

Union Calendar No. 128

106TH CONGRESS
1ST SESSION

H. R. 2466

[Report No. 106-222]

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

IN THE HOUSE OF REPRESENTATIVES

JULY 2, 1999

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

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of the Interior and related agencies for the
6 fiscal year ending September 30, 2000, and for other pur-
7 poses, namely:

1 trative law judges for such periods of time as the Sec-
2 retary considers to be necessary.

3 TITLE II—RELATED AGENCIES

4 DEPARTMENT OF AGRICULTURE

5 FOREST SERVICE

6 FOREST AND RANGELAND RESEARCH

7 For necessary expenses of forest and rangeland re-
8 search as authorized by law, \$204,373,000, to remain
9 available until expended.

10 STATE AND PRIVATE FORESTRY

11 For necessary expenses of cooperating with and pro-
12 viding technical and financial assistance to States, terri-
13 tories, possessions, and others, and for forest health man-
14 agement, cooperative forestry, and education and land
15 conservation activities, \$181,464,000, to remain available
16 until expended, as authorized by law.

17 NATIONAL FOREST SYSTEM

18 For necessary expenses of the Forest Service, not
19 otherwise provided for, for management, protection, im-
20 provement, and utilization of the National Forest System,
21 and for administrative expenses associated with the man-
22 agement of funds provided under the headings “Forest
23 and Rangeland Research”, “State and Private Forestry”,
24 “National Forest System”, “Wildland Fire Management”,
25 “Reconstruction and Maintenance”, and “Land Acquisi-
26 tion”, \$1,254,434,000, to remain available until expended,

1 plying agency or office is fully reimbursed by the receiv-
2 ing agency or office for the salary and expenses of the
3 employee for the period of assignment.

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

16 DEPARTMENT OF ENERGY

17 CLEAN COAL TECHNOLOGY

18 (DEFERRAL)

19 Of the funds made available under this heading for
20 obligation in prior years, \$190,000,000 shall not be avail-
21 able until October 1, 2000: *Provided*, That funds made
22 available in previous appropriations Acts shall be available
23 for any ongoing project regardless of the separate request
24 for proposal under which the project was selected.

1 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

2 For necessary expenses in carrying out fossil energy
3 research and development activities, under the authority
4 of the Department of Energy Organization Act (Public
5 Law 95–91), including the acquisition of interest, includ-
6 ing defeasible and equitable interests in any real property
7 or any facility or for plant or facility acquisition or expan-
8 sion, and for conducting inquiries, technological investiga-
9 tions and research concerning the extraction, processing,
10 use, and disposal of mineral substances without objection-
11 able social and environmental costs (30 U.S.C. 3, 1602,
12 and 1603), performed under the minerals and materials
13 science programs at the Albany Research Center in Or-
14 egon, \$359,292,000, to remain available until expended,
15 of which \$24,000,000 shall be derived by transfer from
16 unobligated balances in the Biomass Energy Development
17 account: *Provided*, That no part of the sum herein made
18 available shall be used for the field testing of nuclear ex-
19 plosives in the recovery of oil and gas.

20 ALTERNATIVE FUELS PRODUCTION

21 (INCLUDING TRANSFER OF FUNDS)

22 Moneys received as investment income on the prin-
23 cipal amount in the Great Plains Project Trust at the
24 Norwest Bank of North Dakota, in such sums as are
25 earned as of October 1, 1999, shall be deposited in this

1 account and immediately transferred to the general fund
2 of the Treasury. Moneys received as revenue sharing from
3 operation of the Great Plains Gasification Plant and set-
4 tlement payments shall be immediately transferred to the
5 general fund of the Treasury.

6 NAVAL PETROLEUM AND OIL SHALE RESERVES

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

12 ELK HILLS SCHOOL, LANDS FUND

13 For necessary expenses in fulfilling the second install-
14 ment payment under the Settlement Agreement entered
15 into by the United States and the State of California on
16 October 11, 1996, as authorized by section 3415 of Public
17 Law 104–106, \$36,000,000 for payment to the State of
18 California for the State Teachers' Retirement Fund from
19 the Elk Hills School Lands Fund.

20 ENERGY CONSERVATION

21 For necessary expenses in carrying out energy con-
22 servation activities, \$718,822,000, to remain available
23 until expended, of which \$25,000,000 shall be derived by
24 transfer from unobligated balances in the Biomass Energy
25 Development account: *Provided*, That \$153,000,000 shall

1 be for use in energy conservation programs as defined in
2 section 3008(3) of Public Law 99–509 (15 U.S.C. 4507):
3 *Provided further*, That notwithstanding section 3003(d)(2)
4 of Public Law 99–509, such sums shall be allocated to
5 the eligible programs as follows: \$120,000,000, contingent
6 on a cost share of 25 percent by each participating State
7 or other qualified participant, for weatherization assist-
8 ance grants and \$33,000,000 for State energy conserva-
9 tion grants.

10 **ECONOMIC REGULATION**

11 For necessary expenses in carrying out the activities
12 of the Office of Hearings and Appeals, \$2,000,000, to re-
13 main available until expended.

14 **STRATEGIC PETROLEUM RESERVE**

15 For necessary expenses for Strategic Petroleum Re-
16 serve facility development and operations and program
17 management activities pursuant to the Energy Policy and
18 Conservation Act of 1975, as amended (42 U.S.C. 6201
19 et seq.), \$159,000,000, to remain available until expended.

20 **ENERGY INFORMATION ADMINISTRATION**

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

24 **ADMINISTRATIVE PROVISIONS, DEPARTMENT OF ENERGY**

25 Appropriations under this Act for the current fiscal
26 year shall be available for hire of passenger motor vehicles;

1 hire, maintenance, and operation of aircraft; purchase, re-
2 pair, and cleaning of uniforms; and reimbursement to the
3 General Services Administration for security guard serv-
4 ices.

5 From appropriations under this Act, transfers of
6 sums may be made to other agencies of the Government
7 for the performance of work for which the appropriation
8 is made.

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

14 The Secretary is authorized to accept lands, build-
15 ings, equipment, and other contributions from public and
16 private sources and to prosecute projects in cooperation
17 with other agencies, Federal, State, private or foreign:
18 *Provided*, That revenues and other moneys received by or
19 for the account of the Department of Energy or otherwise
20 generated by sale of products in connection with projects
21 of the Department appropriated under this Act may be
22 retained by the Secretary of Energy, to be available until
23 expended, and used only for plant construction, operation,
24 costs, and payments to cost-sharing entities as provided
25 in appropriate cost-sharing contracts or agreements: *Pro-*

1 *vided further*, That the remainder of revenues after the
2 making of such payments shall be covered into the Treas-
3 ury as miscellaneous receipts: *Provided further*, That any
4 contract, agreement, or provision thereof entered into by
5 the Secretary pursuant to this authority shall not be exe-
6 cuted prior to the expiration of 30 calendar days (not in-
7 cluding any day in which either House of Congress is not
8 in session because of adjournment of more than three cal-
9 endar days to a day certain) from the receipt by the
10 Speaker of the House of Representatives and the Presi-
11 dent of the Senate of a full comprehensive report on such
12 project, including the facts and circumstances relied upon
13 in support of the proposed project.

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

18 In addition to other authorities set forth in this Act,
19 the Secretary may accept fees and contributions from pub-
20 lic and private sources, to be deposited in a contributed
21 funds account, and prosecute projects using such fees and
22 contributions in cooperation with other Federal, State or
23 private agencies or concerns.

24 The Secretary of Energy hereafter may transfer to
25 the SPR Petroleum Account such funds as may be nec-

1 essary to carry out draw down and sale operations of the
2 Strategic Petroleum Reserve initiated under section 161
3 of the Energy Policy and Conservation Act (42 U.S.C.
4 6241) from any funds available to the Department of En-
5 ergy under this or previous appropriations Acts. All funds
6 transferred pursuant to this authority must be replenished
7 as promptly as possible from oil sale receipts pursuant to
8 the draw down and sale.

9 DEPARTMENT OF HEALTH AND HUMAN
10 SERVICES

11 INDIAN HEALTH SERVICE

12 INDIAN HEALTH SERVICES

13 For expenses necessary to carry out the Act of Au-
14 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
15 tion Act, the Indian Health Care Improvement Act, and
16 titles II and III of the Public Health Service Act with re-
17 spect to the Indian Health Service, \$2,085,407,000, to-
18 gether with payments received during the fiscal year pur-
19 suant to 42 U.S.C. 238(b) for services furnished by the
20 Indian Health Service: *Provided*, That funds made avail-
21 able to tribes and tribal organizations through contracts,
22 grant agreements, or any other agreements or compacts
23 authorized by the Indian Self-Determination and Edu-
24 cation Assistance Act of 1975 (25 U.S.C. 450), shall be
25 deemed to be obligated at the time of the grant or contract

1 Budget Act of 1974: *Provided further*, That these funds
2 are available to subsidize total loan principal, any part of
3 which is to be guaranteed, not to exceed \$200,000,000.
4 The Trust is authorized to issue obligations to the Sec-
5 retary of the Treasury pursuant to section 104(d)(3) of
6 the Act, in an amount not to exceed \$20,000,000.

7 TITLE III—GENERAL PROVISIONS

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

15 SEC. 302. No part of any appropriation contained in
16 this Act shall be available for any activity or the publica-
17 tion or distribution of literature that in any way tends to
18 promote public support or opposition to any legislative
19 proposal on which congressional action is not complete.

20 SEC. 303. No part of any appropriation contained in
21 this Act shall remain available for obligation beyond the
22 current fiscal year unless expressly so provided herein.

23 SEC. 304. None of the funds provided in this Act to
24 any department or agency shall be obligated or expended
25 to provide a personal cook, chauffeur, or other personal

1 servants to any officer or employee of such department
2 or agency except as otherwise provided by law.

3 SEC. 305. No assessments may be levied against any
4 program, budget activity, subactivity, or project funded by
5 this Act unless advance notice of such assessments and
6 the basis therefor are presented to the Committees on Ap-
7 propriations and are approved by such Committees.

8 SEC. 306. (a) COMPLIANCE WITH BUY AMERICAN
9 ACT.—None of the funds made available in this Act may
10 be expended by an entity unless the entity agrees that in
11 expending the funds the entity will comply with sections
12 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–
13 10c; popularly known as the “Buy American Act”).

14 (b) SENSE OF CONGRESS; REQUIREMENT REGARD-
15 ING NOTICE.—

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

24 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—
25 In providing financial assistance using funds made

1 available in this Act, the head of each Federal agen-
2 cy shall provide to each recipient of the assistance
3 a notice describing the statement made in paragraph
4 (1) by the Congress.

5 (c) PROHIBITION OF CONTRACTS WITH PERSONS
6 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—
7 If it has been finally determined by a court or Federal
8 agency that any person intentionally affixed a label bear-
9 ing a “Made in America” inscription, or any inscription
10 with the same meaning, to any product sold in or shipped
11 to the United States that is not made in the United
12 States, the person shall be ineligible to receive any con-
13 tract or subcontract made with funds made available in
14 this Act, pursuant to the debarment, suspension, and ineli-
15 gibility procedures described in sections 9.400 through
16 9.409 of title 48, Code of Federal Regulations.

17 (d) The provisions of this section are applicable in
18 fiscal year 2000 and thereafter.

19 SEC. 307. 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 1999.

1 SEC. 308. 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. 309. None of the funds appropriated or other-
7 wise made available by this Act may be used for the
8 AmeriCorps program, unless the relevant agencies of the
9 Department of the Interior and/or Agriculture follow ap-
10 propriate reprogramming guidelines: *Provided*, That if no
11 funds are provided for the AmeriCorps program by the
12 Departments of Veterans Affairs and Housing and Urban
13 Development, and Independent Agencies Appropriations
14 Act, 2000, then none of the funds appropriated or other-
15 wise made available by this Act may be used for the
16 AmeriCorps programs.

17 SEC. 310. None of the funds made available in this
18 Act may be used: (1) to demolish the bridge between Jer-
19 sey City, New Jersey, and Ellis Island; or (2) to prevent
20 pedestrian use of such bridge, when it is made known to
21 the Federal official having authority to obligate or expend
22 such funds that such pedestrian use is consistent with gen-
23 erally accepted safety standards.

24 SEC. 311. (a) LIMITATION OF FUNDS.—None of the
25 funds appropriated or otherwise made available pursuant

1 to this Act shall be obligated or expended to accept or
2 process applications for a patent for any mining or mill
3 site claim located under the general mining laws.

4 (b) EXCEPTIONS.—The provisions of subsection (a)
5 shall not apply if the Secretary of the Interior determines
6 that, for the claim concerned: (1) a patent application was
7 filed with the Secretary on or before September 30, 1994;
8 and (2) all requirements established under sections 2325
9 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30)
10 for vein or lode claims and sections 2329, 2330, 2331,
11 and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and
12 37) for placer claims, and section 2337 of the Revised
13 Statutes (30 U.S.C. 42) for mill site claims, as the case
14 may be, were fully complied with by the applicant by that
15 date.

16 (c) REPORT.—On September 30, 2000, the Secretary
17 of the Interior shall file with the House and Senate Com-
18 mittees on Appropriations and the Committee on Re-
19 sources of the House of Representatives and the Com-
20 mittee on Energy and Natural Resources of the Senate
21 a report on actions taken by the Department under the
22 plan submitted pursuant to section 314(c) of the Depart-
23 ment of the Interior and Related Agencies Appropriations
24 Act, 1997 (Public Law 104–208).

1 (d) MINERAL EXAMINATIONS.—In order to process
2 patent applications in a timely and responsible manner,
3 upon the request of a patent applicant, the Secretary of
4 the Interior shall allow the applicant to fund a qualified
5 third-party contractor to be selected by the Bureau of
6 Land Management to conduct a mineral examination of
7 the mining claims or mill sites contained in a patent appli-
8 cation as set forth in subsection (b). The Bureau of Land
9 Management shall have the sole responsibility to choose
10 and pay the third-party contractor in accordance with the
11 standard procedures employed by the Bureau of Land
12 Management in the retention of third-party contractors.

13 SEC. 312. Notwithstanding any other provision of
14 law, amounts appropriated to or earmarked in committee
15 reports for the Bureau of Indian Affairs and the Indian
16 Health Service by Public Laws 103–138, 103–332, 104–
17 134, 104–208, 105–83, and 105–277 for payments to
18 tribes and tribal organizations for contract support costs
19 associated with self-determination or self-governance con-
20 tracts, grants, compacts, or annual funding agreements
21 with the Bureau of Indian Affairs or the Indian Health
22 Service as funded by such Acts, are the total amounts
23 available for fiscal years 1994 through 1999 for such pur-
24 poses, except that, for the Bureau of Indian Affairs, tribes
25 and tribal organizations may use their tribal priority allo-

1 cations for unmet indirect costs of ongoing contracts,
2 grants, self-governance compacts or annual funding agree-
3 ments.

4 SEC. 313. Notwithstanding any other provision of
5 law, for fiscal year 2000 the Secretaries of Agriculture and
6 the Interior are authorized to limit competition for water-
7 shed restoration project contracts as part of the “Jobs in
8 the Woods” component of the President’s Forest Plan for
9 the Pacific Northwest to individuals and entities in histori-
10 cally timber-dependent areas in the States of Washington,
11 Oregon, and northern California that have been affected
12 by reduced timber harvesting on Federal lands.

13 SEC. 314. None of the funds collected under the Rec-
14 reational Fee Demonstration program may be used to
15 plan, design, or construct a visitor center or any other per-
16 manent structure without prior approval of the House and
17 the Senate Committees on Appropriations if the estimated
18 total cost of the facility exceeds \$500,000.

19 SEC. 315. (a) None of the funds made available in
20 this Act or any other Act providing appropriations for the
21 Department of the Interior, the Forest Service or the
22 Smithsonian Institution may be used to submit nomina-
23 tions for the designation of Biosphere Reserves pursuant
24 to the Man and Biosphere program administered by the

1 United Nations Educational, Scientific, and Cultural Or-
2 ganization.

3 (b) The provisions of this section shall be repealed
4 upon enactment of subsequent legislation specifically au-
5 thorizing United States participation in the Man and Bio-
6 sphere program.

7 SEC. 316. 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 naval 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. 317. 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. 318. 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. 319. No part of any appropriation contained in
23 this Act shall be expended or obligated to fund new revi-
24 sions of national forest land management plans until new
25 final or interim final rules for forest land management

1 planning are published in the Federal Register. Those na-
2 tional forests which are currently in a revision process,
3 having formally published a Notice of Intent to revise
4 prior to October 1, 1997; those national forests having
5 been court-ordered to revise; those national forests where
6 plans reach the fifteen year legally mandated date to re-
7 vise before or during calendar year 2000; national forests
8 within the Interior Columbia Basin Ecosystem study area;
9 and the White Mountain National Forest are exempt from
10 this section and may use funds in this Act and proceed
11 to complete the forest plan revision in accordance with
12 current forest planning regulations.

13 SEC. 320. (a) In providing services or awarding fi-
14 nancial assistance under the National Foundation on the
15 Arts and the Humanities Act of 1965 from funds appro-
16 priated under this Act, the Chairperson of the National
17 Endowment for the Arts shall ensure that priority is given
18 to providing services or awarding financial assistance for
19 projects, productions, workshops, or programs that serve
20 underserved populations.

21 (b) In this section:

22 (1) The term “underserved population” means
23 a population of individuals who have historically
24 been outside the purview of arts and humanities pro-
25 grams due to factors such as a high incidence of in-

1 come below the poverty line or to geographic isola-
2 tion.

3 (2) The term “poverty line” means the poverty
4 line (as defined by the Office of Management and
5 Budget, and revised annually in accordance with sec-
6 tion 673(2) of the Community Services Block Grant
7 Act (42 U.S.C. 9902(2)) applicable to a family of
8 the size involved.

9 (c) In providing services and awarding financial as-
10 sistance under the National Foundation on the Arts and
11 Humanities Act of 1965 with funds appropriated by this
12 Act, the Chairperson of the National Endowment for the
13 Arts shall ensure that priority is given to providing serv-
14 ices or awarding financial assistance for projects, produc-
15 tions, workshops, or programs that will encourage public
16 knowledge, education, understanding, and appreciation of
17 the arts.

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

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

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

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

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

12 SEC. 321. None of the funds in this Act may be used
13 to support government-wide administrative functions un-
14 less such functions are justified in the budget process and
15 funding is approved by the House and Senate Committees
16 on Appropriations.

17 SEC. 322. Notwithstanding any other provision of
18 law, none of the funds in this Act may be used for the
19 National Telecommunications and Information Adminis-
20 tration (Spectrum), GSA Telecommunication Centers, or
21 the President's Council on Sustainable Development.

22 SEC. 323. None of the funds in this Act may be used
23 for planning, design or construction of improvements to
24 Pennsylvania Avenue in front of the White House without

1 the advance approval of the House and Senate Committees
2 on Appropriations.

3 SEC. 324. Amounts deposited during fiscal year 1999
4 in the roads and trails fund provided for in the fourteenth
5 paragraph under the heading “FOREST SERVICE” of
6 the Act of March 4, 1913 (37 Stat. 843; 16 U.S.C. 501),
7 shall be used by the Secretary of Agriculture, without re-
8 gard to the State in which the amounts were derived, to
9 repair or reconstruct roads, bridges, and trails on National
10 Forest System lands or to carry out and administer
11 projects to improve forest health conditions, which may
12 include the repair or reconstruction of roads, bridges, and
13 trails on National Forest System lands in the wildland-
14 community interface where there is an abnormally high
15 risk of fire. The projects shall emphasize reducing risks
16 to human safety and public health and property and en-
17 hancing ecological functions, long-term forest productivity,
18 and biological integrity. The Secretary shall commence the
19 projects during fiscal year 2000, but the projects may be
20 completed in a subsequent fiscal year. Funds shall not be
21 expended under this section to replace funds which would
22 otherwise appropriately be expended from the timber sal-
23 vage sale fund. Nothing in this section shall be construed
24 to exempt any project from any environmental law.

1 SEC. 325. None of the funds made available in this
2 Act may be used to establish a national wildlife refuge in
3 the Kankakee River watershed in northwestern Indiana
4 and northeastern Illinois.

5 SEC. 326. None of the funds provided in this or pre-
6 vious Appropriations Acts or provided from any accounts
7 in the Treasury of the United States derived by the collec-
8 tion of fees available to the agencies funded by this Act,
9 shall be transferred to or used to support the Council on
10 Environmental Quality or other offices in the Executive
11 Office of the President, or be expended for any head-
12 quarters or departmental office functions of the agencies,
13 bureaus and departments covered by this Act, for purposes
14 related to the American Heritage Rivers program.

15 SEC. 327. None of the funds in this Act may be used
16 to operate telephone answering machines during core busi-
17 ness hours except in emergency situations.

18 SEC. 328. (a) ENHANCING FOREST SERVICE ADMIN-
19 ISTRATION OF RIGHTS-OF-WAY AND LAND USES.—Dur-
20 ing fiscal year 2000 and each fiscal year thereafter, the
21 Secretary of Agriculture shall deposit into a special ac-
22 count established in the Treasury all administrative fees
23 collected by the Secretary pursuant to section 28(l) of the
24 Mineral Leasing Act (30 U.S.C. 185(l)), section 504(g)
25 of the Federal Land Policy and Management Act of 1976

1 (43 U.S.C. 1764(g)), and any other law that grants the
2 Secretary the authority to authorize the use and occu-
3 pancy of National Forest System lands, improvements,
4 and resources, as described in section 251.53 of title 36,
5 Code of Federal Regulations.

6 (b) USE OF RETAINED AMOUNTS.—Amounts depos-
7 ited pursuant to subsection (a) shall be available, without
8 further appropriation, for expenditure by the Secretary of
9 Agriculture to cover costs incurred by the Forest Service
10 for the processing of applications for special use authoriza-
11 tions and for inspection and monitoring activities under-
12 taken in connection with such special use authorizations.
13 Amounts in the special account shall remain available for
14 such purposes until expended.

15 (c) REPORTING REQUIREMENT.—In the budget jus-
16 tification documents submitted by the Secretary of Agri-
17 culture in support of the President’s budget for a fiscal
18 year under section 1105 of title 31, United States Code,
19 the Secretary shall include a description of the purposes
20 for which amounts were expended from the special account
21 during the preceding fiscal year, including the amounts
22 expended for each purpose, and a description of the pur-
23 poses for which amounts are proposed to be expended
24 from the special account during the next fiscal year, in-

1 cluding the amounts proposed to be expended for each
2 purpose.

3 (d) EFFECTIVE DATE.—This section shall take effect
4 October 1, 2000 and remain in effect through September
5 30, 2005.

6 SEC. 329. The Secretary of Agriculture and the Sec-
7 retary of the Interior shall:

8 (1) prepare the report required of them by sec-
9 tion 323(a) of the Fiscal Year 1998 Interior and Re-
10 lated Agencies Appropriations Act (Public Law 105–
11 83; 111 Stat. 1543, 1596–7);

12 (2) distribute the report and make such report
13 available for public comment for a minimum of 120
14 days; and

15 (3) include detailed responses to the public
16 comment in any final environmental impact state-
17 ment associated with the Interior Columbia Basin
18 Ecosystem Management Project.

19 SEC. 330. Hereafter, and notwithstanding any other
20 provision of law, a woman may breastfeed her child at any
21 location in a building or on property that is part of the
22 National Park System, the Smithsonian Institution, the
23 John F. Kennedy Center for the Performing Arts, the
24 United States Holocaust Memorial Museum, or the Na-

1 tional Gallery of Art, if the woman and her child are other-
2 wise permitted to be present at the location.

3 SEC. 331. None of the funds appropriated by this Act
4 shall be used to propose or issue rules, regulations, de-
5 crees, or orders for the purpose of implementation, or in
6 preparation for implementation, of the Kyoto Protocol
7 which was adopted on December 11, 1997, in Kyoto,
8 Japan at the Third Conference of the Parties to the
9 United Nations Framework Convention on Climate
10 Change, which has not been submitted to the Senate for
11 advice and consent to ratification pursuant to article II,
12 section 2, clause 2, of the United States Constitution, and
13 which has not entered into force pursuant to article 25
14 of the Protocol.

15 This Act may be cited as the “Department of the In-
16 terior and Related Agencies Appropriations Act, 2000”.

Union Calendar No. 128

106TH CONGRESS
1ST SESSION

H. R. 2466

[Report No. 106-222]

A BILL

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

JULY 2, 1999

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