including crude oil and natural gas) as*
7 *a source of most of the energy consumed in the coun-*
8 *try;*

9 *(2) this reliance is likely to continue for the fore-*
10 *seeable future;*

11 *(3) about 65 percent of the energy needs of the*
12 *United States are supplied by oil and natural gas;*

13 *(4) the United States is becoming increasingly*
14 *reliant on clean-burning natural gas for electricity*
15 *generation, home heating and air conditioning, agri-*
16 *cultural needs, and essential chemical processes;*

17 *(5) a large portion of the remaining crude oil*
18 *and natural gas resources of the country are on Fed-*
19 *eral land located in the western United States, in*
20 *Alaska, and off the coastline of the United States;*

21 *(6) the Gulf of Mexico has proven to be a signifi-*
22 *cant source of oil and natural gas and is predicted*
23 *to remain a significant source in the immediate fu-*
24 *ture;*

1 (7) many States and counties oppose the develop-
2 ment of Federal crude oil and natural gas resources
3 within or near the coastline, which opposition results
4 in congressional, Executive, State, or local policies to
5 prevent the development of those resources;

6 (8) actions that prevent the development of cer-
7 tain Federal crude oil and natural gas resources do
8 not lessen the energy needs of the United States or of
9 those States and counties that object to exploration
10 and development for fossil fuels;

11 (9) actions to prevent the development of certain
12 Federal crude oil and natural gas resources focus de-
13 velopment pressure on the remaining areas of Federal
14 crude oil and natural gas resources, such as onshore
15 and offshore Alaska, certain onshore areas in the
16 western United States, and the central Gulf of Mexico
17 off the coasts of Alabama, Alaska, Louisiana, Mis-
18 sissippi, and Texas;

19 (10) the development of Federal crude oil and
20 natural gas resources is accompanied by adverse ef-
21 fects on the infrastructure services, public services,
22 and the environment of States, counties, and local
23 communities that host the development of those Fed-
24 eral resources;

1 (11) *States, counties, and local communities do*
2 *not have the power to tax adequately the development*
3 *of Federal crude oil and natural gas resources, par-*
4 *ticularly when those development activities occur off*
5 *the coastline of States that serve as platforms for that*
6 *development, such as Alabama, Alaska, Louisiana,*
7 *Mississippi, and Texas;*

8 (12) *the Mineral Leasing Act (30 U.S.C. 181 et*
9 *seq.), which governs the development of Federal crude*
10 *oil and natural gas resources located onshore, pro-*
11 *vides, outside the budget and appropriations processes*
12 *of the Federal Government, payments to States in*
13 *which Federal crude oil and natural gas resources are*
14 *located in the amount of 50 percent of the direct reve-*
15 *nuces received from the Federal Government for those*
16 *resources; and*

17 (13) *there is no permanent provision in the*
18 *Outer Continental Shelf Lands Act (43 U.S.C. 1331*
19 *et seq.), which governs the development of Federal*
20 *crude oil and natural gas resources located offshore,*
21 *that authorizes the sharing of a portion of the annual*
22 *revenues generated from Federal offshore crude oil*
23 *and natural gas resources with adjacent coastal*
24 *States that—*

1 (A) serve as the platform for that develop-
2 ment; and

3 (B) suffer adverse effects on the environment
4 and infrastructure of the States.

5 (b) *SENSE OF CONGRESS.*—It is the sense of Congress
6 that Congress should provide a significant portion of the
7 Federal offshore mineral revenues to coastal States that per-
8 mit the development of Federal mineral resources off the
9 coastline, including the States of Alabama, Alaska, Lou-
10 isiana, Mississippi, and Texas.

11 *TITLE II—RELATED AGENCIES*

12 *DEPARTMENT OF AGRICULTURE*

13 *FOREST SERVICE*

14 *FOREST AND RANGELAND RESEARCH*

15 For necessary expenses of forest and rangeland re-
16 search as authorized by law, \$242,822,000, to remain avail-
17 able until expended.

18 *STATE AND PRIVATE FORESTRY*

19 For necessary expenses of cooperating with and pro-
20 viding technical and financial assistance to States, terri-
21 tories, possessions, and others, and for forest health manage-
22 ment, cooperative forestry, and education and land con-
23 servation activities and conducting an international pro-
24 gram as authorized, \$287,331,000, to remain available
25 until expended, as authorized by law, of which

1 \$101,000,000 is for *Forest Legacy and Urban and Commu-*
2 *nity Forestry*, defined in section 250(c)(4)(E)(ix) of the
3 *Balanced Budget and Emergency Deficit Control Act of*
4 *1985*, as amended, for the purposes of such Act, of which
5 \$1,000,000 shall be available for the *Tumbledown/Mount*
6 *Blue* conservation project, Maine, and of which \$4,000,000
7 shall be for the purchase of a conservation easement on the
8 *Connecticut Lakes Tract*, located in northern New Hamp-
9 *shire* and owned by *International Paper Co.*, and of which
10 \$500,000 shall be for the purchase of a conservation ease-
11 *ment on the Range Creek Headwaters tract in Utah: Pro-*
12 *vided, That none of the funds provided under this heading*
13 *for the acquisition of lands or interests in lands shall be*
14 *available until the House Committee on Appropriations*
15 *and the Senate Committee on Appropriations provide to the*
16 *Secretary, in writing, a list of specific acquisitions to be*
17 *undertaken with such funds: Provided further, That not-*
18 *withstanding any other provision of law, of the funds pro-*
19 *vided under this heading, \$5,000,000 shall be made avail-*
20 *able to Kake Tribal Corporation as an advanced direct*
21 *lump sum payment to implement the Kake Tribal Corpora-*
22 *tion Land Transfer Act (Public Law 106–283).*

23

NATIONAL FOREST SYSTEM

24 *For necessary expenses of the Forest Service, not other-*
25 *wise provided for, for management, protection, improve-*
26 *ment, and utilization of the National Forest System,*

1 \$1,324,491,000, to remain available until expended, which
2 shall include 50 percent of all moneys received during prior
3 fiscal years as fees collected under the Land and Water Con-
4 servation Fund Act of 1965, as amended, in accordance
5 with section 4 of the Act (16 U.S.C. 460l–6a(i)): Provided,
6 That unobligated balances available at the start of fiscal
7 year 2002 shall be displayed by extended budget line item
8 in the fiscal year 2003 budget justification: Provided fur-
9 ther, That of the amount available for vegetation and water-
10 shed management, the Secretary may authorize the expendi-
11 ture or transfer of such sums as necessary to the Depart-
12 ment of the Interior, Bureau of Land Management for re-
13 moval, preparation, and adoption of excess wild horses and
14 burros from National Forest System lands: Provided fur-
15 ther, That of the funds provided under this heading for For-
16 est Products, \$5,000,000 shall be allocated to the Alaska Re-
17 gion, in addition to its normal allocation for the purposes
18 of preparing additional timber for sale, to establish a 3-
19 year timber supply and such funds may be transferred to
20 other appropriations accounts as necessary to maximize ac-
21 complishment: Provided further, That of the funds provided
22 for Wildlife and Fish Habitat Management, \$600,000 shall
23 be provided to the State of Alaska for wildlife monitoring
24 activities.

WILDLAND FIRE MANAGEMENT

1
2 *For necessary expenses for forest fire presuppression*
3 *activities on National Forest System lands, for emergency*
4 *fire suppression on or adjacent to such lands or other lands*
5 *under fire protection agreement, and for emergency reha-*
6 *bilitation of burned-over National Forest System lands and*
7 *water, \$1,115,594,000, to remain available until expended:*
8 *Provided, That such funds including unobligated balances*
9 *under this head, are available for repayment of advances*
10 *from other appropriations accounts previously transferred*
11 *for such purposes: Provided further, That not less than 50*
12 *percent of any unobligated balances remaining (exclusive*
13 *of amounts for hazardous fuels reduction) at the end of fis-*
14 *cal year 2001 shall be transferred, as repayment for past*
15 *advances that have not been repaid, to the fund established*
16 *pursuant to section 3 of Public Law 71–319 (16 U.S.C. 576*
17 *et seq.): Provided further, That notwithstanding any other*
18 *provision of law, \$4,000,000 of funds appropriated under*
19 *this appropriation shall be used for Fire Science Research*
20 *in support of the Joint Fire Science Program: Provided fur-*
21 *ther, That all authorities for the use of funds, including the*
22 *use of contracts, grants, and cooperative agreements, avail-*
23 *able to execute the Forest and Rangeland Research appro-*
24 *priation, are also available in the utilization of these funds*
25 *for Fire Science Research: Provided further, That funds*

1 *provided shall be available for emergency rehabilitation and*
2 *restoration, hazard reduction activities in the urban-*
3 *wildland interface, support to federal emergency response,*
4 *and wildfire suppression activities of the Forest Service:*
5 *Provided further, That the Forest Service shall expend not*
6 *less than \$125,000,000 of funds provided under this heading*
7 *for hazardous fuels reduction activities for alleviating im-*
8 *mediate emergency threats to urban wildland interface*
9 *areas as defined by the Secretary of Agriculture: Provided*
10 *further, That amounts under this heading may be trans-*
11 *ferred as specified in the report accompanying this Act to*
12 *the “State and Private Forestry”, “National Forest Sys-*
13 *tem”, “Forest and Rangeland Research”, and “Capital Im-*
14 *provement and Maintenance” accounts to fund state fire as-*
15 *sistance, volunteer fire assistance, and forest health manage-*
16 *ment, vegetation and watershed management, heritage site*
17 *rehabilitation, wildlife and fish habitat management, trails*
18 *and facilities maintenance and restoration: Provided fur-*
19 *ther, That transfers of any amounts in excess of those speci-*
20 *fied shall require approval of the House and Senate Com-*
21 *mittees on Appropriations in compliance with reprogram-*
22 *ming procedures contained in House Report No. 105–163:*
23 *Provided further, That the costs of implementing any coop-*
24 *erative agreement between the Federal government and any*
25 *non-Federal entity may be shared, as mutually agreed on*

1 *by the affected parties: Provided further, That in entering*
2 *into such grants or cooperative agreements, the Secretary*
3 *may consider the enhancement of local and small business*
4 *employment opportunities for rural communities, and that*
5 *in entering into procurement contracts under this section*
6 *on a best value basis, the Secretary may take into account*
7 *the ability of an entity to enhance local and small business*
8 *employment opportunities in rural communities, and that*
9 *the Secretary may award procurement contracts, grants, or*
10 *cooperative agreements under this section to entities that*
11 *include local non-profit entities, Youth Conservation Corps*
12 *or related partnerships with State, local or non-profit youth*
13 *groups, or small or disadvantaged businesses: Provided fur-*
14 *ther, That in addition to funds provided for State Fire As-*
15 *sistance programs, and subject to all authorities available*
16 *to the Forest Service under the State and Private Forestry*
17 *Appropriation, up to \$15,000,000 may be used on adjacent*
18 *non-Federal lands for the purpose of protecting commu-*
19 *nities when hazard reduction activities are planned on na-*
20 *tional forest lands that have the potential to place such com-*
21 *munities at risk: Provided further, That the Forest Service*
22 *shall analyze the impact of restrictions on mechanical fuel*
23 *treatments and forest access in the upcoming Chugach Na-*
24 *tional Forest Land and Resource Management Plan, on the*
25 *level of prescribed burning on the Chugach National Forest,*

1 *and on the implementation of the National Fire Plan: Pro-*
2 *vided further, That this analysis shall be completed before*
3 *the release of the Chugach Forest Plan and shall be included*
4 *in the plan: Provided further, That included in funding for*
5 *hazardous fuel reduction is \$5,000,000 for implementing the*
6 *Community Forest Restoration Act, Public Law 106–393,*
7 *title VI, and any portion of such funds shall be available*
8 *for use on non-Federal lands in accordance with authorities*
9 *available to the Forest Service under the State and Private*
10 *Forestry Appropriation: Provided further, That of the*
11 *amounts provided under this heading \$2,838,000 is for the*
12 *Ecological Restoration Institute, of which \$338,000 is for*
13 *ongoing activities on Mt. Trumbull: Provided further, That:*

14 (1) *In expending the funds provided with respect*
15 *to this Act for hazardous fuels reduction, the Sec-*
16 *retary of the Interior and the Secretary of Agriculture*
17 *may conduct fuel reduction treatments on Federal*
18 *lands using all contracting and hiring authorities*
19 *available to the Secretaries applicable to hazardous*
20 *fuel reduction activities under the wildland fire man-*
21 *agement accounts. Notwithstanding Federal govern-*
22 *ment procurement and contracting laws, the Secre-*
23 *taries may conduct fuel reduction treatments on Fed-*
24 *eral lands using grants and cooperative agreements.*
25 *Notwithstanding Federal government procurement*

1 *and contracting laws, in order to provide employment*
2 *and training opportunities to people in rural commu-*
3 *nities, the Secretaries may award contracts, including*
4 *contracts for monitoring activities, to—*

5 *(A) local private, nonprofit, or cooperative*
6 *entities;*

7 *(B) Youth Conservation Corps crews or re-*
8 *lated partnerships, with State, local and non-*
9 *profit youth groups;*

10 *(C) small or micro-businesses; or*

11 *(D) other entities that will hire or train a*
12 *significant percentage of local people to complete*
13 *such contracts. The authorities described above*
14 *relating to contracts, grants, and cooperative*
15 *agreements are available until all funds provided*
16 *in this title for hazardous fuels reduction activi-*
17 *ties in the urban wildland interface are obli-*
18 *gated.*

19 *(2)(A) The Secretary of Agriculture may transfer*
20 *or reimburse funds to the United States Fish and*
21 *Wildlife Service of the Department of the Interior, or*
22 *the National Marine Fisheries Service of the Depart-*
23 *ment of Commerce, for the costs of carrying out their*
24 *responsibilities under the Endangered Species Act of*
25 *1973 (16 U.S.C. 1531 et seq.) to consult and con-*

1 *ference as required by section 7 of such Act in connec-*
2 *tion with wildland fire management activities in fis-*
3 *cal years 2001 and 2002.*

4 *(B) Only those funds appropriated for fiscal*
5 *years 2001 and 2002 to Forest Service (USDA) for*
6 *wildland fire management are available to the Sec-*
7 *retary of Agriculture for such transfer or reimburse-*
8 *ment.*

9 *(C) The amount of the transfer or reimbursement*
10 *shall be as mutually agreed by the Secretary of Agri-*
11 *culture and the Secretary of the Interior or Secretary*
12 *of Commerce, as applicable, or their designees. The*
13 *amount shall in no case exceed the actual costs of con-*
14 *sultation and conferencing in connection with*
15 *wildland fire management activities affecting Na-*
16 *tional Forest System lands.*

17 *For an additional amount to cover necessary expenses*
18 *for emergency rehabilitation, wildfire suppression and other*
19 *fire operations of the Forest Service, \$165,000,000, to re-*
20 *main available until expended, of which \$100,000,000 is*
21 *for emergency rehabilitation and wildfire suppression, and*
22 *\$65,000,000 is for other fire operations: Provided, That the*
23 *entire amount appropriated in this paragraph is des-*
24 *ignated by the Congress as an emergency requirement pur-*
25 *suant to section 251(b)(2)(A) of the Balanced Budget and*

1 *Emergency Deficit Control Act of 1985, as amended: Pro-*
2 *vided further, That these funds shall be available only to*
3 *the extent an official budget request for a specific dollar*
4 *amount, that includes designation of the entire amount of*
5 *the request as an emergency requirement as defined in the*
6 *Balanced Budget and Emergency Deficit Control Act of*
7 *1985, as amended, is transmitted by the President to the*
8 *Congress.*

9 *For an additional amount, to liquidate obligations*
10 *previously incurred, \$274,147,000.*

11 *CAPITAL IMPROVEMENT AND MAINTENANCE*

12 *For necessary expenses of the Forest Service, not other-*
13 *wise provided for, \$541,286,000, to remain available until*
14 *expended for construction, reconstruction, maintenance and*
15 *acquisition of buildings and other facilities, and for con-*
16 *struction, reconstruction, repair and maintenance of forest*
17 *roads and trails by the Forest Service as authorized by 16*
18 *U.S.C. 532–538 and 23 U.S.C. 101 and 205, of which,*
19 *\$244,000 is to be provided for the design of historic office*
20 *renovations of the Bearlodge Ranger District Work Center*
21 *(Old Stoney) in Sundance, Wyoming, and of which*
22 *\$61,000,000 is for conservation activities defined in section*
23 *250(c)(4)(E) of the Balanced Budget and Emergency Def-*
24 *icit Control Act of 1985, as amended, for the purposes of*
25 *such Act: Provided, That fiscal year 2001 balances in the*

1 *Federal Infrastructure Improvement account for the Forest*
2 *Service shall be transferred to and merged with this appro-*
3 *priation and shall remain available until expended: Pro-*
4 *vided further, That up to \$15,000,000 of the funds provided*
5 *herein for road maintenance shall be available for the de-*
6 *commissioning of roads, including unauthorized roads not*
7 *part of the transportation system, which are no longer need-*
8 *ed: Provided further, That no funds shall be expended to*
9 *decommission any system road until notice and an oppor-*
10 *tunity for public comment has been provided on each de-*
11 *commissioning project: Provided further, That the Forest*
12 *Service shall transfer \$300,000, appropriated in Public*
13 *Law 106–291 within the Capital Improvement and Mainte-*
14 *nance appropriation, to the State and Private Forestry ap-*
15 *propriation, and shall provide these funds in an advance*
16 *direct lump sum payment to Purdue University for plan-*
17 *ning and construction of a hardwood tree improvement and*
18 *generation facility.*

19 *LAND ACQUISITION*

20 *For expenses necessary to carry out the provisions of*
21 *the Land and Water Conservation Fund Act of 1965, as*
22 *amended (16 U.S.C. 460l–4 through 11), including admin-*
23 *istrative expenses, and for acquisition of land or waters,*
24 *or interest therein, in accordance with statutory authority*
25 *applicable to the Forest Service, \$128,877,000 to be derived*
26 *from the Land and Water Conservation Fund, to remain*

1 *available until expended, and to be for the conservation ac-*
2 *tivities defined in section 250(c)(4)(E)(iv) of the Balanced*
3 *Budget and Emergency Deficit Control Act of 1985, as*
4 *amended, for the purposes of such Act.*

5 *ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL*
6 *ACTS*

7 *For acquisition of lands within the exterior boundaries*
8 *of the Cache, Uinta, and Wasatch National Forests, Utah;*
9 *the Toiyabe National Forest, Nevada; and the Angeles, San*
10 *Bernardino, Sequoia, and Cleveland National Forests, Cali-*
11 *fornia, as authorized by law, \$1,069,000, to be derived from*
12 *forest receipts.*

13 *ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES*

14 *For acquisition of lands, such sums, to be derived from*
15 *funds deposited by State, county, or municipal govern-*
16 *ments, public school districts, or other public school authori-*
17 *ties pursuant to the Act of December 4, 1967, as amended*
18 *(16 U.S.C. 484a), to remain available until expended.*

19 *RANGE BETTERMENT FUND*

20 *For necessary expenses of range rehabilitation, protec-*
21 *tion, and improvement, 50 percent of all moneys received*
22 *during the prior fiscal year, as fees for grazing domestic*
23 *livestock on lands in National Forests in the 16 Western*
24 *States, pursuant to section 401(b)(1) of Public Law 94-*
25 *579, as amended, to remain available until expended, of*
26 *which not to exceed 6 percent shall be available for adminis-*

1 *trative expenses associated with on-the-ground range reha-*
2 *bilitation, protection, and improvements.*

3 *GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND*
4 *RANGELAND RESEARCH*

5 *For expenses authorized by 16 U.S.C. 1643(b),*
6 *\$92,000, to remain available until expended, to be derived*
7 *from the fund established pursuant to the above Act.*

8 *MANAGEMENT OF NATIONAL FOREST LANDS FOR*
9 *SUBSISTENCE USES*

10 *For necessary expenses of the Forest Service to manage*
11 *federal lands in Alaska for subsistence uses under title VIII*
12 *of the Alaska National Interest Lands Conservation Act*
13 *(Public Law 96-487), \$5,488,000, to remain available until*
14 *expended.*

15 *ADMINISTRATIVE PROVISIONS, FOREST SERVICE*

16 *Appropriations to the Forest Service for the current*
17 *fiscal year shall be available for: (1) purchase of not to ex-*
18 *ceed 132 passenger motor vehicles of which eight will be used*
19 *primarily for law enforcement purposes and of which 130*
20 *shall be for replacement; acquisition of 25 passenger motor*
21 *vehicles from excess sources, and hire of such vehicles; oper-*
22 *ation and maintenance of aircraft, the purchase of not to*
23 *exceed seven for replacement only, and acquisition of suffi-*
24 *cient aircraft from excess sources to maintain the operable*
25 *fleet at 195 aircraft for use in Forest Service wildland fire*
26 *programs and other Forest Service programs; notwith-*

1 *standing other provisions of law, existing aircraft being re-*
2 *placed may be sold, with proceeds derived or trade-in value*
3 *used to offset the purchase price for the replacement air-*
4 *craft; (2) services pursuant to 7 U.S.C. 2225, and not to*
5 *exceed \$100,000 for employment under 5 U.S.C. 3109; (3)*
6 *purchase, erection, and alteration of buildings and other*
7 *public improvements (7 U.S.C. 2250); (4) acquisition of*
8 *land, waters, and interests therein, including the Oscoda-*
9 *Wurtsmith land exchange in Michigan, pursuant to 7*
10 *U.S.C. 428a; (5) for expenses pursuant to the Volunteers*
11 *in the National Forest Act of 1972 (16 U.S.C. 558a, 558d,*
12 *and 558a note); (6) the cost of uniforms as authorized by*
13 *5 U.S.C. 5901–5902; and (7) for debt collection contracts*
14 *in accordance with 31 U.S.C. 3718(c).*

15 *None of the funds made available under this Act shall*
16 *be obligated or expended to abolish any region, to move or*
17 *close any regional office for National Forest System admin-*
18 *istration of the Forest Service, Department of Agriculture*
19 *without the consent of the House and Senate Committees*
20 *on Appropriations.*

21 *Any appropriations or funds available to the Forest*
22 *Service may be transferred to the Wildland Fire Manage-*
23 *ment appropriation for forest firefighting, emergency reha-*
24 *bilitation of burned-over or damaged lands or waters under*
25 *its jurisdiction, and fire preparedness due to severe burning*

1 *conditions if and only if all previously appropriated emer-*
2 *gency contingent funds under the heading “Wildland Fire*
3 *Management” have been released by the President and ap-*
4 *portioned.*

5 *Funds appropriated to the Forest Service shall be*
6 *available for assistance to or through the Agency for Inter-*
7 *national Development and the Foreign Agricultural Service*
8 *in connection with forest and rangeland research, technical*
9 *information, and assistance in foreign countries, and shall*
10 *be available to support forestry and related natural resource*
11 *activities outside the United States and its territories and*
12 *possessions, including technical assistance, education and*
13 *training, and cooperation with United States and inter-*
14 *national organizations.*

15 *None of the funds made available to the Forest Service*
16 *under this Act shall be subject to transfer under the provi-*
17 *sions of section 702(b) of the Department of Agriculture Or-*
18 *ganic Act of 1944 (7 U.S.C. 2257) or 7 U.S.C. 147b unless*
19 *the proposed transfer is approved in advance by the House*
20 *and Senate Committees on Appropriations in compliance*
21 *with the reprogramming procedures contained in House Re-*
22 *port No. 105–163.*

23 *None of the funds available to the Forest Service may*
24 *be reprogrammed without the advance approval of the*
25 *House and Senate Committees on Appropriations in ac-*

1 *cordance with the procedures contained in House Report*
2 *No. 105–163.*

3 *No funds appropriated to the Forest Service shall be*
4 *transferred to the Working Capital Fund of the Department*
5 *of Agriculture without the approval of the Chief of the For-*
6 *est Service.*

7 *Funds available to the Forest Service shall be available*
8 *to conduct a program of not less than \$2,000,000 for high*
9 *priority projects within the scope of the approved budget*
10 *which shall be carried out by the Youth Conservation Corps,*
11 *defined in section 250(c)(4)(E)(xii) of the Balanced Budget*
12 *and Emergency Deficit Control Act of 1985, as amended,*
13 *for the purposes of such Act.*

14 *Of the funds available to the Forest Service, \$2,500 is*
15 *available to the Chief of the Forest Service for official recep-*
16 *tion and representation expenses.*

17 *Pursuant to sections 405(b) and 410(b) of Public Law*
18 *101–593, of the funds available to the Forest Service, up*
19 *to \$2,250,000 may be advanced in a lump sum as Federal*
20 *financial assistance to the National Forest Foundation,*
21 *without regard to when the Foundation incurs expenses, for*
22 *administrative expenses or projects on or benefitting Na-*
23 *tional Forest System lands or related to Forest Service pro-*
24 *grams: Provided, That of the Federal funds made available*
25 *to the Foundation, no more than \$400,000 shall be available*

1 *for administrative expenses: Provided further, That the*
2 *Foundation shall obtain, by the end of the period of Federal*
3 *financial assistance, private contributions to match on at*
4 *least one-for-one basis funds made available by the Forest*
5 *Service: Provided further, That the Foundation may trans-*
6 *fer Federal funds to a non-Federal recipient for a project*
7 *at the same rate that the recipient has obtained the non-*
8 *Federal matching funds: Provided further, That hereafter,*
9 *the National Forest Foundation may hold Federal funds*
10 *made available but not immediately disbursed and may use*
11 *any interest or other investment income earned (before, on,*
12 *or after the date of the enactment of this Act) on Federal*
13 *funds to carry out the purposes of Public Law 101-593:*
14 *Provided further, That such investments may be made only*
15 *in interest-bearing obligations of the United States or in*
16 *obligations guaranteed as to both principal and interest by*
17 *the United States.*

18 *Pursuant to section 2(b)(2) of Public Law 98-244, up*
19 *to \$2,650,000 of the funds available to the Forest Service*
20 *shall be available for matching funds to the National Fish*
21 *and Wildlife Foundation, as authorized by 16 U.S.C. 3701-*
22 *3709, and may be advanced in a lump sum as Federal fi-*
23 *nancial assistance, without regard to when expenses are in-*
24 *curred, for projects on or benefitting National Forest Sys-*
25 *tem lands or related to Forest Service programs: Provided,*

1 *That the Foundation shall obtain, by the end of the period*
2 *of Federal financial assistance, private contributions to*
3 *match on at least one-for-one basis funds advanced by the*
4 *Forest Service: Provided further, That the Foundation may*
5 *transfer Federal funds to a non-Federal recipient for a*
6 *project at the same rate that the recipient has obtained the*
7 *non-Federal matching funds.*

8 *Funds appropriated to the Forest Service shall be*
9 *available for interactions with and providing technical as-*
10 *sistance to rural communities for sustainable rural develop-*
11 *ment purposes.*

12 *Notwithstanding any other provision of law, 80 per-*
13 *cent of the funds appropriated to the Forest Service in the*
14 *“National Forest System” and “Capital Improvement and*
15 *Maintenance” accounts and planned to be allocated to ac-*
16 *tivities under the “Jobs in the Woods” program for projects*
17 *on National Forest land in the State of Washington may*
18 *be granted directly to the Washington State Department of*
19 *Fish and Wildlife for accomplishment of planned projects.*
20 *Twenty percent of said funds shall be retained by the Forest*
21 *Service for planning and administering projects. Project se-*
22 *lection and prioritization shall be accomplished by the For-*
23 *est Service with such consultation with the State of Wash-*
24 *ington as the Forest Service deems appropriate.*

1 *Funds appropriated to the Forest Service shall be*
2 *available for payments to counties within the Columbia*
3 *River Gorge National Scenic Area, pursuant to sections*
4 *14(c)(1) and (2), and section 16(a)(2) of Public Law 99–*
5 *663.*

6 *The Secretary of Agriculture is authorized to enter into*
7 *grants, contracts, and cooperative agreements as appro-*
8 *priate with the Pinchot Institute for Conservation, as well*
9 *as with public and other private agencies, organizations,*
10 *institutions, and individuals, to provide for the develop-*
11 *ment, administration, maintenance, or restoration of land,*
12 *facilities, or Forest Service programs, at the Grey Towers*
13 *National Historic Landmark: Provided, That, subject to*
14 *such terms and conditions as the Secretary of Agriculture*
15 *may prescribe, any such public or private agency, organiza-*
16 *tion, institution, or individual may solicit, accept, and ad-*
17 *minister private gifts of money and real or personal prop-*
18 *erty for the benefit of, or in connection with, the activities*
19 *and services at the Grey Towers National Historic Land-*
20 *mark: Provided further, That such gifts may be accepted*
21 *notwithstanding the fact that a donor conducts business*
22 *with the Department of Agriculture in any capacity.*

23 *Funds appropriated to the Forest Service shall be*
24 *available, as determined by the Secretary, for payments to*
25 *Del Norte County, California, pursuant to sections 13(e)*

1 *and 14 of the Smith River National Recreation Area Act*
2 *(Public Law 101–612).*

3 *Notwithstanding any other provision of law, any ap-*
4 *propriations or funds available to the Forest Service not*
5 *to exceed \$500,000 may be used to reimburse the Office of*
6 *the General Counsel (OGC), Department of Agriculture, for*
7 *travel and related expenses incurred as a result of OGC as-*
8 *sistance or participation requested by the Forest Service at*
9 *meetings, training sessions, management reviews, land pur-*
10 *chase negotiations and similar non-litigation related mat-*
11 *ters. Future budget justifications for both the Forest Service*
12 *and the Department of Agriculture should clearly display*
13 *the sums previously transferred and the requested funding*
14 *transfers.*

15 *The Forest Service shall fund indirect expenses, that*
16 *is expenses not directly related to specific programs or to*
17 *the accomplishment of specific work on-the-ground, from*
18 *any funds available to the Forest Service: Provided, That*
19 *the Forest Service shall implement and adhere to the defini-*
20 *tions of indirect expenditures established pursuant to Public*
21 *Law 105–277 on a nationwide basis without flexibility for*
22 *modification by any organizational level except the Wash-*
23 *ington Office, and when changed by the Washington Office,*
24 *such changes in definition shall be reported in budget re-*
25 *quests submitted by the Forest Service: Provided further,*

1 *That the Forest Service shall provide in all future budget*
2 *justifications, planned indirect expenditures in accordance*
3 *with the definitions, summarized and displayed to the Re-*
4 *gional, Station, Area, and detached unit office level. The*
5 *justification shall display the estimated source and amount*
6 *of indirect expenditures, by expanded budget line item, of*
7 *funds in the agency's annual budget justification. The dis-*
8 *play shall include appropriated funds and the Knutson-*
9 *Vandenberg, Brush Disposal, Cooperative Work-Other, and*
10 *Salvage Sale funds. Changes between estimated and actual*
11 *indirect expenditures shall be reported in subsequent budget*
12 *justifications: Provided, That during fiscal year 2002 the*
13 *Secretary shall limit total annual indirect obligations from*
14 *the Brush Disposal, Knutson-Vandenberg, Reforestation,*
15 *Salvage Sale, and Roads and Trails funds to 20 percent*
16 *of the total obligations from each fund. Obligations in excess*
17 *of 20 percent which would otherwise be charged to the above*
18 *funds may be charged to appropriated funds available to*
19 *the Forest Service subject to notification of the Committees*
20 *on Appropriations of the House and Senate.*

21 *Any appropriations or funds available to the Forest*
22 *Service may be used for necessary expenses in the event of*
23 *law enforcement emergencies as necessary to protect natural*
24 *resources and public or employee safety: Provided, That*
25 *such amounts shall not exceed \$750,000.*

1 *The Secretary of Agriculture may authorize the sale*
2 *of excess buildings, facilities, and other properties owned*
3 *by the Forest Service and located on the Green Mountain*
4 *National Forest, the revenues of which shall be retained by*
5 *the Forest Service and available to the Secretary without*
6 *further appropriation and until expended for maintenance*
7 *and rehabilitation activities on the Green Mountain Na-*
8 *tional Forest.*

9 *DEPARTMENT OF ENERGY*

10 *FOSSIL ENERGY RESEARCH AND DEVELOPMENT*

11 *(INCLUDING TRANSFERS OF FUNDS)*

12 *For necessary expenses in carrying out fossil energy*
13 *research and development activities, under the authority of*
14 *the Department of Energy Organization Act (Public Law*
15 *95-91), including the acquisition of interest, including de-*
16 *feasible and equitable interests in any real property or any*
17 *facility or for plant or facility acquisition or expansion,*
18 *and for conducting inquiries, technological investigations*
19 *and research concerning the extraction, processing, use, and*
20 *disposal of mineral substances without objectionable social*
21 *and environmental costs (30 U.S.C. 3, 1602, and 1603),*
22 *\$604,090,000, to remain available until expended, of which*
23 *\$11,000,000 is to begin construction, renovation, acquisi-*
24 *tion of furnishings, and demolition or removal of buildings*
25 *at National Energy Technology Laboratory facilities in*
26 *Morgantown, West Virginia and Pittsburgh, Pennsylvania,*

1 *and of which \$33,700,000 shall be derived by transfer from*
2 *funds appropriated in prior years under the heading*
3 *“Clean Coal Technology”, and of which \$150,000,000 is to*
4 *be made available, after coordination with the private sec-*
5 *tor, for a request for proposals for a Clean Coal Power Ini-*
6 *tiative providing for competitively-awarded demonstrations*
7 *of commercial scale technologies to reduce the barriers to*
8 *continued and expanded coal use: Provided, That the re-*
9 *quest for proposals shall be issued no later than one hundred*
10 *and twenty days following enactment of this Act, proposals*
11 *shall be submitted no later than ninety days after the*
12 *issuance of the request for proposals, and the Department*
13 *of Energy shall make project selections no later than one*
14 *hundred and sixty days after the receipt of proposals: Pro-*
15 *vided further, That funds shall be expended in accordance*
16 *with the provisions governing the use of funds contained*
17 *under the heading “Clean Coal Technology” in prior appro-*
18 *priations: Provided further, That the Department may in-*
19 *clude provisions for repayment of Government contributions*
20 *to individual projects in an amount up to the Government*
21 *contribution to the project on terms and conditions that are*
22 *acceptable to the Department including repayments from*
23 *sale and licensing of technologies from both domestic and*
24 *foreign transactions: Provided further, That such repay-*
25 *ments shall be retained by the Department for future coal-*

1 *related research, development and demonstration projects:*
2 *Provided further, That any technology selected under this*
3 *program shall be considered a Clean Coal Technology, and*
4 *any project selected under this program shall be considered*
5 *a Clean Coal Technology Project, for the purposes of 42*
6 *U.S.C. § 7651n, and Chapters 51, 52, and 60 of title 40*
7 *of the Code of Federal Regulations: Provided further, That*
8 *no part of the sum herein made available shall be used for*
9 *the field testing of nuclear explosives in the recovery of oil*
10 *and gas: Provided further, That up to 4 percent of program*
11 *direction funds available to the National Energy Tech-*
12 *nology Laboratory may be used to support Department of*
13 *Energy activities not included in this account.*

14 *ALTERNATIVE FUELS PRODUCTION*

15 *(RESCISSION)*

16 *Of the unobligated balances under this heading,*
17 *\$2,000,000 are rescinded.*

18 *NAVAL PETROLEUM AND OIL SHALE RESERVES*

19 *For expenses necessary to carry out naval petroleum*
20 *and oil shale reserve activities, \$17,371,000, to remain*
21 *available until expended: Provided, That, notwithstanding*
22 *any other provision of law, unobligated funds remaining*
23 *from prior years shall be available for all naval petroleum*
24 *and oil shale reserve activities.*

1 *ELK HILLS SCHOOL LANDS FUND*

2 *For necessary expenses in fulfilling installment pay-*
3 *ments under the Settlement Agreement entered into by the*
4 *United States and the State of California on October 11,*
5 *1996, as authorized by section 3415 of Public Law 104-*
6 *106, \$36,000,000, to become available on October 1, 2002*
7 *for payment to the State of California for the State Teach-*
8 *ers' Retirement Fund from the Elk Hills School Lands*
9 *Fund.*

10 *ENERGY CONSERVATION*

11 *For necessary expenses in carrying out energy con-*
12 *servations activities, \$870,805,000, to remain available until*
13 *expended: Provided, That \$251,000,000 shall be for use in*
14 *energy conservation grant programs as defined in section*
15 *3008(3) of Public Law 99-509 (15 U.S.C. 4507): Provided*
16 *further, That notwithstanding section 3003(d)(2) of Public*
17 *Law 99-509, such sums shall be allocated to the eligible*
18 *programs as follows: \$213,000,000 for weatherization assist-*
19 *ance grants and \$38,000,000 for State energy conservation*
20 *grants.*

21 *ECONOMIC REGULATION*

22 *For necessary expenses in carrying out the activities*
23 *of the Office of Hearings and Appeals, \$1,996,000, to re-*
24 *main available until expended.*

1 *unless specific provision is made for such programs in an*
2 *appropriations Act.*

3 *The Secretary is authorized to accept lands, buildings,*
4 *equipment, and other contributions from public and private*
5 *sources and to prosecute projects in cooperation with other*
6 *agencies, Federal, State, private or foreign: Provided, That*
7 *revenues and other moneys received by or for the account*
8 *of the Department of Energy or otherwise generated by sale*
9 *of products in connection with projects of the Department*
10 *appropriated under this Act may be retained by the Sec-*
11 *retary of Energy, to be available until expended, and used*
12 *only for plant construction, operation, costs, and payments*
13 *to cost-sharing entities as provided in appropriate cost-*
14 *sharing contracts or agreements: Provided further, That the*
15 *remainder of revenues after the making of such payments*
16 *shall be covered into the Treasury as miscellaneous receipts:*
17 *Provided further, That any contract, agreement, or provi-*
18 *sion thereof entered into by the Secretary pursuant to this*
19 *authority shall not be executed prior to the expiration of*
20 *30 calendar days (not including any day in which either*
21 *House of Congress is not in session because of adjournment*
22 *of more than three calendar days to a day certain) from*
23 *the receipt by the Speaker of the House of Representatives*
24 *and the President of the Senate of a full comprehensive re-*

1 port on such project, including the facts and circumstances
2 relied upon in support of the proposed project.

3 No funds provided in this Act may be expended by the
4 Department of Energy to prepare, issue, or process procure-
5 ment documents for programs or projects for which appro-
6 priations have not been made.

7 In addition to other authorities set forth in this Act,
8 the Secretary may accept fees and contributions from public
9 and private sources, to be deposited in a contributed funds
10 account, and prosecute projects using such fees and con-
11 tributions in cooperation with other Federal, State or pri-
12 vate agencies or concerns.

13 DEPARTMENT OF HEALTH AND HUMAN
14 SERVICES

15 INDIAN HEALTH SERVICE

16 INDIAN HEALTH SERVICES

17 For expenses necessary to carry out the Act of August
18 5, 1954 (68 Stat. 674), the Indian Self-Determination Act,
19 the Indian Health Care Improvement Act, and titles II and
20 III of the Public Health Service Act with respect to the In-
21 dian Health Service, \$2,388,614,000, together with pay-
22 ments received during the fiscal year pursuant to 42 U.S.C.
23 238(b) for services furnished by the Indian Health Service:
24 Provided, That funds made available to tribes and tribal
25 organizations through contracts, grant agreements, or any

1 *other agreements or compacts authorized by the Indian Self-*
2 *Determination and Education Assistance Act of 1975 (25*
3 *U.S.C. 450), shall be deemed to be obligated at the time*
4 *of the grant or contract award and thereafter shall remain*
5 *available to the tribe or tribal organization without fiscal*
6 *year limitation: Provided further, That \$15,000,000 shall*
7 *remain available until expended, for the Indian Cata-*
8 *strophic Health Emergency Fund: Provided further, That*
9 *\$430,776,000 for contract medical care shall remain avail-*
10 *able for obligation until September 30, 2003: Provided fur-*
11 *ther, That of the funds provided, up to \$22,000,000 shall*
12 *be used to carry out the loan repayment program under*
13 *section 108 of the Indian Health Care Improvement Act:*
14 *Provided further, That funds provided in this Act may be*
15 *used for one-year contracts and grants which are to be per-*
16 *formed in two fiscal years, so long as the total obligation*
17 *is recorded in the year for which the funds are appro-*
18 *priated: Provided further, That the amounts collected by the*
19 *Secretary of Health and Human Services under the author-*
20 *ity of title IV of the Indian Health Care Improvement Act*
21 *shall remain available until expended for the purpose of*
22 *achieving compliance with the applicable conditions and re-*
23 *quirements of titles XVIII and XIX of the Social Security*
24 *Act (exclusive of planning, design, or construction of new*
25 *facilities): Provided further, That funding contained herein,*

1 *and in any earlier appropriations Acts for scholarship pro-*
2 *grams under the Indian Health Care Improvement Act (25*
3 *U.S.C. 1613) shall remain available for obligation until*
4 *September 30, 2003: Provided further, That amounts re-*
5 *ceived by tribes and tribal organizations under title IV of*
6 *the Indian Health Care Improvement Act shall be reported*
7 *and accounted for and available to the receiving tribes and*
8 *tribal organizations until expended: Provided further, That,*
9 *notwithstanding any other provision of law, of the amounts*
10 *provided herein, not to exceed \$288,234,000 shall be for*
11 *payments to tribes and tribal organizations for contract or*
12 *grant support costs associated with contracts, grants, self-*
13 *governance compacts or annual funding agreements between*
14 *the Indian Health Service and a tribe or tribal organiza-*
15 *tion pursuant to the Indian Self-Determination Act of*
16 *1975, as amended, prior to or during fiscal year 2002, of*
17 *which up to \$40,000,000 may be used for such costs associ-*
18 *ated with the Navajo Nation's new and expanded contracts,*
19 *grants, self-governance compacts or annual funding agree-*
20 *ments: Provided further, That funds available for the In-*
21 *dian Health Care Improvement Fund may be used, as need-*
22 *ed, to carry out activities typically funded under the Indian*
23 *Health Facilities account.*

24 *INDIAN HEALTH FACILITIES*

25 *For construction, repair, maintenance, improvement,*
26 *and equipment of health and related auxiliary facilities, in-*

1 *cluding quarters for personnel; preparation of plans, speci-*
2 *fications, and drawings; acquisition of sites, purchase and*
3 *erection of modular buildings, and purchases of trailers;*
4 *and for provision of domestic and community sanitation*
5 *facilities for Indians, as authorized by section 7 of the Act*
6 *of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Deter-*
7 *mination Act, and the Indian Health Care Improvement*
8 *Act, and for expenses necessary to carry out such Acts and*
9 *titles II and III of the Public Health Service Act with re-*
10 *spect to environmental health and facilities support activi-*
11 *ties of the Indian Health Service, \$362,854,000, to remain*
12 *available until expended: Provided, That notwithstanding*
13 *any other provision of law, funds appropriated for the plan-*
14 *ning, design, construction or renovation of health facilities*
15 *for the benefit of an Indian tribe or tribes may be used*
16 *to purchase land for sites to construct, improve, or enlarge*
17 *health or related facilities: Provided further, That from the*
18 *funds appropriated herein, \$5,000,000 shall be designated*
19 *by the Indian Health Service as a contribution to the*
20 *Yukon-Kuskokwim Health Corporation (YKHC) to con-*
21 *tinue a priority project for the acquisition of land, plan-*
22 *ning, design and construction of 79 staff quarters at Bethel,*
23 *Alaska, pursuant to the negotiated project agreement be-*
24 *tween the YKHC and the Indian Health Service: Provided*
25 *further, That this project shall not be subject to the construc-*

1 *tion provisions of the Indian Self-Determination and Edu-*
2 *cation Assistance Act and shall be removed from the Indian*
3 *Health Service priority list upon completion: Provided fur-*
4 *ther, That the Federal Government shall not be liable for*
5 *any property damages or other construction claims that*
6 *may arise from YKHC undertaking this project: Provided*
7 *further, That the land shall be owned or leased by the*
8 *YKHC and title to quarters shall remain vested with the*
9 *YKHC: Provided further, That \$5,000,000 shall remain*
10 *available until expended for the purpose of funding joint*
11 *venture health care facility projects authorized under the*
12 *Indian Health Care Improvement Act, as amended: Pro-*
13 *vided further, That priority, by rank order, shall be given*
14 *to tribes with outpatient projects on the existing Indian*
15 *Health Services priority list that have Service-approved*
16 *planning documents, and can demonstrate by March 1,*
17 *2002, the financial capability necessary to provide an ap-*
18 *propriate facility: Provided further, That joint venture*
19 *funds unallocated after March 1, 2002, shall be made avail-*
20 *able for joint venture projects on a competitive basis giving*
21 *priority to tribes that currently have no existing Federally-*
22 *owned health care facility, have planning documents meet-*
23 *ing Indian Health Service requirements prepared for ap-*
24 *proval by the Service and can demonstrate the financial*
25 *capability needed to provide an appropriate facility: Pro-*

1 *vided further, That the Indian Health Service shall request*
2 *additional staffing, operation and maintenance funds for*
3 *these facilities in future budget requests: Provided further,*
4 *That not to exceed \$500,000 shall be used by the Indian*
5 *Health Service to purchase TRANSAM equipment from the*
6 *Department of Defense for distribution to the Indian Health*
7 *Service and tribal facilities: Provided further, That not to*
8 *exceed \$500,000 shall be used by the Indian Health Service*
9 *to obtain ambulances for the Indian Health Service and*
10 *tribal facilities in conjunction with an existing interagency*
11 *agreement between the Indian Health Service and the Gen-*
12 *eral Services Administration: Provided further, That not to*
13 *exceed \$500,000 shall be placed in a Demolition Fund,*
14 *available until expended, to be used by the Indian Health*
15 *Service for demolition of Federal buildings: Provided fur-*
16 *ther, That notwithstanding the provisions of title III, sec-*
17 *tion 306, of the Indian Health Care Improvement Act (Pub-*
18 *lic Law 94-437, as amended), construction contracts au-*
19 *thorized under title I of the Indian Self-Determination and*
20 *Education Assistance Act of 1975, as amended, may be used*
21 *rather than grants to fund small ambulatory facility con-*
22 *struction projects: Provided further, That if a contract is*
23 *used, the IHS is authorized to improve municipal, private,*
24 *or tribal lands, and that at no time, during construction*
25 *or after completion of the project will the Federal Govern-*

1 *ment have any rights or title to any real or personal prop-*
2 *erty acquired as a part of the contract: Provided further,*
3 *That \$2,333,000 shall be made available for the Sisseton*
4 *Wahpeton Sioux Tribe Indian Health Services clinic in*
5 *Sisseton, South Dakota, and \$9,167,000 shall be made*
6 *available for the small ambulatory facilities program.*

7 *ADMINISTRATIVE PROVISIONS, INDIAN HEALTH SERVICE*

8 *Appropriations in this Act to the Indian Health Serv-*
9 *ice shall be available for services as authorized by 5 U.S.C.*
10 *3109 but at rates not to exceed the per diem rate equivalent*
11 *to the maximum rate payable for senior-level positions*
12 *under 5 U.S.C. 5376; hire of passenger motor vehicles and*
13 *aircraft; purchase of medical equipment; purchase of re-*
14 *prints; purchase, renovation and erection of modular build-*
15 *ings and renovation of existing facilities; payments for tele-*
16 *phone service in private residences in the field, when au-*
17 *thorized under regulations approved by the Secretary; and*
18 *for uniforms or allowances therefore as authorized by 5*
19 *U.S.C. 5901–5902; and for expenses of attendance at meet-*
20 *ings which are concerned with the functions or activities*
21 *for which the appropriation is made or which will con-*
22 *tribute to improved conduct, supervision, or management*
23 *of those functions or activities.*

24 *In accordance with the provisions of the Indian Health*
25 *Care Improvement Act, non-Indian patients may be ex-*
26 *tended health care at all tribally administered or Indian*

1 *Health Service facilities, subject to charges, and the pro-*
2 *ceeds along with funds recovered under the Federal Medical*
3 *Care Recovery Act (42 U.S.C. 2651–2653) shall be credited*
4 *to the account of the facility providing the service and shall*
5 *be available without fiscal year limitation. Notwith-*
6 *standing any other law or regulation, funds transferred*
7 *from the Department of Housing and Urban Development*
8 *to the Indian Health Service shall be administered under*
9 *Public Law 86–121 (the Indian Sanitation Facilities Act)*
10 *and Public Law 93–638, as amended.*

11 *Funds appropriated to the Indian Health Service in*
12 *this Act, except those used for administrative and program*
13 *direction purposes, shall not be subject to limitations di-*
14 *rected at curtailing Federal travel and transportation.*

15 *Notwithstanding any other provision of law, funds*
16 *previously or herein made available to a tribe or tribal or-*
17 *ganization through a contract, grant, or agreement author-*
18 *ized by title I or title III of the Indian Self-Determination*
19 *and Education Assistance Act of 1975 (25 U.S.C. 450), may*
20 *be deobligated and reobligated to a self-determination con-*
21 *tract under title I, or a self-governance agreement under*
22 *title III of such Act and thereafter shall remain available*
23 *to the tribe or tribal organization without fiscal year limi-*
24 *tation.*

1 *None of the funds made available to the Indian Health*
2 *Service in this Act shall be used to implement the final rule*
3 *published in the Federal Register on September 16, 1987,*
4 *by the Department of Health and Human Services, relating*
5 *to the eligibility for the health care services of the Indian*
6 *Health Service until the Indian Health Service has sub-*
7 *mitted a budget request reflecting the increased costs associ-*
8 *ated with the proposed final rule, and such request has been*
9 *included in an appropriations Act and enacted into law.*

10 *Funds made available in this Act are to be appor-*
11 *tioned to the Indian Health Service as appropriated in this*
12 *Act, and accounted for in the appropriation structure set*
13 *forth in this Act. With respect to functions transferred by*
14 *the Indian Health Service to tribes or tribal organizations,*
15 *the Indian Health Service is authorized to provide goods*
16 *and services to those entities, on a reimbursable basis, in-*
17 *cluding payment in advance with subsequent adjustment,*
18 *and the reimbursements received therefrom, along with the*
19 *funds received from those entities pursuant to the Indian*
20 *Self-Determination Act, may be credited to the same or sub-*
21 *sequent appropriation account which provided the funding,*
22 *said amounts to remain available until expended. Reim-*
23 *bursements for training, technical assistance, or services*
24 *provided by the Indian Health Service will contain total*
25 *costs, including direct, administrative, and overhead associ-*

1 *ated with the provision of goods, services, or technical as-*
2 *sistance. The appropriation structure for the Indian Health*
3 *Service may not be altered without advance approval of the*
4 *House and Senate Committees on Appropriations.*

5 *OTHER RELATED AGENCIES*

6 *OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION*

7 *SALARIES AND EXPENSES*

8 *For necessary expenses of the Office of Navajo and*
9 *Hopi Indian Relocation as authorized by Public Law 93-*
10 *531, \$15,148,000, to remain available until expended: Pro-*
11 *vided, That funds provided in this or any other appropria-*
12 *tions Act are to be used to relocate eligible individuals and*
13 *groups including evictees from District 6, Hopi-partitioned*
14 *lands residents, those in significantly substandard housing,*
15 *and all others certified as eligible and not included in the*
16 *preceding categories: Provided further, That none of the*
17 *funds contained in this or any other Act may be used by*
18 *the Office of Navajo and Hopi Indian Relocation to evict*
19 *any single Navajo or Navajo family who, as of November*
20 *30, 1985, was physically domiciled on the lands partitioned*
21 *to the Hopi Tribe unless a new or replacement home is pro-*
22 *vided for such household: Provided further, That no*
23 *relocatee will be provided with more than one new or re-*
24 *placement home: Provided further, That the Office shall re-*
25 *locate any certified eligible relocatees who have selected and*

1 *received an approved homesite on the Navajo reservation*
2 *or selected a replacement residence off the Navajo reserva-*
3 *tion or on the land acquired pursuant to 25 U.S.C. 640d-*
4 *10.*

5 *INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE*
6 *CULTURE AND ARTS DEVELOPMENT*

7 *PAYMENT TO THE INSTITUTE*

8 *For payment to the Institute of American Indian and*
9 *Alaska Native Culture and Arts Development, as authorized*
10 *by title XV of Public Law 99-498, as amended (20 U.S.C.*
11 *56 part A), \$4,490,000.*

12 *SMITHSONIAN INSTITUTION*

13 *SALARIES AND EXPENSES*

14 *For necessary expenses of the Smithsonian Institution,*
15 *as authorized by law, including research in the fields of art,*
16 *science, and history; development, preservation, and docu-*
17 *mentation of the National Collections; presentation of pub-*
18 *lic exhibits and performances; collection, preparation, dis-*
19 *semination, and exchange of information and publications;*
20 *conduct of education, training, and museum assistance pro-*
21 *grams; maintenance, alteration, operation, lease (for terms*
22 *not to exceed 30 years), and protection of buildings, facili-*
23 *ties, and approaches; not to exceed \$100,000 for services as*
24 *authorized by 5 U.S.C. 3109; up to five replacement pas-*
25 *senger vehicles; purchase, rental, repair, and cleaning of*

1 uniforms for employees, \$401,192,000, of which not to ex-
2 ceed \$43,713,000 for the instrumentation program, collec-
3 tions acquisition, exhibition reinstallation, the National
4 Museum of the American Indian, the repatriation of skeletal
5 remains program, research equipment, information man-
6 agement, and Latino programming shall remain available
7 until expended, and including such funds as may be nec-
8 essary to support American overseas research centers and
9 a total of \$125,000 for the Council of American Overseas
10 Research Centers: Provided, That funds appropriated here-
11 in are available for advance payments to independent con-
12 tractors performing research services or participating in of-
13 ficial Smithsonian presentations: Provided further, That
14 the Smithsonian Institution may expend Federal appro-
15 priations designated in this Act for lease or rent payments
16 for long term and swing space, as rent payable to the
17 Smithsonian Institution, and such rent payments may be
18 deposited into the general trust funds of the Institution to
19 the extent that federally supported activities are housed in
20 the 900 H Street, N.W. building in the District of Colum-
21 bia: Provided further, That this use of Federal appropria-
22 tions shall not be construed as debt service, a Federal guar-
23 antee of, a transfer of risk to, or an obligation of, the Fed-
24 eral Government: Provided further, That no appropriated
25 funds may be used to service debt which is incurred to fi-

1 nance the costs of acquiring the 900 H Street building or
2 of planning, designing, and constructing improvements to
3 such building.

4 *REPAIR, RESTORATION AND ALTERATION OF FACILITIES*

5 *For necessary expenses of maintenance, repair, res-*
6 *toration, and alteration of facilities owned or occupied by*
7 *the Smithsonian Institution, by contract or otherwise, as*
8 *authorized by section 2 of the Act of August 22, 1949 (63*
9 *Stat. 623), including not to exceed \$10,000 for services as*
10 *authorized by 5 U.S.C. 3109, \$67,900,000, to remain avail-*
11 *able until expended, of which \$10,000,000 is provided for*
12 *maintenance, repair, rehabilitation and alteration of facili-*
13 *ties at the National Zoological Park: Provided, That con-*
14 *tracts awarded for environmental systems, protection sys-*
15 *tems, and repair or restoration of facilities of the Smithso-*
16 *nian Institution may be negotiated with selected contractors*
17 *and awarded on the basis of contractor qualifications as*
18 *well as price.*

19 *CONSTRUCTION*

20 *For necessary expenses for construction, \$25,000,000,*
21 *to remain available until expended.*

22 *ADMINISTRATIVE PROVISIONS, SMITHSONIAN INSTITUTION*

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

1 *thorized by the treasurer of the Gallery for membership in*
2 *library, museum, and art associations or societies whose*
3 *publications or services are available to members only, or*
4 *to members at a price lower than to the general public; pur-*
5 *chase, repair, and cleaning of uniforms for guards, and uni-*
6 *forms, or allowances therefor, for other employees as author-*
7 *ized by law (5 U.S.C. 5901–5902); purchase or rental of*
8 *devices and services for protecting buildings and contents*
9 *thereof, and maintenance, alteration, improvement, and re-*
10 *pair of buildings, approaches, and grounds; and purchase*
11 *of services for restoration and repair of works of art for*
12 *the National Gallery of Art by contracts made, without ad-*
13 *vertising, with individuals, firms, or organizations at such*
14 *rates or prices and under such terms and conditions as the*
15 *Gallery may deem proper, \$68,967,000, of which not to ex-*
16 *ceed \$3,026,000 for the special exhibition program shall re-*
17 *main available until expended.*

18 *REPAIR, RESTORATION AND RENOVATION OF BUILDINGS*

19 *For necessary expenses of repair, restoration and ren-*
20 *ovation of buildings, grounds and facilities owned or occu-*
21 *ped by the National Gallery of Art, by contract or other-*
22 *wise, as authorized, \$14,220,000, to remain available until*
23 *expended: Provided, That contracts awarded for environ-*
24 *mental systems, protection systems, and exterior repair or*
25 *renovation of buildings of the National Gallery of Art may*

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

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

5 *For necessary expenses for the operation, maintenance*
6 *and security of the John F. Kennedy Center for the Per-*
7 *forming Arts, \$15,000,000.*

8 *CONSTRUCTION*

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

13 *WOODROW WILSON INTERNATIONAL CENTER FOR*
14 *SCHOLARS*

15 *SALARIES AND EXPENSES*

16 *For expenses necessary in carrying out the provisions*
17 *of the Woodrow Wilson Memorial Act of 1968 (82 Stat.*
18 *1356) including hire of passenger vehicles and services as*
19 *authorized by 5 U.S.C. 3109, \$7,796,000.*

20 *NATIONAL FOUNDATION ON THE ARTS AND THE*
21 *HUMANITIES*

22 *NATIONAL ENDOWMENT FOR THE ARTS*
23 *GRANTS AND ADMINISTRATION*

24 *For necessary expenses to carry out the National Foun-*
25 *ation on the Arts and the Humanities Act of 1965, as*
26 *amended, \$98,234,000 shall be available to the National*

1 *Endowment for the Arts for the support of projects and pro-*
2 *ductions in the arts through assistance to organizations and*
3 *individuals pursuant to sections 5(c) and 5(g) of the Act,*
4 *for program support, and for administering the functions*
5 *of the Act, to remain available until expended.*

6 *NATIONAL ENDOWMENT FOR THE HUMANITIES*

7 *GRANTS AND ADMINISTRATION*

8 *For necessary expenses to carry out the National Foun-*
9 *ation on the Arts and the Humanities Act of 1965, as*
10 *amended, \$109,882,000, shall be available to the National*
11 *Endowment for the Humanities for support of activities in*
12 *the humanities, pursuant to section 7(c) of the Act, and for*
13 *administering the functions of the Act, to remain available*
14 *until expended.*

15 *MATCHING GRANTS*

16 *To carry out the provisions of section 10(a)(2) of the*
17 *National Foundation on the Arts and the Humanities Act*
18 *of 1965, as amended, \$15,622,000, to remain available until*
19 *expended, of which \$11,622,000 shall be available to the Na-*
20 *tional Endowment for the Humanities for the purposes of*
21 *section 7(h): Provided, That this appropriation shall be*
22 *available for obligation only in such amounts as may be*
23 *equal to the total amounts of gifts, bequests, and devises of*
24 *money, and other property accepted by the chairman or by*
25 *grantees of the Endowment under the provisions of sub-*
26 *sections 11(a)(2)(B) and 11(a)(3)(B) during the current*

1 *and preceding fiscal years for which equal amounts have*
2 *not previously been appropriated.*

3 *INSTITUTE OF MUSEUM AND LIBRARY SERVICES*

4 *OFFICE OF MUSEUM SERVICES*

5 *GRANTS AND ADMINISTRATION*

6 *For carrying out subtitle C of the Museum and Li-*
7 *brary Services Act of 1996, as amended, \$26,899,000, to*
8 *remain available until expended.*

9 *CHALLENGE AMERICA ARTS FUND*

10 *CHALLENGE AMERICA GRANTS*

11 *For necessary expenses as authorized by Public Law*
12 *89–209, as amended, \$17,000,000 for support for arts edu-*
13 *cation and public outreach activities to be administered by*
14 *the National Endowment for the Arts, to remain available*
15 *until expended.*

16 *ADMINISTRATIVE PROVISIONS*

17 *None of the funds appropriated to the National Foun-*
18 *ation on the Arts and the Humanities may be used to*
19 *process any grant or contract documents which do not in-*
20 *clude the text of 18 U.S.C. 1913: Provided, That none of*
21 *the funds appropriated to the National Foundation on the*
22 *Arts and the Humanities may be used for official reception*
23 *and representation expenses: Provided further, That funds*
24 *from nonappropriated sources may be used as necessary for*
25 *official reception and representation expenses.*

1 *COMMISSION OF FINE ARTS*2 *SALARIES AND EXPENSES*

3 *For expenses made necessary by the Act establishing*
4 *a Commission of Fine Arts (40 U.S.C. 104), \$1,174,000:*
5 *Provided, That the Commission is authorized to charge fees*
6 *to cover the full costs of its publications, and such fees shall*
7 *be credited to this account as an offsetting collection, to re-*
8 *main available until expended without further appropria-*
9 *tion.*

10 *NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS*

11 *For necessary expenses as authorized by Public Law*
12 *99–190 (20 U.S.C. 956(a)), as amended, \$7,000,000.*

13 *ADVISORY COUNCIL ON HISTORIC PRESERVATION*14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the Advisory Council on His-*
16 *toric Preservation (Public Law 89–665, as amended),*
17 *\$3,310,000: Provided, That none of these funds shall be*
18 *available for compensation of level V of the Executive Sched-*
19 *ule or higher positions.*

20 *NATIONAL CAPITAL PLANNING COMMISSION*21 *SALARIES AND EXPENSES*

22 *For necessary expenses, as authorized by the National*
23 *Capital Planning Act of 1952 (40 U.S.C. 71–71i), includ-*
24 *ing services as authorized by 5 U.S.C. 3109, \$7,253,000:*
25 *Provided, That all appointed members of the Commission*
26 *will be compensated at a rate not to exceed the daily equiva-*

1 *lent of the annual rate of pay for positions at level IV of*
2 *the Executive Schedule for each day such member is engaged*
3 *in the actual performance of duties.*

4 *UNITED STATES HOLOCAUST MEMORIAL MUSEUM*
5 *HOLOCAUST MEMORIAL MUSEUM*

6 *For expenses of the Holocaust Memorial Museum, as*
7 *authorized by Public Law 106–292 (36 U.S.C. 2301–2310),*
8 *\$36,028,000, of which \$1,900,000 for the museum’s repair*
9 *and rehabilitation program and \$1,264,000 for the muse-*
10 *um’s exhibitions program shall remain available until ex-*
11 *pended.*

12 *PRESIDIO TRUST*
13 *PRESIDIO TRUST FUND*

14 *For necessary expenses to carry out title I of the Omni-*
15 *bus Parks and Public Lands Management Act of 1996,*
16 *\$23,125,000 shall be available to the Presidio Trust, to re-*
17 *main available until expended.*

18 *TITLE III—GENERAL PROVISIONS*

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

1 *SEC. 302. No part of any appropriation under this*
2 *Act shall be available to the Secretary of the Interior or*
3 *the Secretary of Agriculture for the leasing of oil and nat-*
4 *ural gas by noncompetitive bidding on publicly owned*
5 *lands within the boundaries of the Shawnee National For-*
6 *est, Illinois: Provided, That nothing herein is intended to*
7 *inhibit or otherwise affect the sale, lease, or right to access*
8 *to minerals owned by private individuals.*

9 *SEC. 303. No part of any appropriation contained in*
10 *this Act shall be available for any activity or the publica-*
11 *tion or distribution of literature that in any way tends to*
12 *promote public support or opposition to any legislative pro-*
13 *posal on which congressional action is not complete.*

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

17 *SEC. 305. None of the funds provided in this Act to*
18 *any department or agency shall be obligated or expended*
19 *to provide a personal cook, chauffeur, or other personal serv-*
20 *ants to any officer or employee of such department or agen-*
21 *cy except as otherwise provided by law.*

22 *SEC. 306. No assessments may be levied against any*
23 *program, budget activity, subactivity, or project funded by*
24 *this Act unless advance notice of such assessments and the*

1 basis therefor are presented to the Committees on Appro-
2 priations and are approved by such committees.

3 *SEC. 307. None of the funds in this Act may be used*
4 *to plan, prepare, or offer for sale timber from trees classified*
5 *as giant sequoia (Sequoiadendron giganteum) which are lo-*
6 *cated on National Forest System or Bureau of Land Man-*
7 *agement lands in a manner different than such sales were*
8 *conducted in fiscal year 2001.*

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

14 *SEC. 309. None of the funds made available in this*
15 *Act may be used: (1) to demolish the bridge between Jersey*
16 *City, New Jersey, and Ellis Island; or (2) to prevent pedes-*
17 *trian use of such bridge, when such pedestrian use is con-*
18 *sistent with generally accepted safety standards.*

19 *SEC. 310. (a) LIMITATION OF FUNDS.—None of the*
20 *funds appropriated or otherwise made available pursuant*
21 *to this Act shall be obligated or expended to accept or proc-*
22 *ess applications for a patent for any mining or mill site*
23 *claim located under the general mining laws.*

24 *(b) EXCEPTIONS.—The provisions of subsection (a)*
25 *shall not apply if the Secretary of the Interior determines*

1 *that, for the claim concerned: (1) a patent application was*
2 *filed with the Secretary on or before September 30, 1994;*
3 *and (2) all requirements established under sections 2325*
4 *and 2326 of the Revised Statutes (30 U.S.C. 29 and 30)*
5 *for vein or lode claims and sections 2329, 2330, 2331, and*
6 *2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37)*
7 *for placer claims, and section 2337 of the Revised Statutes*
8 *(30 U.S.C. 42) for mill site claims, as the case may be,*
9 *were fully complied with by the applicant by that date.*

10 *(c) REPORT.—On September 30, 2002, the Secretary*
11 *of the Interior shall file with the House and Senate Com-*
12 *mittees on Appropriations and the Committee on Resources*
13 *of the House of Representatives and the Committee on En-*
14 *ergy and Natural Resources of the Senate a report on ac-*
15 *tions taken by the Department under the plan submitted*
16 *pursuant to section 314(c) of the Department of the Interior*
17 *and Related Agencies Appropriations Act, 1997 (Public*
18 *Law 104–208).*

19 *(d) MINERAL EXAMINATIONS.—In order to process*
20 *patent applications in a timely and responsible manner,*
21 *upon the request of a patent applicant, the Secretary of the*
22 *Interior shall allow the applicant to fund a qualified third-*
23 *party contractor to be selected by the Bureau of Land Man-*
24 *agement to conduct a mineral examination of the mining*
25 *claims or mill sites contained in a patent application as*

1 *set forth in subsection (b). The Bureau of Land Manage-*
2 *ment shall have the sole responsibility to choose and pay*
3 *the third-party contractor in accordance with the standard*
4 *procedures employed by the Bureau of Land Management*
5 *in the retention of third-party contractors.*

6 *SEC. 311. Notwithstanding any other provision of law,*
7 *amounts appropriated to or earmarked in committee re-*
8 *ports for the Bureau of Indian Affairs and the Indian*
9 *Health Service by Public Laws 103–138, 103–332, 104–*
10 *134, 104–208, 105–83, 105–277, 106–113, and 106–291 for*
11 *payments to tribes and tribal organizations for contract*
12 *support costs associated with self-determination or self-gov-*
13 *ernance contracts, grants, compacts, or annual funding*
14 *agreements with the Bureau of Indian Affairs or the Indian*
15 *Health Service as funded by such Acts, are the total*
16 *amounts available for fiscal years 1994 through 2001 for*
17 *such purposes, except that, for the Bureau of Indian Affairs,*
18 *tribes and tribal organizations may use their tribal priority*
19 *allocations for unmet indirect costs of ongoing contracts,*
20 *grants, self-governance compacts or annual funding agree-*
21 *ments.*

22 *SEC. 312. Notwithstanding any other provision of law,*
23 *for fiscal year 2002 the Secretaries of Agriculture and the*
24 *Interior are authorized to limit competition for watershed*
25 *restoration project contracts as part of the “Jobs in the*

1 Woods” Program established in Region 10 of the Forest
2 Service to individuals and entities in historically timber-
3 dependent areas in the States of Washington, Oregon, north-
4 ern California and Alaska that have been affected by re-
5 duced timber harvesting on Federal lands. The Secretaries
6 shall consider the benefits to the local economy in evaluating
7 bids and designing procurements which create economic op-
8 portunities for local contractors.

9 SEC. 313. None of the funds collected under the Rec-
10 reational Fee Demonstration program may be used to plan,
11 design, or construct a visitor center or any other permanent
12 structure without prior approval of the House and the Sen-
13 ate Committees on Appropriations if the estimated total
14 cost of the facility exceeds \$500,000.

15 SEC. 314. None of the funds made available in this
16 or any other Act for any fiscal year may be used to des-
17 ignate, or to post any sign designating, any portion of Ca-
18 naveral National Seashore in Brevard County, Florida, as
19 a clothing-optional area or as an area in which public nu-
20 dity is permitted, if such designation would be contrary to
21 county ordinance.

22 SEC. 315. Of the funds provided to the National En-
23 dowment for the Arts—

24 (1) The Chairperson shall only award a grant to
25 an individual if such grant is awarded to such indi-

1 *vidual for a literature fellowship, National Heritage*
2 *Fellowship, or American Jazz Masters Fellowship.*

3 *(2) The Chairperson shall establish procedures to*
4 *ensure that no funding provided through a grant, ex-*
5 *cept a grant made to a State or local arts agency, or*
6 *regional group, may be used to make a grant to any*
7 *other organization or individual to conduct activity*
8 *independent of the direct grant recipient. Nothing in*
9 *this subsection shall prohibit payments made in ex-*
10 *change 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. 316. The National Endowment for the Arts and*
16 *the National Endowment for the Humanities are authorized*
17 *to solicit, accept, receive, and invest in the name of the*
18 *United States, gifts, bequests, or devises of money and other*
19 *property or services and to use such in furtherance of the*
20 *functions of the National Endowment for the Arts and the*
21 *National Endowment for the Humanities. Any proceeds*
22 *from such gifts, bequests, or devises, after acceptance by the*
23 *National Endowment for the Arts or the National Endow-*
24 *ment for the Humanities, shall be paid by the donor or the*
25 *representative of the donor to the Chairman. The Chairman*

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

4 *SEC. 317. (a) In providing services or awarding finan-*
5 *cial assistance under the National Foundation on the Arts*
6 *and the Humanities Act of 1965 from funds appropriated*
7 *under this Act, the Chairperson of the National Endowment*
8 *for the Arts shall ensure that priority is given to providing*
9 *services or awarding financial assistance for projects, pro-*
10 *ductions, workshops, or programs that serve underserved*
11 *populations.*

12 *(b) In this section:*

13 *(1) The term “underserved population” means a*
14 *population of individuals, including urban minori-*
15 *ties, who have historically been outside the purview of*
16 *arts and humanities programs due to factors such as*
17 *a high incidence of income below the poverty line or*
18 *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 the*
24 *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 services*
6 *or awarding financial assistance for projects, productions,*
7 *workshops, or programs that will encourage public knowl-*
8 *edge, education, understanding, and appreciation of the*
9 *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 to*
19 *any single State, excluding grants made under the*
20 *authority of paragraph (1);*

21 (3) *the Chairperson shall report to the Congress*
22 *annually and by State, on grants awarded by the*
23 *Chairperson in each grant category under section 5 of*
24 *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. 318. No part of any appropriation contained in*
5 *this Act shall be expended or obligated to complete and issue*
6 *the 5-year program under the Forest and Rangeland Re-*
7 *newable Resources Planning Act.*

8 *SEC. 319. None of the funds in this Act may be used*
9 *to support Government-wide administrative functions un-*
10 *less such functions are justified in the budget process and*
11 *funding is approved by the House and Senate Committees*
12 *on Appropriations.*

13 *SEC. 320. None of the funds in this Act may be used*
14 *for planning, design or construction of improvements to*
15 *Pennsylvania Avenue in front of the White House without*
16 *the advance approval of the House and Senate Committees*
17 *on Appropriations.*

18 *SEC. 321. Amounts deposited during fiscal year 2001*
19 *in the roads and trails fund provided for in the fourteenth*
20 *paragraph under the heading "FOREST SERVICE" of the*
21 *Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501), shall*
22 *be used by the Secretary of Agriculture, without regard to*
23 *the State in which the amounts were derived, to repair or*
24 *reconstruct roads, bridges, and trails on National Forest*
25 *System lands or to carry out and administer projects to*

1 *improve forest health conditions, which may include the re-*
2 *pair or reconstruction of roads, bridges, and trails on Na-*
3 *tional Forest System lands in the wildland-community*
4 *interface where there is an abnormally high risk of fire. The*
5 *projects shall emphasize reducing risks to human safety and*
6 *public health and property and enhancing ecological func-*
7 *tions, long-term forest productivity, and biological integ-*
8 *riety. The projects may be completed in a subsequent fiscal*
9 *year. Funds shall not be expended under this section to re-*
10 *place funds which would otherwise appropriately be ex-*
11 *pended from the timber salvage sale fund. Nothing in this*
12 *section shall be construed to exempt any project from any*
13 *environmental law.*

14 *SEC. 322. Other than in emergency situations, none*
15 *of the funds in this Act may be used to operate telephone*
16 *answering machines during core business hours unless such*
17 *answering machines include an option that enables callers*
18 *to reach promptly an individual on-duty with the agency*
19 *being contacted.*

20 *SEC. 323. No timber sale in Region 10 shall be adver-*
21 *tised if the indicated rate is deficit when appraised under*
22 *the transaction evidence appraisal system using domestic*
23 *Alaska values for western red cedar: Provided, That sales*
24 *which are deficit when appraised under the transaction evi-*
25 *dence appraisal system using domestic Alaska values for*

1 *western red cedar may be advertised upon receipt of a writ-*
2 *ten request by a prospective, informed bidder, who has the*
3 *opportunity to review the Forest Service's cruise and har-*
4 *vest cost estimate for that timber. Program accomplish-*
5 *ments shall be based on volume sold. Should Region 10 sell,*
6 *in fiscal year 2002, the annual average portion of the*
7 *decadal allowable sale quantity called for in the current*
8 *Tongass Land Management Plan in sales which are not def-*
9 *icit when appraised under the transaction evidence ap-*
10 *praisal system using domestic Alaska values for western red*
11 *cedar, all of the western red cedar timber from those sales*
12 *which is surplus to the needs of domestic processors in Alas-*
13 *ka, shall be made available to domestic processors in the*
14 *contiguous 48 United States at prevailing domestic prices.*
15 *Should Region 10 sell, in fiscal year 2002, less than the*
16 *annual average portion of the decadal allowable sale quan-*
17 *tity called for in the current Tongass Land Management*
18 *Plan in sales which are not deficit when appraised under*
19 *the transaction evidence appraisal system using domestic*
20 *Alaska values for western red cedar, the volume of western*
21 *red cedar timber available to domestic processors at pre-*
22 *vailing domestic prices in the contiguous 48 United States*
23 *shall be that volume: (i) which is surplus to the needs of*
24 *domestic processors in Alaska; and (ii) is that percent of*
25 *the surplus western red cedar volume determined by calcu-*

1 *lating the ratio of the total timber volume which has been*
2 *sold on the Tongass to the annual average portion of the*
3 *decadal allowable sale quantity called for in the current*
4 *Tongass Land Management Plan. The percentage shall be*
5 *calculated by Region 10 on a rolling basis as each sale is*
6 *sold (for purposes of this amendment, a “rolling basis” shall*
7 *mean that the determination of how much western red cedar*
8 *is eligible for sale to various markets shall be made at the*
9 *time each sale is awarded). Western red cedar shall be*
10 *deemed “surplus to the needs of domestic processors in Alas-*
11 *ka” when the timber sale holder has presented to the Forest*
12 *Service documentation of the inability to sell western red*
13 *cedar logs from a given sale to domestic Alaska processors*
14 *at price equal to or greater than the log selling value stated*
15 *in the contract. All additional western red cedar volume*
16 *not sold to Alaska or contiguous 48 United States domestic*
17 *processors may be exported to foreign markets at the election*
18 *of the timber sale holder. All Alaska yellow cedar may be*
19 *sold at prevailing export prices at the election of the timber*
20 *sale holder.*

21 *SEC. 324. None of the funds appropriated by this Act*
22 *shall be used to propose or issue rules, regulations, decrees,*
23 *or orders for the purpose of implementation, or in prepara-*
24 *tion for implementation, of the Kyoto Protocol which was*
25 *adopted on December 11, 1997, in Kyoto, Japan at the*

1 *Third Conference of the Parties to the United Nations*
2 *Framework Convention on Climate Change, which has not*
3 *been submitted to the Senate for advice and consent to rati-*
4 *fication pursuant to article II, section 2, clause 2, of the*
5 *United States Constitution, and which has not entered into*
6 *force pursuant to article 25 of the Protocol.*

7 *SEC. 325. The Forest Service, in consultation with the*
8 *Department of Labor, shall review Forest Service camp-*
9 *ground concessions policy to determine if modifications can*
10 *be made to Forest Service contracts for campgrounds so that*
11 *such concessions fall within the regulatory exemption of 29*
12 *CFR 4.122(b). The Forest Service shall offer in fiscal year*
13 *2002 such concession prospectuses under the regulatory ex-*
14 *emption, except that, any prospectus that does not meet the*
15 *requirements of the regulatory exemption shall be offered as*
16 *a service contract in accordance with the requirements of*
17 *41 U.S.C. 351–358.*

18 *SEC. 326. A project undertaken by the Forest Service*
19 *under the Recreation Fee Demonstration Program as au-*
20 *thorized by section 315 of the Department of the Interior*
21 *and Related Agencies Appropriations Act for Fiscal Year*
22 *1996, as amended, shall not result in—*

23 *(1) displacement of the holder of an authoriza-*
24 *tion to provide commercial recreation services on Fed-*
25 *eral lands. Prior to initiating any project, the Sec-*

1 *retary shall consult with potentially affected holders*
2 *to determine what impacts the project may have on*
3 *the holders. Any modifications to the authorization*
4 *shall be made within the terms and conditions of the*
5 *authorization and authorities of the impacted agency.*

6 *(2) the return of a commercial recreation service*
7 *to the Secretary for operation when such services have*
8 *been provided in the past by a private sector pro-*
9 *vider, except when—*

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

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

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

17 *In such cases, the agency may use the Recreation Fee Dem-*
18 *onstrations Program to provide for operations until a subse-*
19 *quent operator can be found through the offering of a new*
20 *prospectus.*

21 *SEC. 327. The authority to enter into stewardship and*
22 *end result contracts provided to the Forest Service in ac-*
23 *cordance with section 347 of title III of section 101(e) of*
24 *division A of Public Law 105–277 is hereby expanded to*
25 *authorize the Forest Service to enter into an additional 28*

1 *contracts subject to the same terms and conditions as pro-*
2 *vided in that section: Provided, That of the additional con-*
3 *tracts authorized by this section at least 9 shall be allocated*
4 *to Region 1 and at least 3 to Region 6.*

5 *SEC. 328. Any regulations or policies promulgated or*
6 *adopted by the Departments of Agriculture or the Interior*
7 *regarding recovery of costs for processing authorizations to*
8 *occupy and use Federal lands under their control shall ad-*
9 *here to and incorporate the following principle arising from*
10 *Office of Management and Budget Circular, A-25; no*
11 *charge should be made for a service when the identification*
12 *of the specific beneficiary is obscure, and the service can*
13 *be considered primarily as benefiting broadly the general*
14 *public.*

15 *SEC. 329. Notwithstanding any other provision of law,*
16 *for fiscal year 2002, the Secretary of Agriculture is author-*
17 *ized to limit competition for fire and fuel treatment and*
18 *watershed restoration contracts in the Giant Sequoia Na-*
19 *tional Monument and the Sequoia National Forest. Pref-*
20 *erence for employment shall be given to dislocated and dis-*
21 *placed workers in Tulare, Kern and Fresno Counties, Cali-*
22 *ornia, for work associated with the establishment of the*
23 *Giant Sequoia National Monument.*

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

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

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

8 *SEC. 331. Section 323 of the Department of the Inte-*
9 *rior and Related Agencies Appropriations Act, 1999, as in-*
10 *cluded in Public Law 105–277, Division A, section 101(e),*
11 *is amended by striking “and 2001,” and inserting “, 2001*
12 *and 2002,”.*

13 *SEC. 332. Section 551(c) of the Land Between the*
14 *Lakes Protection Act of 1998 (16 U.S.C. 460lll–61(c)) is*
15 *amended by striking “2002” and inserting “2004”.*

16 *SEC. 333. LOCAL EXEMPTIONS FROM FOREST SERV-*
17 *ICE DEMONSTRATION PROGRAM FEES. Section 6906 of Title*
18 *31, United States Code, is amended—*

19 (1) *by inserting “(a) IN GENERAL.—” before*
20 *“Necessary”; and*

21 (2) *by adding at the end the following:*

22 *“(b) LOCAL EXEMPTIONS FROM DEMONSTRATION*
23 *PROGRAM FEES.—*

24 *“(1) IN GENERAL.—Each unit of general local*
25 *government that lies in whole or in part within the*

1 *White Mountain National Forest and persons residing*
2 *within the boundaries of that unit of general local*
3 *government shall be exempt during that fiscal year*
4 *from any requirement to pay a Demonstration Pro-*
5 *gram Fee (parking permit or passport) imposed by*
6 *the Secretary of Agriculture for access to the Forest.*

7 “(2) *ADMINISTRATION.—The Secretary of Agri-*
8 *culture shall establish a method of identifying persons*
9 *who are exempt from paying user fees under para-*
10 *graph (1). This method may include valid form of*
11 *identification including a drivers license.”.*

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

16 (1) *TERMS AND CONDITIONS.—Subsection (h) is*
17 *amended—*

18 (A) *in paragraph (1), by striking “2005”*
19 *and inserting “2015”; and*

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

22 “(4) *GUARANTEE LEVEL.—*

23 “(A) *IN GENERAL.—Except as provided in*
24 *subparagraphs (B) and (C), any loan guarantee*

1 *provided under this section shall not exceed 85*
2 *percent of the amount of principal of the loan.*

3 “(B) *INCREASED LEVEL ONE.—A loan*
4 *guarantee may be provided under this section in*
5 *excess of 85 percent, but not more than 90 per-*
6 *cent, of the amount of principal of the loan, if—*

7 “(i) *the aggregate amount of loans*
8 *guaranteed at such percentage and out-*
9 *standing under this section at any one time*
10 *does not exceed \$100,000,000; and*

11 “(ii) *the aggregate amount of loans*
12 *guaranteed at such percentage under this*
13 *section with respect to a single qualified*
14 *steel company does not exceed \$50,000,000.*

15 “(C) *INCREASED LEVEL TWO.—A loan*
16 *guarantee may be provided under this section in*
17 *excess of 85 percent, but not more than 95 per-*
18 *cent, of the amount of principal of the loan, if—*

19 “(i) *the aggregate amount of loans*
20 *guaranteed at such percentage and out-*
21 *standing under this section at any one time*
22 *does not exceed \$100,000,000; and*

23 “(ii) *the aggregate amount of loans*
24 *guaranteed at such percentage under this*
25 *section with respect to a single qualified*

