

II. APPROPRIATIONS

1. Agriculture Appropriations for FY 2001

PUBLIC LAW 106-387—OCT. 28, 2000

114 STAT. 1549

* Public Law 106-387
106th Congress

An Act

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2001, and for other purposes.

Oct. 28, 2000

[H.R. 4461]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. (a) The provisions of H.R. 5426 of the 106th Congress, as introduced on October 6, 2000, are hereby enacted into law.

Incorporation by reference.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section.

Publication.
1 USC 112 note.

Approved October 28, 2000.

LEGISLATIVE HISTORY—H.R. 4461:

HOUSE REPORTS: No. 106-619 (Comm. on Appropriations) and No. 106-948 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 29, July 10, 11, considered and passed House.
July 18-20, considered and passed Senate, amended.
Oct. 11, House agreed to conference report.
Oct. 13, 18, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 28, Presidential statement.

*ENDNOTE: The following appendix was added pursuant to the provisions of section 1 of this Act.

APPENDIX—H.R. 5426

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

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114 STAT.
1549A-28

TITLE VII—GENERAL PROVISIONS

* * * * *

114 STAT.
1549A-45

SEC. 776. SENSE OF THE CONGRESS; HAMILTON GRANGE, NEW YORK.

(a) Congress finds that—

(1) Alexander Hamilton, assisted by James Madison and George Washington, was the principal drafter of the Constitution of the United States;

(2) Hamilton was General Washington's aide-de-camp during the Revolutionary War, and, given command by Washington of the New York and Connecticut light infantry battalion, led the successful assault on British redoubt number 10 at Yorktown;

(3) after serving as Secretary of the Treasury, Hamilton founded the Bank of New York and the New York Post;

(4) the only home Hamilton ever owned, commonly known as "the Grange", is a fine example of Federal period architecture designed by New York architect John McComb, Jr., and was built in upper Manhattan in 1803;

(5) the New York State Assembly enacted a law in 1908 authorizing New York City to acquire the Grange and move it to nearby St. Nicholas Park, part of the original Hamilton estate, but no action was taken;

(6) in 1962, the National Park Service took over management of the Grange, by then wedged on Convent Avenue within inches between an apartment house on the north side and a church on the south side;

(7) the 1962 designation of the Grange as a national memorial was contingent on the acquisition by the National Park Service of a site to which the building could be relocated;

(8) the New York State legislature enacted a law in 1998 that granted approval for New York City to transfer land in St. Nicholas Park to the National Park Service, causing renovations to the Grange to be postponed; and

(9) no obelisk, monument, or classical temple along the national mall has been constructed to honor the man who more than any other designed the Government of the United States, Hamilton should at least be remembered by restoring his home in a sylvan setting.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) Alexander Hamilton made an immense contribution to the United States by serving as a principal drafter of the Constitution; and

(2) the National Park Service should expeditiously—

114 STAT.
1549A-46

PUBLIC LAW 106-387—APPENDIX 114 STAT. 1549A-46

(A) proceed to relocate the Grange to St. Nicholas Park; and

(B) restore the Grange to a state befitting the memory of Alexander Hamilton.

**SEC. 777. FINANCIAL ASSISTANCE FOR LAND ACQUISITION FOR
FALLEN TIMBERS BATTLEFIELD AND FORT MIAMIS
NATIONAL HISTORIC SITE.**

(a) **IN GENERAL.**—Section 4 of the Fallen Timbers Battlefield and Fort Miamis National Historic Site Act of 1999 (Public Law 106-164; 16 U.S.C. 461 note) is amended by adding at the end the following:

“(d) **LAND ACQUISITION ASSISTANCE.**—

“(1) **IN GENERAL.**—The Secretary may provide financial assistance to the management entity for acquiring lands or interests in lands within the boundaries of the historic site under subsection (b).

“(2) **COST SHARING.**—Financial assistance under this subsection may not be used to pay more than 50 percent of the cost of any acquisition made with the assistance.

“(3) **CONDITION.**—The Secretary shall require, as a condition of any assistance under this subsection, that any interest in land acquired with assistance under this subsection shall be included in and managed as part of the historic site.”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 6 of such Act is amended by inserting “(a) **IN GENERAL.**—” before “There is authorized”, and by adding at the end the following:

“(b) **LAND ACQUISITION ASSISTANCE.**—There is authorized to be appropriated \$2,500,000 to carry out section 4(d).”.

* * * * *

2. Consolidated Appropriations Act for FY 2001

114 STAT. 2763

PUBLIC LAW 106-554—DEC. 21, 2000

* Public Law 106-554
106th Congress

An Act

Dec. 21, 2000
[H.R. 4577]

Making consolidated appropriations for the fiscal year ending September 30, 2001,
and for other purposes.

Consolidated
Appropriations
Act, 2001.
Incorporation by
reference.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. (a) The provisions of the following bills of the
106th Congress are hereby enacted into law:

(1) H.R. 5656, as introduced on December 14, 2000.

(2) H.R. 5657, as introduced on December 14, 2000.

(3) H.R. 5658, as introduced on December 14, 2000.

(4) H.R. 5666, as introduced on December 15, 2000, except
that the text of H.R. 5666, as so enacted, shall not include
section 123 (relating to the enactment of H.R. 4904).

(5) H.R. 5660, as introduced on December 14, 2000.

(6) H.R. 5661, as introduced on December 14, 2000.

(7) H.R. 5662, as introduced on December 14, 2000.

(8) H.R. 5663, as introduced on December 14, 2000.

(9) H.R. 5667, as introduced on December 15, 2000.

Publication.
1 USC 112 note.

(b) In publishing this Act in slip form and in the United
States Statutes at Large pursuant to section 112 of title 1, United
States Code, the Archivist of the United States shall include after
the date of approval at the end appendixes setting forth the texts
of the bills referred to in subsection (a) of this section and the
text of any other bill enacted into law by reference by reason
of the enactment of this Act.

SEC. 2. (a) Notwithstanding Rule 3 of the Budget Scorekeeping
Guidelines set forth in the joint explanatory statement of the
committee of conference accompanying Conference Report 105-217,
legislation enacted in section 505 of the Department of Transpor-
tation and Related Agencies Appropriations Act, 2001, section 312
of the Legislative Branch Appropriations Act, 2001, titles X and
XI of H.R. 5548 (106th Congress) as enacted by H.R. 4942 (106th
Congress), division B of H.R. 5666 (106th Congress) as enacted
by this Act, and sections 1(a)(5) through 1(a)(9) of this Act that
would have been estimated by the Office of Management and Budget
as changing direct spending or receipts under section 252 of the
Balanced Budget and Emergency Deficit Control Act of 1985 were
it included in an Act other than an appropriations Act shall be
treated as direct spending or receipts legislation, as appropriate,
under section 252 of the Balanced Budget and Emergency Deficit
Control Act of 1985.

(b) In preparing the final sequestration report required by
section 254(f)(3) of the Balanced Budget and Emergency Deficit
Control Act of 1985 for fiscal year 2001, in addition to the infor-
mation required by that section, the Director of the Office of Manage-
ment and Budget shall change any balance of direct spending

* See Endnote on 114 Stat. 2764.

PUBLIC LAW 106-554—DEC. 21, 2000

114 STAT. 2764

and receipts legislation for fiscal year 2001 under section 252 of that Act to zero.

(c) This Act may be cited as the “Consolidated Appropriations Act, 2001”.

Approved December 21, 2000.

LEGISLATIVE HISTORY—H.R. 4577 (S. 2553):

HOUSE REPORTS: Nos. 106-645 (Comm. on Appropriations) and 106-1033 (Comm. of Conference).

SENATE REPORTS: No. 106-293 accompanying S. 2553 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 8, 12-14, considered and passed House.

June 22, 23, 26-30, considered and passed Senate, amended.

Dec. 15, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Dec. 21, Presidential remarks and statement.

***ENDNOTE:** The following appendixes were added pursuant to the provisions of section 1 of this Act (114 Stat. 2763).



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APPENDIX D-2—S. 2885

APPENDIX E—H.R. 5660

APPENDIX F—H.R. 5661

APPENDIX G—H.R. 5662

APPENDIX H—H.R. 5663

APPENDIX I—H.R. 5667

APPENDIX A—H.R. 5656

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

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TITLE III—DEPARTMENT OF EDUCATION	114 STAT. 2763A-30
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GENERAL PROVISIONS	114 STAT. 2763A-40
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SEC. 313. From the amounts made available for the “Fund for the Improvement of Education” under the heading “Education Research, Statistics, and Improvement”, \$10,000,000, to remain available until expended, shall be available to the Secretary of Education to be transferred to the Secretary of the Interior for an award to the National Constitution Center for construction activities authorized under Public Law 100-433.	114 STAT. 2763A-46
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SEC. 313. From the amounts made available for the “Fund for the Improvement of Education” under the heading “Education Research, Statistics, and Improvement”, \$10,000,000, to remain available until expended, shall be available to the Secretary of Education to be transferred to the Secretary of the Interior for an award to the National Constitution Center for construction activities authorized under Public Law 100-433.	114 STAT. 2763A-47
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APPENDIX D—H.R. 5666

114 STAT.
2763A-171

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

DIVISION A

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CHAPTER 3

114 STAT.
2763A-180

DEPARTMENT OF DEFENSE

GENERAL PROVISIONS—THIS CHAPTER

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(TRANSFER OF FUNDS)

114 STAT.
2763A-182

SEC. 311. Of the funds made available in the Department of Defense Appropriations Act, 2001 (Public Law 106-259), the Secretary of the Air Force shall transfer \$5,000,000 of the funds provided for “Operation and Maintenance, Air Force” to the Secretary of the Interior for maintenance, protection, or preservation of the land and interests in land described in section 3 of the Minuteman Missile National Historic Site Establishment Act of 1999 (Public Law 106-115; 113 Stat. 1540): *Provided*, That the transfer authority provided in this section is in addition to any

114 STAT. 2763A-182 PUBLIC LAW 106-554—APPENDIX D

other transfer authority available to the Department of Defense for fiscal year 2001.

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114 STAT.
2763A-191

CHAPTER 7

DEPARTMENT OF THE INTERIOR

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114 STAT.
2763A-192

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For an additional amount for “Operation of the National Park System”, \$100,000 for completion of studies related to the Arlington Boathouse in Virginia.

NATIONAL RECREATION AND PRESERVATION

For an additional amount for “National Recreation and Preservation”, \$1,600,000, to remain available until expended, of which \$500,000 is for the National Constitution Center in Philadelphia, Pennsylvania and \$1,100,000 is for a grant to the Historic New Bridge Landing Park Commission.

HISTORIC PRESERVATION FUND

For an additional amount for the “Historic Preservation Fund”, \$100,000 for a grant to the Massillon Heritage Foundation, Inc. in Massillon, Ohio.

CONSTRUCTION

For an additional amount for “Construction”, \$3,500,000, to remain available until expended, of which \$1,500,000 is for the Stones River National Battlefield and \$2,000,000 is for the Millennium Cultural Cooperative Park.

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114 STAT.
2763A-214

CHAPTER 14

GENERAL PROVISIONS—THIS DIVISION

SEC. 1401. H. Con. Res. 234 of the 106th Congress, as adopted by the House of Representatives on November 18, 1999, shall be considered to have been adopted by the Senate.

SEC. 1402. Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

(1) Sections 1105(a), 1106(a) and (b), and 1109(a) of title 31, United States Code, and any other law relating to the budget of the United States Government.

(2) The Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

(3) Sections 202(e)(1) and (3) of the Congressional Budget Act of 1974 (2 U.S.C. 602(e)(1) and (3)).

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(4) Section 1014(e) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 685(e)).

SEC. 1403. (a) GOVERNMENT-WIDE RESCISSIONS.—There is hereby rescinded an amount equal to 0.22 percent of the discretionary budget authority provided (or obligation limit imposed) for fiscal year 2001 in this or any other Act for each department, agency, instrumentality, or entity of the Federal Government, except for those programs, projects, and activities which are specifically exempted elsewhere in this provision: *Provided*, That this exact reduction percentage shall be applied on a pro rata basis only to each program, project, and activity subject to the rescission.

(b) RESTRICTIONS.—This reduction shall not be applied to the amounts appropriated in title I of Public Law 106-259: *Provided*, That this reduction shall not be applied to the amounts appropriated in division B of Public Law 106-246: *Provided further*, That this reduction shall not be applied to the amounts appropriated under the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2001, as contained in this Act, or in prior Acts.

(c) REPORT.—The Director of the Office of Management and Budget shall include in the President’s budget submitted for fiscal year 2002 a report specifying the reductions made to each account pursuant to this section.

DIVISION B

TITLE I

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SEC. 119. Within the funds appropriated to the National Park Service under the heading “Operation of the National Park System” in Public Law 106-291, the Secretary of the Interior shall provide a grant of \$75,000 to the City of Ocean Beach, New York, for repair of facilities at the Ocean Beach Pavilion at Fire Island National Seashore.

114 STAT.
2763A-229

SEC. 120. The National Park Service is directed to work with Fort Sumter Tours, Inc., the concessionaire currently providing services at Fort Sumter National Monument in South Carolina, on an amicable solution of the current legal dispute between the two parties. The Director of the Service is directed to extend immediately the current contract through March 15, 2001, to facilitate further negotiations and for 180 days if final settlement of all disputes is agreed to by both parties.

SEC. 121. Title VIII—Land Conservation, Preservation, and Infrastructure Improvement of Public Law 106-291 is amended as follows: after the first dollar amount insert: “, to be derived from the Land and Water Conservation Fund”.

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SEC. 124. APPALACHIAN NATIONAL SCENIC TRAIL. (a) ACQUISITIONS.—

- (1) IN GENERAL.—The Secretary of the Interior shall—
 - (A) negotiate agreements with landowners setting terms and conditions for the acquisition of parcels of land and interests in land totaling approximately 580 acres at Saddleback Mountain near Rangeley, Maine, for the benefit of the Appalachian National Scenic Trail;

114 STAT. 2763A-229 PUBLIC LAW 106-554—APPENDIX D

(B) complete the pending environmental compliance process for the acquisitions; and

(C) acquire the parcels of land and interests in land for consideration in the amount of \$4,000,000 plus closing costs customarily paid by the United States.

(2) ACCEPTANCE OF DONATIONS.—The Secretary may accept as donations parcels of land and interests in land at Saddleback Mountain, in addition to those acquired by purchase under paragraph (1), for the benefit of the Appalachian National Scenic Trail.

(b) CONVEYANCE TO THE STATE.—The Secretary shall convey to the State of Maine a portion of the land and interests in land acquired under subsection (a) without consideration, subject to such terms and conditions as the Secretary and the State of Maine agree are necessary to ensure the protection of the Appalachian National Scenic Trail.

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SEC. 126. Section 116(a)(1)(A) of the Illinois and Michigan Canal National Heritage Corridor Act of 1984 (98 Stat. 1467) is amended by striking “\$250,000” and inserting “\$1,000,000”.

SEC. 127. The provisions of S. 2885, as passed in the United States Senate on October 5, 2000 and engrossed, are hereby enacted into law.

SEC. 128. None of the funds provided in this or any other Act may be used prior to July 31, 2001, to promulgate or enforce a final rule to reduce during the 2000–2001 or 2001–2002 winter seasons the use of snowmobiles below current use patterns at a unit in the National Park System: *Provided*, That nothing in this section shall be interpreted as amending any requirement of the Clean Air Act: *Provided further*, That nothing in this section shall preclude the Secretary from taking emergency actions related to snowmobile use in any National Park based on authorities which existed to permit such emergency actions as of the date of enactment of this Act.

SEC. 129. The Secretary of the Interior shall extend until March 31, 2001, the “Extension of Standstill Agreement,” entered into on November 22, 1999, by the United States of America and the holders of interests in seven campsite leases in Biscayne Bay, Miami-Dade County, Florida collectively known as “Stiltsville”.

SEC. 130. The Secretary of the Interior is authorized to make a grant of \$1,300,000 to the State of Minnesota or its political subdivision from funds available to the National Park Service under the heading “Land Acquisition and State Assistance” in Public Law 106–291 to cover the cost of acquisition of land in Lower Phalen Creek near St. Paul, Minnesota in the Mississippi National River and Recreation Area.

SEC. 131. Notwithstanding any provision of law or regulation, funds appropriated in Public Law 106–291 for a cooperative agreement for management of George Washington’s Boyhood Home, Ferry Farm, shall be transferred to the George Washington’s Fredericksburg Foundation, Inc. (formerly known as Kenmore Association, Inc.) immediately upon signing of the cooperative agreement.

SEC. 132. During the period beginning on the date of the enactment of this Act and ending on June 1, 2001, funds made available to the Secretary of the Interior may not be used to pay salaries or expenses related to the issuance of a request for

PUBLIC LAW 106-554—APPENDIX D 114 STAT. 2763A-230

proposal related to a light rail system to service Grand Canyon National Park.

SEC. 133. None of the funds in this or any other Act may be used by the Secretary of the Interior to remove the five-foot-tall white cross located within the boundary of the Mojave National Preserve in southern California first erected in 1934 by the Veterans of Foreign Wars along Cima Road approximately 11 miles south of Interstate 15.

SEC. 134. Section 6(g) of the Chesapeake and Ohio Canal Development Act (16 U.S.C. 410y-4(g)) is amended by striking “thirty” and inserting “40”.

SEC. 135. Funds provided in Public Law 106-291 for Federal land acquisition by the National Park Service in Fiscal Year 2001 for Brandywine Battlefield, Ice Age National Scenic Trail, Mississippi National River and Recreation Area, Shenandoah National Heritage Area, Fallen Timbers Battlefield and Fort Miamis National Historic Site may be used for a grant to a State, local government, or to a land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Act of 1965.

SEC. 136. Notwithstanding any other provision of law, in accordance with title IV—Wildland Fire Emergency Appropriations, Public Law 106-291, from the \$35,000,000 provided for community and private land fire assistance, the Secretary of Agriculture, may use up to \$9,000,000 for advance, direct lump sum payments for assistance to eligible individuals, businesses, or other entities, to accomplish the purposes of providing assistance to non-Federal entities most affected by fire. To expedite such financial assistance being provided to eligible recipients, the lump sum payments shall not be subject to 7 CFR 3015, 3019, and 3052 related to the administration of Federal financial assistance.

114 STAT.
2763A-231

SEC. 137. (a) IN GENERAL.—The first section of Public Law 91-660 (16 U.S.C. 459h) is amended—

(1) in the first sentence, by striking “That, in” and inserting the following:

“SECTION 1. GULF ISLANDS NATIONAL SEASHORE.

“(a) ESTABLISHMENT.—In”; and

(2) in the second sentence—

(A) by redesignating paragraphs (1) through (6) as subparagraphs (A) through (F), respectively, and indenting appropriately;

(B) by striking “The seashore shall comprise” and inserting the following:

“(b) COMPOSITION.—

“(1) IN GENERAL.—The seashore shall comprise the areas described in paragraphs (2) and (3).

“(2) AREAS INCLUDED IN BOUNDARY PLAN NUMBERED NS-GI-7100J.—The areas described in this paragraph are”: and

(C) by adding at the end the following:

“(3) CAT ISLAND.—Upon its acquisition by the Secretary, the area described in this paragraph is the parcel consisting of approximately 2,000 acres of land on Cat Island, Mississippi, as generally depicted on the map entitled ‘Boundary Map,

114 STAT. 2763A-231 PUBLIC LAW 106-554—APPENDIX D

Gulf Islands National Seashore, Cat Island, Mississippi', numbered 635/80085, and dated November 9, 1999 (referred to in this title as the 'Cat Island Map').

“(4) AVAILABILITY OF MAP.—The Cat Island Map shall be on file and available for public inspection in the appropriate offices of the National Park Service.”.

(b) ACQUISITION AUTHORITY.—Section 2 of Public Law 91-660 (16 U.S.C. 459h-1) is amended—

(1) in the first sentence of subsection (a), by striking “lands,” and inserting “submerged land, land,”; and

(2) by adding at the end the following:

“(e) ACQUISITION AUTHORITY.—

“(1) IN GENERAL.—The Secretary may acquire, from a willing seller only—

“(A) all land comprising the parcel described in subsection (b)(3) that is above the mean line of ordinary high tide, lying and being situated in Harrison County, Mississippi;

“(B) an easement over the approximately 150-acre parcel depicted as the ‘Boddie Family Tract’ on the Cat Island Map for the purpose of implementing an agreement with the owners of the parcel concerning the development and use of the parcel; and

“(C)(i) land and interests in land on Cat Island outside the 2,000-acre area depicted on the Cat Island Map; and

“(ii) submerged land that lies within 1 mile seaward of Cat Island (referred to in this title as the ‘buffer zone’), except that submerged land owned by the State of Mississippi (or a subdivision of the State) may be acquired only by donation.

“(2) ADMINISTRATION.—

“(A) IN GENERAL.—Land and interests in land acquired under this subsection shall be administered by the Secretary, acting through the Director of the National Park Service.

“(B) BUFFER ZONE.—Nothing in this title or any other provision of law shall require the State of Mississippi to convey to the Secretary any right, title, or interest in or to the buffer zone as a condition for the establishment of the buffer zone.

“(3) MODIFICATION OF BOUNDARY.—The boundary of the seashore shall be modified to reflect the acquisition of land under this subsection only after completion of the acquisition.”.

(c) REGULATION OF FISHING.—Section 3 of Public Law 91-660 (16 U.S.C. 459h-2) is amended—

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

(2) by adding at the end the following:

“(b) NO AUTHORITY TO REGULATE MARITIME ACTIVITIES.—Nothing in this title or any other provision of law shall affect any right of the State of Mississippi, or give the Secretary any authority, to regulate maritime activities, including nonseashore fishing activities (including shrimping), in any area that, on the date of enactment of this subsection, is outside the designated boundary of the seashore (including the buffer zone).”.

(d) AUTHORIZATION OF MANAGEMENT AGREEMENTS.—Section 5 of Public Law 91-660 (16 U.S.C. 459h-4) is amended—

PUBLIC LAW 106-554—APPENDIX D 114 STAT. 2763A-232

(1) by inserting “(a) IN GENERAL.—” before “Except”; and
 (2) by adding at the end the following:

“(b) AGREEMENTS.—

“(1) IN GENERAL.—The Secretary may enter into agreements—

“(A) with the State of Mississippi for the purposes of managing resources and providing law enforcement assistance, subject to authorization by State law, and emergency services on or within any land on Cat Island and any water and submerged land within the buffer zone; and

“(B) with the owners of the approximately 150-acre parcel depicted as the ‘Boddie Family Tract’ on the Cat Island Map concerning the development and use of the land.

“(2) NO AUTHORITY TO ENFORCE CERTAIN REGULATIONS.—Nothing in this subsection authorizes the Secretary to enforce Federal regulations outside the land area within the designated boundary of the seashore.”.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 11 of Public Law 91-660 (16 U.S.C. 459h-10) is amended—

(1) by inserting “(a) IN GENERAL.—” before “There”; and
 (2) by adding at the end the following:

“(b) AUTHORIZATION FOR ACQUISITION OF LAND.—In addition to the funds authorized by subsection (a), there are authorized to be appropriated such sums as are necessary to acquire land and submerged land on and adjacent to Cat Island, Mississippi.”.

* * * * *

TITLE VIII—ERIE CANALWAY NATIONAL HERITAGE CORRIDOR

114 STAT.
2763A-295

SEC. 801. SHORT TITLE; DEFINITIONS.

(a) SHORT TITLE.—This title may be cited as the “Erie Canalway National Heritage Corridor Act”.

(b) DEFINITIONS.—For the purposes of this title, the following definitions shall apply:

(1) ERIE CANALWAY.—The term “Erie Canalway” means the 524 miles of navigable canal that comprise the New York State Canal System, including the Erie, Cayuga and Seneca, Oswego, and Champlain Canals and the historic alignments of these canals, including the cities of Albany and Buffalo.

(2) CANALWAY PLAN.—The term “Canalway Plan” means the comprehensive preservation and management plan for the Corridor required under section 806.

(3) COMMISSION.—The term “Commission” means the Erie Canalway National Heritage Corridor Commission established under section 804.

(4) CORRIDOR.—The term “Corridor” means the Erie Canalway National Heritage Corridor established under section 803.

(5) GOVERNOR.—The term “Governor” means the Governor of the State of New York.

(6) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

114 STAT. 2763A–295 PUBLIC LAW 106–554—APPENDIX D

SEC. 802. FINDINGS AND PURPOSES.

(a) **FINDINGS.**—Congress finds that—

(1) the year 2000 marks the 175th Anniversary of New York State’s creation and stewardship of the Erie Canalway for commerce, transportation, and recreational purposes, establishing the network which made New York the “Empire State” and the Nation’s premier commercial and financial center;

(2) the canals and adjacent areas that comprise the Erie Canalway are a nationally significant resource of historic and recreational value, which merit Federal recognition and assistance;

(3) the Erie Canalway was instrumental in the establishment of strong political and cultural ties between New England, upstate New York, and the old Northwest and facilitated the movement of ideas and people ensuring that social reforms like the abolition of slavery and the women’s rights movement spread across upstate New York to the rest of the country;

(4) the construction of the Erie Canalway was considered a supreme engineering feat, and most American canals were modeled after New York State’s canal;

(5) at the time of construction, the Erie Canalway was the largest public works project ever undertaken by a State, resulting in the creation of critical transportation and commercial routes to transport passengers and goods;

(6) the Erie Canalway played a key role in turning New York City into a major port and New York State into the preeminent center for commerce, industry, and finance in North America and provided a permanent commercial link between the Port of New York and the cities of eastern Canada, a cornerstone of the peaceful relationship between the two countries;

(7) the Erie Canalway proved the depth and force of American ingenuity, solidified a national identity, and found an enduring place in American legend, song, and art;

(8) there is national interest in the preservation and interpretation of the Erie Canalway’s important historical, natural, cultural, and scenic resources; and

(9) partnerships among Federal, State, and local governments and their regional entities, nonprofit organizations, and the private sector offer the most effective opportunities for the preservation and interpretation of the Erie Canalway.

(b) **PURPOSES.**—The purposes of this title are—

(1) to designate the Erie Canalway National Heritage Corridor;

(2) to provide for and assist in the identification, preservation, promotion, maintenance, and interpretation of the historical, natural, cultural, scenic, and recreational resources of the Erie Canalway in ways that reflect its national significance for the benefit of current and future generations;

(3) to promote and provide access to the Erie Canalway’s historical, natural, cultural, scenic, and recreational resources;

(4) to provide a framework to assist the State of New York, its units of local government, and the communities within the Erie Canalway in the development of integrated cultural, historical, recreational, economic, and community development

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programs in order to enhance and interpret the unique and nationally significant resources of the Erie Canalway; and

(5) to authorize Federal financial and technical assistance to the Commission to serve these purposes for the benefit of the people of the State of New York and the Nation.

SEC. 803. THE ERIE CANALWAY NATIONAL HERITAGE CORRIDOR.

(a) ESTABLISHMENT.—To carry out the purposes of this title there is established the Erie Canalway National Heritage Corridor in the State of New York.

(b) BOUNDARIES.—The boundaries of the Corridor shall include those lands generally depicted on a map entitled “Erie Canalway National Heritage Area” numbered ERIE/80,000 and dated October 2000. This map shall be on file and available for public inspection in the appropriate office of the National Park Service, the office of the Commission, and the office of the New York State Canal Corporation in Albany, New York.

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(c) OWNERSHIP AND OPERATION OF THE NEW YORK STATE CANAL SYSTEM.—The New York State Canal System shall continue to be owned, operated, and managed by the State of New York.

SEC. 804. THE ERIE CANALWAY NATIONAL HERITAGE CORRIDOR COMMISSION.

(a) ESTABLISHMENT.—There is established the Erie Canalway National Heritage Corridor Commission. The purpose of the Commission shall be—

(1) to work with Federal, State, and local authorities to develop and implement the Canalway Plan; and

(2) to foster the integration of canal-related historical, cultural, recreational, scenic, economic, and community development initiatives within the Corridor.

(b) MEMBERSHIP.—The Commission shall be composed of 27 members as follows:

(1) The Secretary of the Interior, ex officio or the Secretary’s designee.

(2) Seven members, appointed by the Secretary after consideration of recommendations submitted by the Governor and other appropriate officials, with knowledge and experience of the following agencies or those agencies’ successors: The New York State Secretary of State, the New York State Department of Environment Conservation, the New York State Office of Parks, Recreation and Historic Preservation, the New York State Department of Agriculture and Markets, the New York State Department of Transportation, and the New York State Canal Corporation, and the Empire State Development Corporation.

(3) The remaining 19 members who reside within the Corridor and are geographically dispersed throughout the Corridor shall be from local governments and the private sector with knowledge of tourism, economic and community development, regional planning, historic preservation, cultural or natural resource management, conservation, recreation, and education or museum services. These members will be appointed by the Secretary as follows:

(A) Eleven members based on a recommendation from each member of the United States House of Representatives whose district shall encompass the Corridor. Each shall

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be a resident of the district from which they shall be recommended.

(B) Two members based on a recommendation from each United States Senator from New York State.

(C) Six members who shall be residents of any county constituting the Corridor. One such member shall have knowledge and experience of the Canal Recreationway Commission.

(c) APPOINTMENTS AND VACANCIES.—Members of the Commission other than ex officio members shall be appointed for terms of 3 years. Of the original appointments, six shall be for a term of 1 year, six shall be for a term of 2 years, and seven shall be for a term of 3 years. Any member of the Commission appointed for a definite term may serve after expiration of the term until the successor of the member is appointed. Any member appointed to fill a vacancy shall serve for the remainder of the term for which the predecessor was appointed. Any vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(d) COMPENSATION.—Members of the Commission shall receive no compensation for their service on the Commission. Members of the Commission, other than employees of the State and Canal Corporation, while away from their homes or regular places of business to perform services for the Commission, shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service are allowed under section 5703 of title 5, United States Code.

(e) ELECTION OF OFFICES.—The Commission shall elect the chairperson and the vice chairperson on an annual basis. The vice chairperson shall serve as the chairperson in the absence of the chairperson.

(f) QUORUM AND VOTING.—Fourteen members of the Commission shall constitute a quorum but a lesser number may hold hearings. Any member of the Commission may vote by means of a signed proxy exercised by another member of the Commission, however, any member voting by proxy shall not be considered present for purposes of establishing a quorum. For the transaction of any business or the exercise of any power of the Commission, the Commission shall have the power to act by a majority vote of the members present at any meeting at which a quorum is in attendance.

(g) MEETINGS.—The Commission shall meet at least quarterly at the call of the chairperson or 14 of its members. Notice of Commission meetings and agendas for the meeting shall be published in local newspapers throughout the Corridor. Meetings of the Commission shall be subject to section 552b of title 5, United States Code (relating to open meetings).

(h) POWERS OF THE COMMISSION.—To the extent that Federal funds are appropriated, the Commission is authorized—

(1) to procure temporary and intermittent services and administrative facilities at rates determined to be reasonable by the Commission to carry out the responsibilities of the Commission;

(2) to request and accept the services of personnel detailed from the State of New York or any political subdivision, and to reimburse the State or political subdivision for such services;

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(3) to request and accept the services of any Federal agency personnel, and to reimburse the Federal agency for such services;

(4) to appoint and fix the compensation of staff to carry out its duties;

(5) to enter into cooperative agreements with the State of New York, with any political subdivision of the State, or any person for the purposes of carrying out the duties of the Commission;

(6) to make grants to assist in the preparation and implementation of the Canalway Plan;

(7) to seek, accept, and dispose of gifts, bequests, grants, or donations of money, personal property, or services, received from any source. For purposes of section 170(c) of the Internal Revenue Code of 1986, any gift to the Commission shall be deemed to be a gift to the United States;

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(8) to assist others in developing educational, informational, and interpretive programs and facilities, and other such activities that may promote the implementation of the Canalway Plan;

(9) to hold hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Commission may consider appropriate; the Commission may not issue subpoenas or exercise any subpoena authority;

(10) to use the United States mails in the same manner as other departments or agencies of the United States;

(11) to request and receive from the Administrator of General Services, on a reimbursable basis, such administrative support services as the Commission may request; and

(12) to establish such advisory groups as the Commission deems necessary.

(i) ACQUISITION OF PROPERTY.—Except as provided for leasing administrative facilities under section 804(h)(1), the Commission may not acquire any real property or interest in real property.

(j) TERMINATION.—The Commission shall terminate on the day occurring 10 years after the date of enactment of this title.

SEC. 805. DUTIES OF THE COMMISSION.

(a) PREPARATION OF CANALWAY PLAN.—Not later than 3 years after the Commission receives Federal funding for this purpose, the Commission shall prepare and submit a comprehensive preservation and management Canalway Plan for the Corridor to the Secretary and the Governor for review and approval. In addition to the requirements outlined for the Canalway Plan in section 806, the Canalway Plan shall incorporate and integrate existing Federal, State, and local plans to the extent appropriate regarding historic preservation, conservation, education and interpretation, community development, and tourism-related economic development for the Corridor that are consistent with the purpose of this title. The Commission shall solicit public comment on the development of the Canalway Plan.

(b) IMPLEMENTATION OF CANALWAY PLAN.—After the Commission receives Federal funding for this purpose, and after review and upon approval of the Canalway Plan by the Secretary and the Governor, the Commission shall—

(1) undertake action to implement the Canalway Plan so as to assist the people of the State of New York in enhancing

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and interpreting the historical, cultural, educational, natural, scenic, and recreational potential of the Corridor identified in the Canalway Plan; and

(2) support public and private efforts in conservation and preservation of the Canalway's cultural and natural resources and economic revitalization consistent with the goals of the Canalway Plan.

(c) PRIORITY ACTIONS.—Priority actions which may be carried out by the Commission under section 805(b), include—

(1) assisting in the appropriate preservation treatment of the remaining elements of the original Erie Canal;

(2) assisting State, local governments, and nonprofit organizations in designing, establishing, and maintaining visitor centers, museums, and other interpretive exhibits in the Corridor;

(3) assisting in the public awareness and appreciation for the historic, cultural, natural, scenic, and recreational resources and sites in the Corridor;

(4) assisting the State of New York, local governments, and nonprofit organizations in the preservation and restoration of any historic building, site, or district in the Corridor;

(5) encouraging, by appropriate means, enhanced economic development in the Corridor consistent with the goals of the Canalway Plan and the purposes of this title; and

(6) ensuring that clear, consistent signs identifying access points and sites of interest are put in place in the Corridor.

(d) ANNUAL REPORTS AND AUDITS.—For any year in which Federal funds have been received under this title, the Commission shall submit an annual report and shall make available an audit of all relevant records to the Governor and the Secretary identifying its expenses and any income, the entities to which any grants or technical assistance were made during the year for which the report was made, and contributions by other parties toward achieving Corridor purposes.

SEC. 806. CANALWAY PLAN.

(a) CANALWAY PLAN REQUIREMENTS.—The Canalway Plan shall—

(1) include a review of existing plans for the Corridor, including the Canal Recreationway Plan and Canal Revitalization Program, and incorporate them to the extent feasible to ensure consistence with local, regional, and State planning efforts;

(2) provide a thematic inventory, survey, and evaluation of historic properties that should be conserved, restored, developed, or maintained because of their natural, cultural, or historic significance within the Corridor in accordance with the regulations for the National Register of Historic Places;

(3) identify public and private-sector preservation goals and strategies for the Corridor;

(4) include a comprehensive interpretive plan that identifies, develops, supports, and enhances interpretation and education programs within the Corridor that may include—

(A) research related to the construction and history of the canals and the cultural heritage of the canal workers, their families, those that traveled along the canals, the

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associated farming activities, the landscape, and the communities;

(B) documentation of and methods to support the perpetuation of music, art, poetry, literature and folkways associated with the canals; and

(C) educational and interpretative programs related to the Erie Canalway developed in cooperation with State and local governments, educational institutions, and non-profit institutions;

(5) include a strategy to further the recreational development of the Corridor that will enable users to uniquely experience the canal system;

(6) propose programs to protect, interpret, and promote the Corridor's historical, cultural, recreational, educational, scenic, and natural resources; 114 STAT.
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(7) include an inventory of canal-related natural, cultural and historic sites and resources located in the Area;

(8) recommend Federal, State, and local strategies and policies to support economic development, especially tourism-related development and recreation, consistent with the purposes of the Corridor;

(9) develop criteria and priorities for financial preservation assistance;

(10) identify and foster strong cooperative relationships between the National Park Service, the New York State Canal Corporation, other Federal and State agencies, and nongovernmental organizations;

(11) recommend specific areas for development of interpretive, educational, and technical assistance centers associated with the Corridor; and

(12) contain a program for implementation of the Canalway Plan by all necessary parties.

(b) APPROVAL OF THE CANALWAY PLAN.—The Secretary and the Governor shall approve or disapprove the Canalway Plan not later than 90 days after receiving the Canalway Plan.

(c) CRITERIA.—The Secretary may not approve the plan unless the Secretary finds that the plan, if implemented, would adequately protect the significant historical, cultural, natural, and recreational resources of the Corridor and consistent with such protection provide adequate and appropriate outdoor recreational opportunities and economic activities within the Corridor. In determining whether or not to approve the Canalway Plan, the Secretary shall consider whether—

(1) the Commission has afforded adequate opportunity, including public hearings, for public and governmental involvement in the preparation of the Canalway Plan; and

(2) the Secretary has received adequate assurances from the Governor and appropriate State officials that the recommended implementation program identified in the plan will be initiated within a reasonable time after the date of approval of the Canalway Plan and such program will ensure effective implementation of State and local aspects of the Canalway Plan.

(d) DISAPPROVAL OF CANALWAY PLAN.—If the Secretary or the Governor do not approve the Canalway Plan, the Secretary or the Governor shall advise the Commission in writing within 90 days the reasons therefore and shall indicate any recommendations

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for revisions. Following completion of any necessary revisions of the Canalway Plan, the Secretary and the Governor shall have 90 days to either approve or disapprove of the revised Canalway Plan.

(e) AMENDMENTS TO CANALWAY PLAN.—The Secretary and the Governor shall review substantial amendments to the Canalway Plan. Funds appropriated pursuant to this title may not be expended to implement the changes made by such amendments until the Secretary and the Governor approve the amendments.

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SEC. 807. DUTIES OF THE SECRETARY.

(a) IN GENERAL.—The Secretary is authorized to assist the Commission in the preparation of the Canalway Plan.

(b) TECHNICAL ASSISTANCE.—Pursuant to an approved Canalway Plan, the Secretary is authorized to enter into cooperative agreements with, provide technical assistance to and award grants to the Commission to provide for the preservation and interpretation of the natural, cultural, historical, recreational, and scenic resources of the Corridor, if requested by the Commission.

(c) EARLY ACTIONS.—Prior to approval of the Canalway Plan, with the approval of the Commission, the Secretary may provide technical and planning assistance for early actions that are important to the purposes of this title and that protect and preserve resources.

(d) CANALWAY PLAN IMPLEMENTATION.—Upon approval of the Canalway Plan, the Secretary is authorized to implement those activities that the Canalway Plan has identified that are the responsibility of the Secretary or agent of the Secretary to undertake in the implementation of the Canalway Plan.

(e) DETAIL.—Each fiscal year during the existence of the Commission and upon the request of the Commission, the Secretary shall detail to the Commission, on a nonreimbursable basis, two employees of the Department of the Interior to enable the Commission to carry out the Commission's duties with regard to the preparation and approval of the Canalway Plan. Such detail shall be without interruption or loss of civil service status, benefits, or privileges.

SEC. 808. DUTIES OF OTHER FEDERAL ENTITIES.

Any Federal entity conducting or supporting any activity directly affecting the Corridor, and any unit of Government acting pursuant to a grant of Federal funds or a Federal permit or agreement conducting or supporting such activities may—

(1) consult with the Secretary and the Commission with respect to such activities;

(2) cooperate with the Secretary and the Commission in carrying out their duties under this title and coordinate such activities with the carrying out of such duties; and

(3) conduct or support such activities in a manner consistent with the Canalway Plan unless the Federal entity, after consultation with the Secretary and the Commission, determines there is no practicable alternative.

SEC. 809. SAVINGS PROVISIONS.

(a) AUTHORITY OF GOVERNMENTS.—Nothing in this title shall be construed to modify, enlarge, or diminish any authority of the Federal, State, or local governments to regulate any use of land as provided for by law or regulation.

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(b) ZONING OR LAND.—Nothing in this title shall be construed to grant powers of zoning or land use to the Commission.

(c) LOCAL AUTHORITY AND PRIVATE PROPERTY.—Nothing in this title shall be construed to affect or to authorize the Commission to interfere with—

- (1) the rights of any person with respect to private property;
- (2) any local zoning ordinance or land use plan of the State of New York or political subdivision thereof; or
- (3) any State or local canal-related development plans including but not limited to the Canal Recreationway Plan and the Canal Revitalization Program.

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(d) FISH AND WILDLIFE.—The designation of the Corridor shall not be diminish the authority of the State of New York to manage fish and wildlife, including the regulation of fishing and hunting within the Corridor.

SEC. 810. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—

(1) CORRIDOR.—There is authorized to be appropriated for the Corridor not more than \$1,000,000 for any fiscal year. Not more than a total of \$10,000,000 may be appropriated for the Corridor under this title.

(2) MATCHING REQUIREMENT.—Federal funding provided under this paragraph may not exceed 50 percent of the total cost of any activity carried out with such funds. The non-Federal share of such support may be in the form of cash, services, or in-kind contributions, fairly valued.

(b) OTHER FUNDING.—In addition to the sums authorized in subsection (a), there are authorized to be appropriated to the Secretary of the Interior such sums as are necessary for the Secretary for planning and technical assistance.

TITLE IX—LAW ENFORCEMENT PAY EQUITY

SEC. 901. SHORT TITLE.

This title may be cited as the “Law Enforcement Pay Equity Act of 2000”.

SEC. 902. ESTABLISHMENT OF UNIFORM SALARY SCHEDULE FOR UNITED STATES SECRET SERVICE UNIFORMED DIVISION AND UNITED STATES PARK POLICE.

(a) IN GENERAL.—Section 501(c)(1) of the District of Columbia Police and Firemen’s Salary Act of 1958 (sec. 4-416(c)(1), D.C. Code) is amended to read as follows:

“(c)(1) The annual rates of basic compensation of officers and members of the United States Secret Service Uniformed Division and the United States Park Police, serving in classes corresponding or similar to those in the salary schedule in section 101, shall be fixed in accordance with the following schedule of rates:

“Salary class and title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Time between steps	52 weeks			104 weeks			
Years in service		1	2	3	5	7	9
1: Private ...	32,623	34,587	36,626	38,306	41,001	43,728	45,407
3: Detective			42,378	44,502	46,620	48,746	50,837

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“Salary class and title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
4: Sergeant				46,151	48,446	50,746	53,056
5: Lieutenant ¹					50,910	53,462	56,545
7: Captain ¹						59,802	62,799
8: Inspector/Major ¹						69,163	72,760
9: Deputy Chief ¹						79,768	85,158
10: Assistant Chief ²							
11: Chief, United States Secret Service Uniformed Division, United States Park Police ³							

¹ The rate of basic pay for positions in Salary Class 5, 7, 8, and 9 is limited to 95 percent of the rate of pay for level V of the Executive Schedule.

² The rate of basic pay for positions in Salary Class 10 will be equal to 95 percent of the rate of pay for level V of the Executive Schedule.

³ The rate of basic pay for positions in Salary Class 11 will be equal to the rate of pay for level V of the Executive Schedule.

“Salary class and title	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14
Time between steps	104 weeks		156 weeks	208 weeks			
Years in service	11	13	15	18	22	26	30
1: Private ...	47,107	48,801	50,498	53,448	55,394	57,036	58,746
3: Detective	52,972	55,086	57,204	61,212	63,337	65,462	67,426
4: Sergeant	55,372	57,691	59,999	63,558	65,867	68,176	70,221
5: Lieutenant ¹	59,120	61,688	64,258	68,197	70,744	73,290	75,489
7: Captain ¹	65,797	68,757	71,747	76,292	79,309	82,325	84,796
8: Inspector/Major ¹	76,542	80,524	83,983	87,645	91,827	95,464	99,075
9: Deputy Chief ¹	90,578	95,980	99,968	103,957	107,945	111,933	115,291
10: Assistant Chief ²							
11: Chief, United States Secret Service Uniformed Division, United States Park Police ³							

¹ The rate of basic pay for positions in Salary Class 5, 7, 8, and 9 is limited to 95 percent of the rate of pay for level V of the Executive Schedule.

² The rate of basic pay for positions in Salary Class 10 will be equal to 95 percent of the rate of pay for level V of the Executive Schedule.

³ The rate of basic pay for positions in Salary Class 11 will be equal to the rate of pay for level V of the Executive Schedule.

(b) FREEZE OF CURRENT RATE FOR LOCALITY-BASED COMPARABILITY ADJUSTMENTS.—Notwithstanding any other provision of law, including this title or any provision of law amended by this title, no officer or member of the United States Secret Service

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Uniformed Division or the United States Park Police may be paid locality pay under section 5304 or section 5304a of title 5, United States Code, at a percentage rate for the applicable locality in excess of the rate in effect for pay periods during calendar year 2000.

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(c) CONFORMING AMENDMENTS.—

(1) APPLICATION OF PROVISIONS TO PARK POLICE.—Section 501(c) of such Act (sec. 4-416(c), D.C. Code) is amended—

(A) in paragraph (2), by striking “Treasury” and inserting the following: “Treasury, and the annual rates of basic compensation of officers and members of the United States Park Police shall be adjusted by the Secretary of the Interior,”;

(B) in paragraph (5), by inserting after “Uniformed Division” the following: “or officers and members of the United States Park Police”;

(C) in paragraph (6)(A), by inserting after “Uniformed Division” the following: “or the United States Park Police”; and

(D) in paragraph (7)(A), by inserting after “Uniformed Division” the following: “or the United States Park Police”.

(2) TERMINATION OF CURRENT ADJUSTMENT AUTHORITY.—Section 501(b) of such Act (sec. 4-416(b), D.C. Code) is amended by adding at the end the following new paragraph:

“(4) This subsection shall not apply with respect to any pay period for which the salary schedule under subsection (c) applies to the United States Park Police.”

SEC. 903. REVISION OF CAPS ON MAXIMUM COMPENSATION.

(a) ANNUAL SALARY UNDER SCHEDULE.—Section 501(c)(2) of the District of Columbia Police and Firemen’s Salary Act of 1958 (sec. 4-416(c)(2), D.C. Code) is amended by striking the period at the end and inserting the following: “, except that in no case may the annual rate of basic compensation for any such officer or member exceed the rate of basic pay payable for level IV of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code.”

(b) REPEAL OF CAP ON COMBINED BASIC PAY AND LONGEVITY PAY.—Section 501(c) of such Act (sec. 4-416(c), D.C. Code) is amended by striking paragraph (4).

(c) LIMITATION ON PAY PERIOD EARNINGS FOR COMP TIME.—Section 1(h) of the Act entitled “An Act to provide a 5-day week for officers and members of the Metropolitan Police force, the United States Park Police force, and the White House Police force, and for other purposes”, approved August 15, 1950 (sec. 4-1104(h), D.C. Code), is amended—

(1) in paragraphs (1) and (2), by striking “Metropolitan Police force; or of the Fire Department of the District of Columbia; or of the United States Park Police” each place it appears and inserting “Metropolitan Police force or of the Fire Department of the District of Columbia”; and

(2) in paragraph (3), by inserting after “United States Secret Service Uniformed Division” each place it appears the following: “or of the United States Park Police”.

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SEC. 904. DETERMINATION OF SERVICE STEP ADJUSTMENTS.

(a) **METHOD FOR DETERMINATION OF ADJUSTMENTS.**—Section 303(a) of the District of Columbia Police and Firemen’s Salary Act of 1958 (sec. 4-412(a), D.C. Code) is amended—

(1) in the matter preceding paragraph (1), by “Each” and inserting “Except as provided in paragraph (5), each”; and

(2) by adding at the end the following new paragraph:

“(5) Each officer and member of the United States Secret Service Uniformed Division and the United States Park Police with a current performance rating of ‘satisfactory’ or better, shall have a service step adjustment in the following manner:

“(A) Each officer and member in service step 1, 2, or 3 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 52 calendar weeks of active service in the officer’s or member’s service step.

“(B) Each officer and member in service step 4, 5, 6, 7, 8, or 9 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 104 calendar weeks of active service in the officer’s or member’s service step.

“(C) Each officer and member in service step 10 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 156 calendar weeks of active service in the officer’s or member’s service step.

“(D) Each officer and member in service steps 11, 12, or 13 shall be advanced in compensation successively to the next higher service step at the beginning of the 1st pay period immediately subsequent to the completion of 208 calendar weeks of active service in the officer’s or member’s service step.”.

(b) **USE OF TOTAL CREDITABLE SERVICE TO DETERMINE STEP PLACEMENT.**—Section 304 of such Act (sec. 4-413, D.C. Code) is amended—

(1) in subsection (a), by striking “(b)” and inserting “(b) or (c)”; and

(2) by adding at the end the following new subsection:

“(c)(1) Each officer and member of the United States Secret Service Uniformed Division or the United States Park Police who is promoted or transferred to a higher salary shall receive basic compensation in accordance with the officer’s or member’s total creditable service.

“(2) For purposes of this subsection, an officer’s or member’s creditable service is any police service in pay status with the United States Secret Service Uniformed Division, United States Park Police, or Metropolitan Police Department.”.

(c) **CONFORMING AMENDMENT.**—Section 401(a) of such Act (sec. 4-415(a), D.C. Code) is amended by adding at the end the following new paragraph:

“(4) This subsection shall not apply to officers and members of the United States Secret Service Uniformed Division or the United States Park Police.”.

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SEC. 905. CONVERSION TO NEW SALARY SCHEDULE.**(a) IN GENERAL.—**

(1) **DETERMINATION OF RATES OF BASIC PAY.**—Effective on the first day of the 1st pay period beginning 6 months after the date of enactment of this Act, the Secretary of the Treasury shall fix the rates of basic pay for officers and members of the United States Secret Service Uniformed Division, and the Secretary of the Interior shall fix the rates of basic pay for officers and members of the United States Park Police, in accordance with this subsection.

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(2) PLACEMENT ON REVISED SALARY SCHEDULE.—

(A) **IN GENERAL.**—Each officer and member shall be placed in and receive basic compensation at the corresponding scheduled service step of the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by section 902(a)) in accordance with the member's total years of creditable service, receiving credit for all service step adjustments. If the scheduled rate of pay for the step to which the officer or member would be assigned in accordance with this paragraph is lower than the officer's or member's salary immediately prior to the enactment of this paragraph, the officer or member will be placed in and receive compensation at the next higher service step.

(B) **CREDIT FOR INCREASES DURING TRANSITION.**—Each member whose position is to be converted to the salary schedule under section 501(b) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by subsection (a)) and who, prior to the effective date of this section has earned, but has not been credited with, an increase in his or her rate of pay shall be afforded that increase before such member is placed in the corresponding service step in the salary schedule under section 501(b).

(C) **CREDITABLE SERVICE DESCRIBED.**—For purposes of this paragraph, an officer's or member's creditable service is any police service in pay status with the United States Secret Service Uniformed Division, United States Park Police, or Metropolitan Police Department.

(b) HOLD HARMLESS FOR CURRENT TOTAL COMPENSATION.—Notwithstanding any other provision of law, if the total rate of compensation for an officer or employee for any pay period occurring after conversion to the salary schedule pursuant to subsection (a) (determined by taking into account any locality-based comparability adjustments, longevity pay, and other adjustments paid in addition to the rate of basic compensation) is less than the officer's or employee's total rate of compensation (as so determined) on the date of enactment, the rate of compensation for the officer or employee for the pay period shall be equal to—

(1) the rate of compensation on the date of enactment (as so determined); increased by

(2) a percentage equal to 50 percent of sum of the percentage adjustments made in the rate of basic compensation under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by subsection (a)) for pay periods occurring after the date of enactment and prior to the pay period involved.

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(c) **CONVERSION NOT TREATED AS TRANSFER OR PROMOTION.**—The conversion of positions and individuals to appropriate classes of the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by section 902(a)) and the initial adjustments of rates of basic pay of those positions and individuals in accordance with subsection (a) shall not be considered to be transfers or promotions within the meaning of section 304 of the District of Columbia Police and Firemen's Salary Act of 1958 (sec. 4-413, D.C. Code).

(d) **TRANSFER OF CREDIT FOR SATISFACTORY SERVICE.**—Each individual whose position is converted to the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by section 902(a)) in accordance with subsection (a) shall be granted credit for purposes of such individual's first service step adjustment under the salary schedule in such section 501(c) for all satisfactory service performed by the individual since the individual's last increase in basic pay prior to the adjustment under that section.

(e) **ADJUSTMENT TO TAKE INTO ACCOUNT GENERAL SCHEDULE ADJUSTMENTS DURING TRANSITION.**—The rates provided under the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by section 902(a)) shall be increased by the percentage of any annual adjustment applicable to the General Schedule authorized under section 5303 of title 5, United States Code, which takes effect during the period which begins on the date of the enactment of this Act and ends on the first day of the first pay period beginning 6 months after the date of enactment of this Act.

(f) **CONVERSION NOT TREATED AS SALARY INCREASE FOR PURPOSES OF CERTAIN PENSIONS AND ALLOWANCES.**—The conversion of positions and individuals to appropriate classes of the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (as amended by section 2(a)) and the initial adjustments of rates of basic pay of those positions and individuals in accordance with subsection (a) shall not be treated as an increase in salary for purposes of section 3 of the Act entitled "An Act to provide increased pensions for widows and children of deceased members of the Police Department and the Fire Department of the District of Columbia", approved August 4, 1949 (sec. 4-604, D.C. Code), or section 301 of the District of Columbia Police and Firemen's Salary Act of 1953 (sec. 4-605, D.C. Code).

SEC. 906. PAY ADJUSTMENTS FOR CERTAIN POSITIONS.

(a) **TECHNICIAN DUTY.**—Section 302 of the District of Columbia Police and Firemen's Salary Act of 1958 (sec. 4-411, D.C. Code) is amended—

(1) in subsection (b), by striking "\$810 per annum" and inserting the following: "\$810 per annum, except in the case of an officer or member of the United States Secret Service Uniformed Division or the United States Park Police, who shall receive a per annum amount equal to 6 percent of the sum of such officer's or member's rate of basic compensation plus locality pay adjustments";

(2) in subsection (c), by striking "\$595 per annum" each place it appears and inserting the following: "\$595 per annum, except in the case of an officer or member of the United States

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Park Police, who shall receive a per annum amount equal to 6 percent of the sum of such officer's or member's rate of basic compensation plus locality pay adjustments"; and

(3) in subsection (e), by inserting after "Whenever any officer or member" the following: "(other than an officer or member of the United States Secret Service Uniformed Division or the United States Park Police)".

(b) HELICOPTER PILOT, BOMB DISPOSAL, OR SCUBA DIVING DUTY.—Section 202 of such Act (sec. 4-408, D.C. Code) is amended by striking "\$2,270 per annum" and inserting the following: "\$2,270 per annum, except in the case of an officer or member of the United States Park Police, who shall receive a per annum amount equal to 7 percent of the sum of such officer's or member's rate of basic compensation plus locality pay adjustments".

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SEC. 907. CONFORMING PROVISIONS RELATING TO FEDERAL LAW ENFORCEMENT PAY REFORM ACT.

(a) TERMINATION OF EXISTING SPECIAL SALARY RATES AND ADJUSTMENTS.—Beginning on the effective date of this Act—

(1) no existing special salary rates shall be authorized for members of the United States Park Police under section 5305 of title 5, United States Code (or any previous similar provision of law); and

(2) no special rates of pay or special pay adjustments shall be applicable to members of the United States Park Police pursuant to section 405 of the Federal Law Enforcement Pay Reform Act of 1990.

(b) CONFORMING AMENDMENTS.—(1) Section 405(b) of the Federal Law Enforcement Pay Reform Act of 1990 (5 U.S.C. 5303 note) is amended to read as follows:

"(b) This subsection applies with respect to any—

"(1) special agent within the Diplomatic Security Service;

"(2) probation officer (referred to in section 3672 of title 18, United States Code); or

"(3) pretrial services officer (referred to in section 3153 of title 18, United States Code)."

(2) Section 405(c) of such Act (5 U.S.C. 5303 note) is amended to read as follows:

"(c) For purposes of this section, the term 'appropriate agency head' means—

"(1) with respect to any individual under subsection (b)(1), the Secretary of State; or

"(2) with respect to any individual under subsection (b)(2) or (b)(3), the Director of the Administrative Office of the United States Courts."

SEC. 908. SERVICE LONGEVITY PAYMENTS FOR METROPOLITAN POLICE DEPARTMENT.

(a) INCLUSION OF SERVICE LONGEVITY PAYMENTS IN AMOUNT OF FEDERAL BENEFIT PAYMENTS MADE TO METROPOLITAN POLICE DEPARTMENT OFFICERS AND MEMBERS.—Section 11012 of the District of Columbia Retirement Protection Act of 1997 (Public Law 105-33; 111 Stat. 718; D.C. Code, sec. 1-762.2) is amended by adding at the end the following new subsection:

"(e) TREATMENT OF INCREASES IN CERTAIN POLICE SERVICE LONGEVITY PAYMENTS.—For purposes of subsection (a), in determining the amount of a Federal benefit payment made to an officer

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or member of the Metropolitan Police Department, the benefit payment to which the officer or member is entitled under the District Retirement Program shall include any amounts which would have been included in the benefit payment under such Program if the amendments made by the Police Recruiting and Retention Enhancement Amendment Act of 1999 had taken effect prior to the freeze date.”.

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(b) CONFORMING AMENDMENT.—Section 11003(5) of such Act (Public Law 105-33; 111 Stat. 717; D.C. Code, sec. 1-761.2(5)) is amended by inserting after “except as” the following: “provided under section 11012(e) and as”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to Federal benefit payments made after the date of the enactment of this Act.

SEC. 909. EFFECTIVE DATE.

Except as provided in section 908(c), this title and the amendments made by this title shall become effective on the first day of the first pay period beginning 6 months after the date of enactment.

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114 STAT.
2763A-313

TITLE XII

ENVIRONMENTAL PROTECTION AGENCY

ADMINISTRATIVE PROVISION

SEC. 1201. ABOVEGROUND STORAGE TANK GRANT PROGRAM.

(a) DEFINITIONS.—In this provision:

(1) ABOVEGROUND STORAGE TANK.—The term “aboveground storage tank” means any tank or combination of tanks (including any connected pipe)—

(A) that is used to contain an accumulation of regulated substances; and

(B) the volume of which (including the volume of any connected pipe) is located wholly above the surface of the ground.

(2) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(3) DENALI COMMISSION.—The term “Denali Commission” means the commission established by section 303(a) of the Denali Commission Act of 1998 (42 U.S.C. 3121 note).

(4) FEDERAL ENVIRONMENTAL LAW.—The term “Federal environmental law” means—

(A) the Oil Pollution Control Act of 1990 (33 U.S.C. 2701 et seq.);

(B) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.);

(C) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.);

(D) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); or

(E) any other Federal law that is applicable to the release into the environment of a regulated substance, as determined by the Administrator.

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(5) NATIVE VILLAGE.—The term “Native village” has the meaning given the term in section 11(b) in Public Law 92-203 (85 Stat. 688).

(6) PROGRAM.—The term “program” means the Aboveground Storage Tank Grant Program established by subsection (b)(1).

(7) REGULATED SUBSTANCE.—The term “regulated substance” has the meaning given the term in section 9001 of the Solid Waste Disposal Act (42 U.S.C. 6991).

(8) STATE.—The term “State” means the State of Alaska.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—There is established a grant program to be known as the “Aboveground Storage Tank Grant Program”.

(2) GRANTS.—Under the program, the Administrator shall award a grant to—

(A) the State, on behalf of a Native village; or

(B) the Denali Commission.

(c) USE OF GRANTS.—The State or the Denali Commission shall use the funds of a grant under subsection (b) to repair, upgrade, or replace one or more aboveground storage tanks that—

(1) leaks or poses an imminent threat of leaking, as certified by the Administrator, the Commandant of the Coast Guard, or any other appropriate Federal or State agency (as determined by the Administrator); and

(2) is located in a Native village—

(A) the median household income of which is less than 80 percent of the median household income in the State;

(B) that is located—

(i) within the boundaries of—

(I) a unit of the National Park System;

(II) a unit of the National Wildlife Refuge System; or

(III) a National Forest; or

(ii) on public land under the administrative jurisdiction of the Bureau of Land Management; or

(C) that receives payments from the Federal Government under chapter 69 of title 31, United States Code (commonly known as “payments in lieu of taxes”).

(d) REPORTS.—Not later than 1 year after the date on which the State or the Denali Commission receives a grant under subsection (c), and annually thereafter, the State or the Denali Commission, as the case may be, shall submit a report describing each project completed with grant funds and any projects planned for the following year, to—

(1) the Administrator;

(2) the Committee on Resources of the House of Representatives;

(3) the Committee on Environment and Public Works of the Senate;

(4) the Committee on Appropriations of the House of Representatives; and

(5) the Committee on Appropriations of the Senate.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this Act, to remain available until expended—

(1) \$20,000,000 for fiscal year 2001; and

114 STAT.
2763A-314

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(2) such sums as are necessary for each fiscal year thereafter.

* * * * *

114 STAT.
2763A-359

APPENDIX D-2—S. 2885

SECTION 1. SHORT TITLE.

This Act may be cited as the “Jamestown 400th Commemoration Commission Act of 2000”.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the founding of the colony at Jamestown, Virginia in 1607, the first permanent English colony in the New World, and the capital of Virginia for 92 years, has major significance in the history of the United States;

(2) the settlement brought people from throughout the Atlantic Basin together to form a multicultural society, including English, other Europeans, Native Americans, and Africans;

(3) the economic, political, religious, and social institutions that developed during the first 9 decades of the existence of Jamestown continue to have profound effects on the United States, particularly in English common law and language, cross cultural relationships, and economic structure and status;

(4) the National Park Service, the Association for the Preservation of Virginia Antiquities, and the Jamestown-Yorktown Foundation of the Commonwealth of Virginia collectively own and operate significant resources related to the early history of Jamestown; and

(5) in 1996—

(A) the Commonwealth of Virginia designated the Jamestown-Yorktown Foundation as the State agency responsible for planning and implementing the Commonwealth’s portion of the commemoration of the 400th anniversary of the founding of the Jamestown settlement;

(B) the Foundation created the Celebration 2007 Steering Committee, known as the Jamestown 2007 Steering Committee; and

(C) planning for the commemoration began.

(b) PURPOSE.—The purpose of this Act is to establish the Jamestown 400th Commemoration Commission to—

(1) ensure a suitable national observance of the Jamestown 2007 anniversary by complementing the programs and activities of the Commonwealth of Virginia;

(2) cooperate with and assist the programs and activities of the State in observance of the Jamestown 2007 anniversary;

(3) assist in ensuring that Jamestown 2007 observances provide an excellent visitor experience and beneficial interaction between visitors and the natural and cultural resources of the Jamestown sites;

(4) assist in ensuring that the Jamestown 2007 observances are inclusive and appropriately recognize the experiences of all people present in 17th century Jamestown;

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- (5) provide assistance to the development of Jamestown-related programs and activities;
- (6) facilitate international involvement in the Jamestown 2007 observances;
- (7) support and facilitate marketing efforts for a commemorative coin, stamp, and related activities for the Jamestown 2007 observances; and
- (8) assist in the appropriate development of heritage tourism and economic benefits to the United States.

SEC. 3. DEFINITIONS.

In this Act:

- (1) **COMMEMORATION.**—The term “commemoration” means the commemoration of the 400th anniversary of the founding of the Jamestown settlement.
- (2) **COMMISSION.**—The term “Commission” means the Jamestown 400th Commemoration Commission established by section 4(a).
- (3) **GOVERNOR.**—The term “Governor” means the Governor of Virginia.
- (4) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.
- (5) **STATE.**—The term “State” means the Commonwealth of Virginia, including agencies and entities of the Commonwealth.

SEC. 4. JAMESTOWN 400TH COMMEMORATION COMMISSION.

(a) **IN GENERAL.**—There is established a commission to be known as the “Jamestown 400th Commemoration Commission”.

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Commission shall be composed of 15 members, of whom—

(A) 4 members shall be appointed by the Secretary, taking into consideration the recommendations of the Chairperson of the Jamestown 2007 Steering Committee;

(B) 4 members shall be appointed by the Secretary, taking into consideration the recommendations of the Governor;

(C) 2 members shall be employees of the National Park Service, of which—

(i) 1 shall be the Director of the National Park Service (or a designee); and

(ii) 1 shall be an employee of the National Park Service having experience relevant to the commemoration, to be appointed by the Secretary; and

(D) 5 members shall be individuals that have an interest in, support for, and expertise appropriate to, the commemoration, to be appointed by the Secretary.

(2) **TERM; VACANCIES.**—

(A) **TERM.**—A member of the Commission shall be appointed for the life of the Commission.

(B) **VACANCIES.**—

(i) **IN GENERAL.**—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(ii) **PARTIAL TERM.**—A member appointed to fill a vacancy on the Commission shall serve for the

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remainder of the term for which the predecessor of the member was appointed.

(3) MEETINGS.—

(A) IN GENERAL.—The Commission shall meet—

(i) at least twice each year; or

(ii) at the call of the Chairperson or the majority of the members of the Commission.

(B) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold the initial meeting of the Commission.

(4) VOTING.—

(A) IN GENERAL.—The Commission shall act only on an affirmative vote of a majority of the members of the Commission.

(B) QUORUM.—A majority of the Commission shall constitute a quorum.

(5) CHAIRPERSON.—The Secretary shall appoint a Chairperson of the Commission, taking into consideration any recommendations of the Governor.

(c) DUTIES.—

(1) IN GENERAL.—The Commission shall—

(A) plan, develop, and execute programs and activities appropriate to commemorate the 400th anniversary of the founding of Jamestown;

(B) generally facilitate Jamestown-related activities throughout the United States;

(C) encourage civic, patriotic, historical, educational, religious, economic, and other organizations throughout the United States to organize and participate in anniversary activities to expand the understanding and appreciation of the significance of the founding and early history of Jamestown;

(D) coordinate and facilitate for the public scholarly research on, publication about, and interpretation of, Jamestown; and

(E) ensure that the 400th anniversary of Jamestown provides a lasting legacy and long-term public benefit by assisting in the development of appropriate programs and facilities.

(2) PLANS; REPORTS.—

(A) STRATEGIC PLAN; ANNUAL PERFORMANCE PLANS.—In accordance with the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285), the Commission shall prepare a strategic plan and annual performance plans for the activities of the Commission carried out under this Act.

(B) FINAL REPORT.—Not later than September 30, 2008, the Commission shall complete a final report that contains—

(i) a summary of the activities of the Commission;

(ii) a final accounting of funds received and expended by the Commission; and

(iii) the findings and recommendations of the Commission.

(d) POWERS OF THE COMMISSION.—The Commission may—

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(1) accept donations and make dispersions of money, personal services, and real and personal property related to Jamestown and of the significance of Jamestown in the history of the United States;

(2) appoint such advisory committees as the Commission determines to be necessary to carry out this Act;

(3) authorize any member or employee of the Commission to take any action that the Commission is authorized to take by this Act;

(4) procure supplies, services, and property, and make or enter into contracts, leases or other legal agreements, to carry out this Act (except that any contracts, leases or other legal agreements made or entered into by the Commission shall not extend beyond the date of termination of the Commission);

(5) use the United States mails in the same manner and under the same conditions as other Federal agencies;

(6) subject to approval by the Commission, make grants in amounts not to exceed \$10,000 to communities and nonprofit organizations to develop programs to assist in the commemoration;

(7) make grants to research and scholarly organizations to research, publish, or distribute information relating to the early history of Jamestown; and

(8) provide technical assistance to States, localities, and nonprofit organizations to further the commemoration.

(e) COMMISSION PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS OF THE COMMISSION.—

(A) IN GENERAL.—Except as provided in subparagraph

(B), a member of the Commission shall serve without compensation.

(B) FEDERAL EMPLOYEES.—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(C) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(2) STAFF.—

(A) IN GENERAL.—The Chairperson of the Commission may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(B) CONFIRMATION OF EXECUTIVE DIRECTOR.—The employment of an executive director shall be subject to confirmation by the Commission.

(3) COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraph

(B), the Chairperson of the Commission may fix the compensation of the executive director and other personnel

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without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(B) **MAXIMUM RATE OF PAY.**—The rate of pay for the executive director and other personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(4) **DETAIL OF GOVERNMENT EMPLOYEES.**—

(A) **FEDERAL EMPLOYEES.**—

(i) **IN GENERAL.**—On the request of the Commission, the head of any Federal agency may detail, on a reimbursable or nonreimbursable basis, any of the personnel of the agency to the Commission to assist the Commission in carrying out the duties of the Commission under this Act.

(ii) **CIVIL SERVICE STATUS.**—The detail of an employee under clause (i) shall be without interruption or loss of civil service status or privilege.

(B) **STATE EMPLOYEES.**—The Commission may—

(i) accept the services of personnel detailed from States (including subdivisions of States); and

(ii) reimburse States for services of detailed personnel.

(5) **VOLUNTEER AND UNCOMPENSATED SERVICES.**—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(6) **SUPPORT SERVICES.**—The Director of the National Park Service shall provide to the Commission, on a reimbursable basis, such administrative support services as the Commission may request.

(f) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The Chairperson of the Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(g) **FACA NONAPPLICABILITY.**—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(h) **NO EFFECT ON AUTHORITY.**—Nothing in this section supersedes the authority of the State, the National Park Service, or the Association for the Preservation of Virginia Antiquities, concerning the commemoration.

(i) **TERMINATION.**—The Commission shall terminate on December 31, 2008.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

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

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**3. Department of Defense Appropriations Act for
FY 2001**

PUBLIC LAW 106–259—AUG. 9, 2000

114 STAT. 656

Public Law 106–259
106th Congress

An Act

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

Aug. 9, 2000
[H.R. 4576]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, for military functions administered by the Department of Defense, and for other purposes, namely:

Department of
Defense
Appropriations
Act, 2001.

* * * * *

TITLE II

114 STAT. 658

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$10,616,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, \$19,144,431,000 and, in addition, \$50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: *Provided*, That of the funds made available under this heading, \$5,000,000, to remain available until expended, shall be transferred to “National Park Service—Construction” within 30 days of the enactment of this Act, only for necessary infrastructure repair improvements at Fort Baker, under the management of the Golden Gate Recreation Area: *Provided further*, That of the funds appropriated in this paragraph, not less than \$355,000,000 shall be made available only for conventional ammunition care and maintenance.

114 STAT. 659

Deadline.

* * * * *

114 STAT. 710

PUBLIC LAW 106–259—AUG. 9, 2000

This Act may be cited as the “Department of Defense Appropriations Act, 2001”.

Approved August 9, 2000.

LEGISLATIVE HISTORY—H.R. 4576 (S. 2593):

HOUSE REPORTS: Nos. 106–644 (Comm. on Appropriations) and 106–754 (Comm. of Conference).

SENATE REPORTS: No. 106–298 accompanying S. 2593 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 7, considered and passed House.

June 8, 9, 12, 13, considered and passed Senate, amended.

July 19, House agreed to conference report.

July 27, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Aug. 9, Presidential statement.



**4. Department of Defense Appropriations Act for
FY 2002**

PUBLIC LAW 107-117—JAN. 10, 2002

115 STAT. 2230

Public Law 107-117
107th Congress

An Act

Making appropriations for the Department of Defense for the fiscal year ending
September 30, 2002, and for other purposes.

Jan. 10, 2002
[H.R. 3338]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, for military functions administered by the Department of Defense, and for other purposes, namely:

Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002. Department of Defense Appropriations Act, 2002. 115 STAT. 2232

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS,
2002

* * * * *

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$10,794,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, \$22,335,074,000: *Provided*, That of the funds made available under this heading, \$1,000,000, to remain available until expended, shall be transferred to “National Park Service—Construction” within 30 days of the enactment of this Act, only for necessary infrastructure repair improvements at Fort Baker, under the management of the Golden Gate Recreation Area: *Provided further*, That of the funds appropriated in this paragraph, not less than \$355,000,000 shall be made available only for conventional ammunition care and maintenance.

115 STAT. 2233

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TITLE VIII

115 STAT. 2247

GENERAL PROVISIONS—DEPARTMENT OF DEFENSE

* * * * *

SEC. 8120. (a) Section 8162 of the Department of Defense Appropriations Act, 2000 (16 U.S.C. 431 note; Public Law 106-79) is amended—

115 STAT. 2273

(1) by redesignating subsection (m) as subsection (o); and

115 STAT. 2273

PUBLIC LAW 107-117—JAN. 10, 2002

(2) by adding after subsection (1) the following:

“(m) AUTHORITY TO ESTABLISH MEMORIAL.—

“(1) IN GENERAL.—The Commission may establish a permanent memorial to Dwight D. Eisenhower on land under the jurisdiction of the Secretary of the Interior in the District of Columbia or its environs.

“(2) COMPLIANCE WITH STANDARDS FOR COMMEMORATIVE WORKS.—The establishment of the memorial shall be in accordance with the Commemorative Works Act (40 U.S.C. 1001 et seq.).”

115 STAT. 2274

(b) Section 8162 of the Department of Defense Appropriations Act, 2000 (16 U.S.C. 431 note; Public Law 106-79) is amended—

(1) in subsection (j)(2), by striking “accept gifts” and inserting “solicit and accept contributions”; and

(2) by inserting after subsection (m) (as added by subsection (a)(2)) the following:

“(n) MEMORIAL FUND.—

“(1) ESTABLISHMENT.—There is created in the Treasury a fund for the memorial to Dwight D. Eisenhower that includes amounts contributed under subsection (j)(2).

“(2) USE OF FUND.—The fund shall be used for the expenses of establishing the memorial.

“(3) INTEREST.—The Secretary of the Treasury shall credit to the fund the interest on obligations held in the fund.”

(c) In addition to the amounts appropriated or otherwise made available elsewhere in this Act for the Department of Defense, \$2,600,000, to remain available until expended is hereby appropriated to the Department of Defense: *Provided*, That the Secretary of Defense shall make a grant in the amount of \$2,600,000 to the Dwight D. Eisenhower Memorial Commission for direct administrative support.

* * * * *

115 STAT. 2278
California.
16 USC 431 note.

SEC. 8137. (a) DESIGNATION OF NATIONAL MEMORIAL.—The five-foot-tall white cross first erected by the Veterans of Foreign Wars of the United States in 1934 along Cima Road in San Bernardino County, California, and now located within the boundary of the Mojave National Preserve, as well as a limited amount of adjoining Preserve property to be designated by the Secretary of the Interior, is hereby designated as a national memorial commemorating United States participation in World War I and honoring the American veterans of that war.

(b) LEGAL DESCRIPTION.—The memorial cross referred to in subsection (a) is located at latitude 35.316 North and longitude 115.548 West. The exact acreage and legal description of the property to be included by the Secretary of the Interior in the national World War I memorial shall be determined by a survey prepared by the Secretary.

115 STAT. 2279

(c) REINSTALLATION OF MEMORIAL PLAQUE.—The Secretary of the Interior shall use not more than \$10,000 of funds available for the administration of the Mojave National Preserve to acquire a replica of the original memorial plaque and cross placed at the national World War I memorial designated by subsection (a) and to install the plaque in a suitable location on the grounds of the memorial.

* * * * *

PUBLIC LAW 107-117—JAN. 10, 2002

115 STAT. 2290

DIVISION B—TRANSFERS FROM THE EMERGENCY
RESPONSE FUND PURSUANT TO PUBLIC LAW 107-38

Emergency
Supplemental
Act, 2002.

The funds appropriated in Public Law 107-38 subject to subsequent enactment and previously designated as an emergency by the President and Congress under the Balanced Budget and Emergency Deficit Control Act of 1985, are transferred to the following chapters and accounts as follows:

* * * * *

CHAPTER 4

115 STAT. 2302

DISTRICT OF COLUMBIA

FEDERAL FUNDS

* * * * *

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR THE OFFICE
OF THE CHIEF TECHNOLOGY OFFICER

115 STAT. 2303

For a Federal payment to the District of Columbia, to be obligated from amounts made available in Public Law 107-38 and to remain available until September 30, 2003, for the Office of the Chief Technology Officer, \$45,494,000, for a first response land-line and wireless interoperability project, of which \$1,000,000 shall be used to initiate a comprehensive review, by a non-vendor contractor, of the District's current technology-based systems and to develop a plan for integrating the communications systems of the District of Columbia Metropolitan Police and Fire and Emergency Medical Services Departments with the systems of local, regional and Federal law enforcement agencies, including but not limited to the United States Capitol Police, United States Park Police, United States Secret Service, Federal Bureau of Investigation, Federal Protective Service, and the Washington Metropolitan Area Transit Authority Police: *Provided*, That such plan shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives no later than June 15, 2002.

Deadline.

* * * * *

CHAPTER 7

115 STAT. 2310

DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States for "Operation of the National Park System", \$10,098,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38.

UNITED STATES PARK POLICE

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States for the "United States Park

115 STAT. 2310

PUBLIC LAW 107-117—JAN. 10, 2002

Police”, \$25,295,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38.

CONSTRUCTION

For emergency expenses to respond to the September 11, 2001, terrorist attacks on the United States for “Construction”, \$21,624,000, to remain available until expended, to be obligated from amounts made available in Public Law 107-38: *Provided*, That notwithstanding any other provision of law, single but separate procurements for the construction of security improvements at the Washington Monument, for security improvements at the Lincoln Memorial, and for security improvements at the Jefferson Memorial, may be issued that include the full scope of each project, except that each solicitation and contract shall contain the clause “availability of funds” found at section 52.232.18 of title 48, Code of Federal Regulations.

* * * * *

115 STAT. 2343

DIVISION D—MISCELLANEOUS PROVISIONS

* * * * *

115 STAT. 2353

TITLE II—GENERAL PROVISION, THIS DIVISION

SEC. 201. TRUSTEES OF THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS. (a) MEMBERSHIP.—Section 2(a) of the John F. Kennedy Center Act (20 U.S.C. 76h(a)) is amended—

(1) by striking “There is hereby” and inserting the following:

“(1) IN GENERAL.—There is”; and

(2) by striking the second sentence and inserting the following:

“(2) MEMBERSHIP.—The Board shall be composed of—

“(A) the Secretary of Health and Human Services;

“(B) the Librarian of Congress;

“(C) the Secretary of State;

“(D) the Chairman of the Commission of Fine Arts;

“(E) the Mayor of the District of Columbia;

“(F) the Superintendent of Schools of the District of Columbia;

“(G) the Director of the National Park Service;

“(H) the Secretary of Education;

“(I) the Secretary of the Smithsonian Institution;

“(J)(i) the Speaker and the Minority Leader of the House of Representatives;

“(ii) the chairman and ranking minority member of the Committee on Public Works and Transportation of the House of Representatives; and

“(iii) three additional Members of the House of Representatives appointed by the Speaker of the House of Representatives;

“(K)(i) the Majority Leader and the Minority Leader of the Senate;

“(ii) the chairman and ranking minority member of the Committee on Environment and Public Works of the Senate; and

PUBLIC LAW 107–117—JAN. 10, 2002

115 STAT. 2354

“(iii) three additional Members of the Senate appointed by the President of the Senate; and

“(L) thirty-six general trustees, who shall be citizens of the United States, to be appointed in accordance with subsection (b).”

(b) TERMS OF OFFICE FOR NEW GENERAL TRUSTEES.—Section 2(b) of the John F. Kennedy Center Act (20 U.S.C. 76h(b)) shall apply to each general trustee of the John F. Kennedy Center for the Performing Arts whose position is established by the amendment made by subsection (a)(2) (referred to in this subsection as a “new general trustee”), except that the initial term of office of each new general trustee shall—

Applicability.
20 USC 76h note.

(1) commence on the date on which the new general trustee is appointed by the President; and

Effective date.
President.

(2) terminate on September 1, 2007.

Termination
date.

This Act may be cited as the “Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002”.

115 STAT. 2355

Approved January 10, 2002.

LEGISLATIVE HISTORY—H.R. 3338:

HOUSE REPORTS: Nos. 107–298 (Comm. on Appropriations) and 107–350 (Comm. of Conference).

SENATE REPORTS: No. 107–109 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 147 (2001):

Nov. 28, considered and passed House.

Dec. 6, 7, considered and passed Senate, amended.

Dec. 20, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

Jan. 10, Presidential remarks and statement.



**5. Department of Defense Appropriations Act for
FY 2003**

116 STAT. 1519 PUBLIC LAW 107-248—OCT. 23, 2002

Public Law 107-248
107th Congress

An Act

Oct. 23, 2002
[H.R. 5010]

Making appropriations for the Department of Defense for the fiscal year ending September 30, 2003, and for other purposes.

Department of
Defense
Appropriations
Act, 2003.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2003, for military functions administered by the Department of Defense, and for other purposes, namely:

* * * * *

116 STAT. 1536

TITLE VIII

GENERAL PROVISIONS

* * * * *

116 STAT. 1572

SEC. 8146. The Secretary of Defense may modify the grant made to the State of Maine pursuant to section 310 of the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States (Public Law 107-206) such that the modified grant is for purposes of supporting community adjustment activities relating to the closure of the Naval Security Group Activity, Winter Harbor, Maine (the naval base on Schoodic Point, within Acadia National Park), and the reuse of such Activity, including reuse as a research and education center the activities of which may be consistent with the purposes of Acadia National Park, as determined by the Secretary of the Interior. The grant may be so modified not later than 60 days after the date of the enactment of this Act.

Deadline.

* * * * *

116 STAT. 1577

This Act may be cited as the “Department of Defense Appropriations Act, 2003”.

Approved October 23, 2002.

LEGISLATIVE HISTORY—H.R. 5010:

HOUSE REPORTS: Nos. 107-532 (Comm. on Appropriations) and 107-732 (Comm. of Conference).

SENATE REPORTS: No. 107-213 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 148 (2002):

June 27, considered and passed House.
July 31, Aug. 1, considered and passed Senate, amended.
Oct. 10, House agreed to conference report.
Oct. 16, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 38 (2002):

Oct. 23, Presidential remarks and statement.



**6. Department of the Interior Appropriations for
FY 2000**

PUBLIC LAW 106-113—NOV. 29, 1999

113 STAT. 1501

Public Law 106-113
106th Congress

An Act

Making consolidated appropriations for the fiscal year ending September 30, 2000,
and for other purposes.

Nov. 29, 1999
[H.R. 3194]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the several departments, agencies, corporations and other organizational units of the Government for the fiscal year 2000, and for other purposes, namely:

DIVISION A

DISTRICT OF COLUMBIA APPROPRIATIONS

TITLE I—FISCAL YEAR 2000 APPROPRIATIONS

* * * * *

District of
Columbia
Appropriations
Act, 1999.

GENERAL PROVISIONS

113 STAT. 1512

* * * * *

113 STAT. 1533
Deadline.

SEC. 174. WIRELESS COMMUNICATIONS.—(a) IN GENERAL.—Not later than 7 days after the date of the enactment of this Act, the Secretary of the Interior, acting through the Director of the National Park Service, shall—

(1) implement the notice of decision approved by the National Capital Regional Director, dated April 7, 1999, including the provisions of the notice of decision concerning the issuance of right-of-way permits at market rates; and

(2) expend such sums as are necessary to carry out paragraph (1).

(b) ANTENNA APPLICATIONS.—

(1) IN GENERAL.—Not later than 120 days after the receipt of an application, a Federal agency that receives an application submitted after the enactment of this Act to locate a wireless communications antenna on Federal property in the District of Columbia or surrounding area over which the Federal agency exercises control shall take final action on the application, including action on the issuance of right-of-way permits at market rates.

Deadline.

(2) EXISTING LAW.—Nothing in this subsection shall be construed to affect the applicability of existing laws regarding—

(A) judicial review under chapter 7 of title 5, United States Code (the Administrative Procedure Act), and the Communications Act of 1934;

(B) the National Environmental Policy Act, the National Historic Preservation Act and other applicable Federal statutes; and

113 STAT. 1533

PUBLIC LAW 106-113—NOV. 29, 1999

(C) the authority of a State or local government or instrumentality thereof, including the District of Columbia, in the placement, construction, and modification of personal wireless service facilities.

* * * * *

113 STAT. 1535

SEC. 176. GEORGETOWN WATERFRONT PARK FUND. (a) IN GENERAL.—The District of Columbia Appropriations Act, 1999 (Public Law 105-277; 112 Stat. 2681-123) is amended in the item relating to “FEDERAL FUNDS—Federal Payment to the Georgetown Waterfront Park Fund” by striking the colon and inserting “, to remain available until expended:”.

(b) EFFECTIVE DATE.—This section shall take effect as if included in the District of Columbia Appropriations Act, 1999.

This title may be cited as the “District of Columbia Appropriations Act, 2000”.

* * * * *

DIVISION B

Incorporation by reference.

SEC. 1000. (a) The provisions of the following bills are hereby enacted into law:

* * * * *

(2) H.R. 3422 of the 106th Congress, as introduced on November 17, 1999;

(3) H.R. 3423 of the 106th Congress, as introduced on November 17, 1999;

* * * * *

113 STAT. 1536
Incorporation by reference;
publication.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112, of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

* * * * *

113 STAT. 1537

Approved November 29, 1999.

LEGISLATIVE HISTORY—H.R. 3194:

HOUSE REPORTS: No. 106-479 (Comm. of Conference).
CONGRESSIONAL RECORD, Vol. 145 (1999):

Nov. 3, considered and passed House; considered and passed Senate, amended.

Nov. 18, House agreed to conference report.

Nov. 19, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

Nov. 29, Presidential remarks and statement.

ENDNOTE: The following appendixes are added pursuant to the provisions of section 1000 of this Act (113 Stat. 1535).



PUBLIC LAW 106-113—APPENDIX B 113 STAT. 1501A-63

APPENDIX B—H.R. 3422

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

*	*	*	*	*	*	*	
TITLE V—GENERAL PROVISIONS							113 STAT. 1501A-81
*	*	*	*	*	*	*	
MAN AND THE BIOSPHERE							113 STAT. 1501A-121

SEC. 590. None of the funds appropriated or otherwise made available by this Act may be provided for the United Nations Man and the Biosphere Program or the United Nations World Heritage Fund for programs in the United States.

* * * * *

APPENDIX C—H.R. 3423

113 STAT.
1501A-135

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR							
BUREAU OF LAND MANAGEMENT							
*	*	*	*	*	*	*	
WILDLAND FIRE MANAGEMENT							113 STAT. 1501A-136

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

113 STAT. 1501A-136 PUBLIC LAW 106-113—APPENDIX C

Trinity County for expenses incurred as part of the July 2, 1999 Lowden Fire.

* * * * *

113 STAT.
1501A-142

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

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

NATIONAL RECREATION AND PRESERVATION

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

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), \$75,212,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2001, of which \$10,722,000 pursuant to section 507 of Public Law 104-333 shall remain available until expended: *Provided*, That of the total amount provided, \$30,000,000 shall be for Save America's Treasures for priority preservation projects, including preservation of intellectual and cultural artifacts, preservation of historic structures and sites, and buildings to house cultural and historic resources and to provide educational opportunities: *Provided further*, That any individual Save America's Treasures grant shall be matched by non-Federal

113 STAT.
1501A-143

PUBLIC LAW 106-113—APPENDIX C 113 STAT. 1501A-143

funds: *Provided further*, That individual projects shall only be eligible for one grant, and all projects to be funded shall be approved by the House and Senate Committees on Appropriations prior to the commitment of grant funds: *Provided further*, That Save America's Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior: *Provided further*, That none of the funds provided for Save America's Treasures may be used for administrative expenses, and staffing for the program shall be available from the existing staffing levels in the National Park Service.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, \$225,493,000, to remain available until expended, of which \$885,000 shall be for realignment of the Denali National Park entrance road, of which not less than \$3,000,000 shall be available for modifications to the Franklin Delano Roosevelt Memorial: *Provided*, That \$3,000,000 for the Wheeling National Heritage Area, \$3,000,000 for the Lincoln Library, and \$3,000,000 for the Southwest Pennsylvania Heritage Area shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a: *Provided further*, That the National Park Service will make available 37 percent, not to exceed \$1,850,000, of the total cost of upgrading the Mariposa County, California municipal solid waste disposal system: *Provided further*, That Mariposa County will provide assurance that future use fees paid by the National Park Service will be reflective of the capital contribution made by the National Park Service.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

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

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$120,700,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which \$21,000,000 is for the State assistance program including \$1,000,000 to administer the State assistance program, and of which \$10,000,000 may be for State grants for land acquisition in the State of Florida: *Provided*, That funds provided for State grants for land acquisition in the State of Florida are contingent upon the following: (1) submission of detailed legislative language to the House and Senate Committees on Appropriations agreed to by the Secretary of the Interior, the Secretary of the Army and the Governor of Florida that would provide assurances for the guaranteed supply of water to the natural areas in southern Florida, including all National parks, Preserves,

113 STAT. 1501A-144 PUBLIC LAW 106-113—APPENDIX C

Wildlife Refuge lands, and other natural areas to ensure a restored ecosystem; and (2) submission of a complete prioritized non-Federal land acquisition project list: *Provided further*, That after the requirements under this heading have been met, from the funds made available for State grants for land acquisition in the State of Florida the Secretary may provide Federal assistance to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys, including the areas known as the Frog Pond, the Rocky Glades and the Eight and One-Half Square Mile Area) under terms and conditions deemed necessary by the Secretary to improve and restore the hydrological function of the Everglades watershed: *Provided further*, That funds provided under this heading to the State of Florida are contingent upon new matching non-Federal funds by the State and shall be subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades: *Provided further*, That of the amount provided herein \$2,000,000 shall be made available by the National Park Service, pursuant to a grant agreement, to the State of Wisconsin so that the State may acquire land or interest in land for the Ice Age National Scenic Trail: *Provided further*, That of the amount provided herein \$500,000 shall be made available by the National Park Service, pursuant to a grant agreement, to the State of Wisconsin so that the State may acquire land or interest in land for the North Country National Scenic Trail: *Provided further*, That funds provided under this heading to the State of Wisconsin are contingent upon matching funds by the State.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 384 passenger motor vehicles, of which 298 shall be for replacement only, including not to exceed 312 for police-type use, 12 buses, and 6 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant

PUBLIC LAW 106-113—APPENDIX C 113 STAT. 1501A-145

to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

* * * * *

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

113 STAT.
1501A-154

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

113 STAT.
1501A-155

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of forest or range fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for fire suppression purposes shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for fire suppression purposes, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for emergency rehabilitation and wildfire suppression activities, no funds shall be made available under this authority until funds appropriated to “Wildland Fire Management” shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment

113 STAT. 1501A-155 PUBLIC LAW 106-113—APPENDIX C

funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

113 STAT.
1501A-156

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

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

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

* * * * *

113 STAT.
1501A-157

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

113 STAT.
1501A-158

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

PUBLIC LAW 106-113—APPENDIX C 113 STAT. 1501A-158

further appropriation hold, administer, and use such proceeds within the Departmental Management Working Capital Fund to offset the operation of the buildings under his jurisdiction, whether delegated or otherwise, and for related purposes, until expended.

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

* * * * *

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

113 STAT.
1501A-159

* * * * *

SEC. 120. All properties administered by the National Park Service at Fort Baker, Golden Gate National Recreation Area, and leases, concessions, permits and other agreements associated with those properties, hereafter shall be exempt from all taxes and special assessments, except sales tax, by the State of California and its political subdivisions, including the County of Marin and the City of Sausalito. Such areas of Fort Baker shall remain under exclusive Federal jurisdiction.

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

SEC. 122. Section 211(d) of division I of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4110; 16 U.S.C. 81p) is amended by striking "depicted on the map dated August 1993, numbered 333/80031A," and inserting "depicted on the map dated August 1996, numbered 333/80031B,".

SEC. 123. A grazing permit or lease that expires (or is transferred) during fiscal year 2000 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa-50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of

113 STAT. 1501A-160 PUBLIC LAW 106-113—APPENDIX C

such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority.

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113 STAT.
1501A-164

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

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113 STAT.
1501A-165

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

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

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

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

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113 STAT.
1501A-168

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

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

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

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

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

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

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

(7) in 1982, the Department of the Interior and Canadian Department of the Environment signed a memorandum of understanding to recognize the international significance of St. Croix Island and, in an amendment memorandum, agreed

PUBLIC LAW 106-113—APPENDIX C 113 STAT. 1501A-168

to conduct joint strategic planning for the international commemoration with a special focus on the 400th anniversary of settlement in 2004;

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

113 STAT.
1501A-169

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

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

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

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

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

* * * * *

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

113 STAT.
1501A-170

113 STAT.
1501A-171

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

“SEC. 4. EXPIRATION OF AUTHORITY.

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

(b) CONFORMING AMENDMENTS.—

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

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

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

113 STAT. 1501A-171 PUBLIC LAW 106-113—APPENDIX C

inserting “or on expiration of the authority for the memorial under section 4,”; and

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

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

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

(2) by adding at the end the following:

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

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

113 STAT.
1501A-172

TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

* * * * *

WILDLAND FIRE MANAGEMENT

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

113 STAT.
1501A-173

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

PUBLIC LAW 106-113—APPENDIX C 113 STAT. 1501A-173

to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That these funds shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

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OTHER RELATED AGENCIES

113 STAT.
1501A-184

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JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

113 STAT.
1501A-187

OPERATIONS AND MAINTENANCE

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

CONSTRUCTION

For necessary expenses for capital repair and rehabilitation of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, \$20,000,000, to remain available until expended.

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NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$85,000,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts through assistance to organizations and individuals pursuant to sections 5(c) and 5(g) of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

MATCHING GRANTS

113 STAT.
1501A-188

To carry out the provisions of section 10(a)(2) of the National Foundation on the Arts and the Humanities Act of 1965, as amended, \$13,000,000, to remain available until expended, to the National Endowment for the Arts: *Provided*, That this appropriation shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, and devises of money, and other property accepted by the chairman or by grantees of the Endowment under the provisions of section 10(a)(2), subsections 11(a)(2)(A) and 11(a)(3)(A) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

113 STAT. 1501A-188 PUBLIC LAW 106-113—APPENDIX C

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

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

MATCHING GRANTS

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

INSTITUTE OF MUSEUM AND LIBRARY SERVICES

OFFICE OF MUSEUM SERVICES

GRANTS AND ADMINISTRATION

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

ADMINISTRATIVE PROVISIONS

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

113 STAT.
1501A-189

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$1,005,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

PUBLIC LAW 106-113—APPENDIX C 113 STAT. 1501A-189

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

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

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

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

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$6,312,000: *Provided*, That all appointed members will be compensated at a rate not to exceed the rate for level IV of the Executive Schedule.

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PRESIDIO TRUST

PRESIDIO TRUST FUND

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

113 STAT.
1501A-190

TITLE III—GENERAL PROVISIONS

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

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

113 STAT. 1501A-190 PUBLIC LAW 106-113—APPENDIX C

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

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

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

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

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

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

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

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

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

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

SEC. 310. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines:

113 STAT.
1501A-191

PUBLIC LAW 106-113—APPENDIX C 113 STAT. 1501A-191

Provided, That if no funds are provided for the AmeriCorps program by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

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

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

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

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

113 STAT.
1501A-192

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

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SEC. 315. None of the funds collected under the Recreational Fee Demonstration program may be used to plan, design, or construct a visitor center or any other permanent structure without prior approval of the House and the Senate Committees on Appropriations if the estimated total cost of the facility exceeds \$500,000.

SEC. 316. All interests created under leases, concessions, permits and other agreements associated with the properties administered by the Presidio Trust shall be exempt from all taxes and special assessments of every kind by the State of California and its political subdivisions.

113 STAT. 1501A-192 PUBLIC LAW 106-113—APPENDIX C

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

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113 STAT.
1501A-194

SEC. 323. None of the funds in this Act may be used to support Government-wide administrative functions unless such functions are justified in the budget process and funding is approved by the House and Senate Committees on Appropriations.

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

SEC. 326. (a) SHORT TITLE.—This section may be cited as the “National Park Service Studies Act of 1999”.

(b) AUTHORIZATION OF STUDIES.—

(1) IN GENERAL.—The Secretary of the Interior (“the Secretary”) shall conduct studies of the geographical areas and historic and cultural themes described in subsection (b)(3) to determine the appropriateness of including such areas or themes in the National Park System.

(2) CRITERIA.—In conducting the studies authorized by this Act, the Secretary shall use the criteria for the study of areas for potential inclusion in the National Park System in accordance with section 8 of Public Law 91-383, as amended by section 303 of the National Parks Omnibus Management Act (Public Law 105-391; 112 Stat. 3501).

(3) STUDY AREAS.—The Secretary shall conduct studies of the following:

(A) Anderson Cottage, Washington, District of Columbia.

(B) Bioluminescent Bay, Puerto Rico.

(C) Civil Rights Sites, multi-State.

(D) Crossroads of the American Revolution, Central New Jersey.

(E) Fort Hunter Liggett, California.

(F) Fort King, Florida.

(G) Gaviota Coast Seashore, California.

(H) Kate Mullany House, New York.

(I) Loess Hills, Iowa.

(J) Low Country Gullah Culture, multi-State.

(K) Nan Madol, State of Ponape, Federated States of Micronesia (upon the request of the Government of the Federated States of Micronesia).

(L) Walden Pond and Woods, Massachusetts.

(M) World War II Sites, Commonwealth of the Northern Marianas.

(N) World War II Sites, Republic of Palau (upon the request of the Government of the Republic of Palau).

(c) REPORTS.—The Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a report on the

113 STAT.
1501A-195

PUBLIC LAW 106-113—APPENDIX C 113 STAT. 1501A-195

findings, conclusions, and recommendations of each study under subsection (b) within three fiscal years following the date on which funds are first made available for each study.

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SEC. 343. REDESIGNATION OF BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR IN HONOR OF JOHN H. CHAFEE. 113 STAT. 1501A-202
 (a) CORRIDOR.—

(1) IN GENERAL.—The Blackstone River Valley National Heritage Corridor established by section 1 of Public Law 99-647 (16 U.S.C. 461 note) is redesignated as the “John H. Chafee Blackstone River Valley National Heritage Corridor”.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Blackstone River Valley National Heritage Corridor shall be deemed to be a reference to the John H. Chafee Blackstone River Valley National Heritage Corridor.

(b) COMMISSION.—

(1) IN GENERAL.—The Blackstone River Valley National Heritage Corridor Commission established by section 3 of Public Law 99-647 (16 U.S.C. 461 note) is redesignated as the “John H. Chafee Blackstone River Valley National Heritage Corridor Commission”.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Blackstone River Valley National Heritage Corridor Commission shall be deemed to be a reference to the John H. Chafee Blackstone River Valley National Heritage Corridor Commission.

(c) CONFORMING AMENDMENTS.—

(1) Section 1 of Public Law 99-647 (16 U.S.C. 461 note) is amended in the first sentence by striking “Blackstone River Valley National Heritage Corridor” and inserting “John H. Chafee Blackstone River Valley National Heritage Corridor”. 113 STAT. 1501A-203

(2) Section 3 of Public Law 99-647 (16 U.S.C. 461 note) is amended—

(A) in the section heading, by striking “BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR COMMISSION” and inserting “JOHN H. CHAFEE BLACKSTONE RIVER VALLEY NATIONAL HERITAGE CORRIDOR COMMISSION”; and

(B) in subsection (a), by striking “Blackstone River Valley National Heritage Corridor Commission” and inserting “John H. Chafee Blackstone River Valley National Heritage Corridor Commission”.

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SEC. 356. The first section of Public Law 99-215 (99 Stat. 1724), as amended by section 597 of the Water Resources Development Act of 1999 (Public Law 106-53), is further amended— 113 STAT. 1501A-210

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

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

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

113 STAT. 1501A-210 PUBLIC LAW 106-113—APPENDIX C

of Easement, dated January 4, 1989, conveyed by the Maryland National Capital Park and Planning Commission pursuant to subsection (b)(1).

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

SEC. 357. None of the funds in this Act or any other Act shall be used by the Secretary of the Interior to promulgate final rules to revise 43 CFR subpart 3809, except that the Secretary, following the public comment period required by section 3002 of Public Law 106-31, may issue final rules to amend 43 C.F.R. Subpart 3809 which are not inconsistent with the recommendations contained in the National Research Council report entitled “Hardrock Mining on Federal Lands” so long as these regulations are also not inconsistent with existing statutory authorities. Nothing in this section shall be construed to expand the existing statutory authority of the Secretary.

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113 STAT.
1501A-214

TITLE VI—PRIORITY LAND ACQUISITIONS AND LAND
EXCHANGES

113 STAT.
1501A-215

SEC. 601. For priority land acquisitions, land exchange agreements, and other activities consistent with the Land and Water Conservation Fund Act of 1965, as amended, \$197,500,000, to be derived from the Land and Water Conservation Fund and to remain available until September 30, 2003, of which \$81,000,000 is available to the Secretary of Agriculture and \$116,500,000 is available to the Secretary of the Interior: *Provided*, That of the funds made available to the Secretary of Agriculture, not to exceed \$61,000,000 may be used to acquire interests to protect and preserve the Baca Ranch, subject to the same terms and conditions placed on other funds provided for this purpose in this Act under the heading “Forest Service, Land Acquisition”, and \$5,000,000 shall be available for the Forest Legacy program notwithstanding any other provision of law: *Provided further*, That of the funds made available to the Secretary of the Interior, \$10,000,000 shall be available for Elwha River ecosystem restoration, and \$5,000,000 shall be available for maintenance in the National Park Service, notwithstanding any other provision of law, \$20,000,000 shall be available for the State assistance program, not to exceed \$5,000,000 may be used to acquire interests to protect and preserve the California desert, not to exceed \$2,000,000 may be used to acquire interests to protect and preserve the Rhode Island National Wildlife Refuge Complex, not to exceed \$19,500,000 may be used to acquire mineral rights within the Grand Staircase-Escalante National Monument, and not to exceed \$35,000,000 may be for State grants for land acquisition in the State of Florida, subject to the same terms and conditions placed on other funds provided for this purpose in this Act under the heading “National Park Service, Land Acquisition and State Assistance”: *Provided further*, That none of the funds appropriated under this title for purposes other than for State grants for land acquisition in the State of Florida, the State assistance program, Elwha River ecosystem restoration, or acquisitions of interests in the Baca Ranch, the California desert, the Grand Staircase-Escalante National Monument, and the Rhode Island National Wildlife Refuge Complex shall be available until the House

PUBLIC LAW 106–113—APPENDIX C 113 STAT. 1501A–215

Committee on Appropriations and the Senate Committee on Appropriations approve, in writing, a list of projects to be undertaken with such funds.

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

* * * * *

**7. Department of the Interior Appropriations for
FY 2001**

114 STAT. 922 PUBLIC LAW 106-291—OCT. 11, 2000

Public Law 106-291
106th Congress

An Act

Oct. 11, 2000
[H.R. 4578]

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

Department of
the Interior and
Related Agencies
Appropriations
Act, 2001.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

* * * * *

114 STAT. 923

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, research, emergency rehabilitation and hazardous fuels reduction by the Department of the Interior, \$425,513,000, to remain available until expended, of which not to exceed \$30,000,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That unobligated balances of amounts previously appropriated to the “Fire Protection” and “Emergency Department of the Interior Firefighting Fund” may be transferred and merged with this appropriation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation.

For an additional amount for “Wildland Fire Management”, \$200,000,000, to remain available until expended, for emergency rehabilitation and wildfire suppression activities: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That this amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

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NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, including not less than \$2,000,000 for high priority projects within the scope of the approved budget which shall be carried out by the Youth Conservation Corps as authorized by 16 U.S.C. 1706, \$1,389,144,000, of which \$9,227,000 for research, planning and interagency coordination in support of land acquisition for Everglades restoration shall remain available until expended, and of which not to exceed \$7,000,000, to remain available until expended, is to be derived from the special fee account established pursuant to title V, section 5201 of Public Law 100-203: *Provided*, That the only funds in this account which may be made available to support United States Park Police operations are those needed to continue services at the same level as was provided in fiscal year 2000 at the Statue of Liberty and Gateway National Recreation Area, and those funds approved for emergency law and order incidents pursuant to established National Park Service procedures and those funds needed to maintain and repair United States Park Police administrative facilities.

UNITED STATES PARK POLICE

For expenses necessary to carry out the programs of the United States Park Police, \$78,048,000, of which \$1,607,000 for security enhancements in the Washington, DC area shall remain available until expended.

NATIONAL RECREATION AND PRESERVATION

114 STAT. 929

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$58,359,000: *Provided*, That \$1,595,000 appropriated in Public Law 105-277 for the acquisition of interests in Ferry Farm, George Washington's Boyhood Home, shall be transferred to this account and shall be available until expended for a cooperative agreement for management of George Washington's Boyhood Home, Ferry Farm, as authorized in Public Law 105-355.

URBAN PARK AND RECREATION FUND

For expenses necessary to carry out the provisions of the Urban Park and Recreation Recovery Act of 1978 (16 U.S.C. 2501 et seq.), \$10,000,000, to remain available until expended.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law

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104-333), \$79,347,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2002, of which \$7,177,000 pursuant to section 507 of Public Law 104-333 shall remain available until expended: *Provided*, That of the total amount provided, \$35,000,000 shall be for Save America's Treasures for priority preservation projects, including preservation of intellectual and cultural artifacts, preservation of historic structures and sites, and buildings to house cultural and historic resources and to provide educational opportunities: *Provided further*, That any individual Save America's Treasures grant shall be matched by non-Federal funds: *Provided further*, That individual projects shall only be eligible for one grant, and all projects to be funded shall be approved by the House and Senate Committees on Appropriations prior to the commitment of grant funds: *Provided further*, That Save America's Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior: *Provided further*, That none of the funds provided for Save America's Treasures may be used for administrative expenses, and staffing for the program shall be available from the existing staffing levels in the National Park Service.

CONSTRUCTION

114 STAT. 930

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, \$242,174,000, to remain available until expended: *Provided*, That \$650,000 for Lake Champlain National Historic Landmarks, \$300,000 for the Kendall County Courthouse, and \$365,000 for the U.S. Grant Boyhood Home National Historic Landmark shall be derived from the Historic Preservation Fund pursuant to 16 U.S.C. 470a.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

16 USC 460l-10a
note.

The contract authority provided for fiscal year 2001 by 16 U.S.C. 460l-10a is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l-4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$110,540,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, of which \$40,500,000 is for the State assistance program including \$1,500,000 to administer the State assistance program, and of which \$12,000,000 may be for State grants for land acquisition in the State of Florida: *Provided*, That the Secretary may provide Federal assistance to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys, including the areas known as the Frog Pond, the Rocky Glades and the Eight and

One-Half Square Mile Area) under terms and conditions deemed necessary by the Secretary to improve and restore the hydrological function of the Everglades watershed: *Provided further*, That funds provided under this heading for assistance to the State of Florida to acquire lands within the Everglades watershed are contingent upon new matching non-Federal funds by the State and shall be subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades: *Provided further*, That none of the funds provided for the State Assistance program may be used to establish a contingency fund: *Provided further*, That not to exceed \$50,000,000 derived from unexpended balances previously appropriated in Public Laws 106-113 and 103-211 for land acquisition assistance to the State of Florida shall be available until expended for project modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act.

ADMINISTRATIVE PROVISIONS

Appropriations for the National Park Service shall be available for the purchase of not to exceed 340 passenger motor vehicles, of which 273 shall be for replacement only, including not to exceed 319 for police-type use, 12 buses, and 9 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than three calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

Reports.

114 STAT. 931

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

* * * * *

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

114 STAT. 941

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made

available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for “wildland fire operations” shall be exhausted within thirty days: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized

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by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

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

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

* * * * *

SEC. 112. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

114 STAT. 943

SEC. 113. Refunds or rebates received on an on-going basis from a credit card services provider under the Department of the Interior's charge card programs, hereafter may be deposited to and retained without fiscal year limitation in the Departmental Working Capital Fund established under 43 U.S.C. 1467 and used to fund management initiatives of general benefit to the Department of the Interior's bureaus and offices as determined by the Secretary or his designee.

43 USC 1467a.

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SEC. 115. Notwithstanding any provision of law, hereafter the Secretary of the Interior is authorized to negotiate and enter into agreements and leases, without regard to section 321 of chapter 314 of the Act of June 30, 1932 (40 U.S.C. 303b), with any person, firm, association, organization, corporation, or governmental entity for all or part of the property within Fort Baker administered by the Secretary as part of Golden Gate National Recreation Area. The proceeds of the agreements or leases shall be retained by the Secretary and such proceeds shall be available, without future appropriation, for the preservation, restoration, operation, maintenance and interpretation and related expenses incurred with respect to Fort Baker properties.

16 USC 460bb-3 note.

SEC. 116. A grazing permit or lease that expires (or is transferred) during fiscal year 2001 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa-50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations,

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at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority.

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114 STAT. 945

SEC. 126. No funds appropriated for the Department of the Interior by this Act or any other Act shall be used to study or implement any plan to drain Lake Powell or to reduce the water level of the lake below the range of water levels required for the operation of the Glen Canyon Dam.

SEC. 127. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104-134, as amended by Public Law 104-208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100-696; 16 U.S.C. 460zz.

114 STAT. 946

SEC. 128. Section 112 of Public Law 103-138 (107 Stat. 1399) is amended by striking "permit LP-GLBA005-93" and inserting "permit LP-GLBA005-93 and in connection with a corporate reorganization plan, the entity that, after the corporate reorganization, holds entry permit CP-GLBA004-00 each".

* * * * *

16 USC 431 note.

SEC. 130. (a) The first section of Public Law 92-501 (86 Stat. 904) is amended by inserting after the first sentence "The park shall also include the land as generally depicted on the map entitled 'subdivision of a portion of U.S. Survey 407, Tract B, dated May 12, 2000'".

16 USC 431 note.

(b) Section 3 of Public Law 92-501 is amended to read as follows: "There are authorized to be appropriated such sums as are necessary to carry out the terms of this Act."

* * * * *

114 STAT. 949

SEC. 139. Section 412(b) of the National Parks Omnibus Management Act of 1998, as amended (16 U.S.C. 5961) is amended by striking "2000" and inserting "2001".

SEC. 140. Notwithstanding other provisions of law, the National Park Service may authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

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114 STAT. 950

SEC. 144. (a) Notwithstanding any other provision of law, and subject to subsections (b) and (c), all conveyances to the city of Valley City, a municipal corporation of Barnes County, North Dakota, of lands described in subsection (b), heretofore or hereafter made directly by The Burlington Northern and Santa Fe Railway Company or its successors, are hereby validated to the extent that the conveyances would be legal and valid if all right, title, and interest of the United States, except minerals, were held by The Burlington Northern and Santa Fe Railway Company.

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(b) **LANDS DESCRIBED.**—The lands referred to in subsection (a) are the land that formed part of the railroad right-of-way granted to the Northern Pacific Railroad Company, a predecessor to The Burlington Northern and Santa Fe Railway Company, by an Act of Congress on July 2, 1864, specifically a 400-foot wide right-of-way, being 200 feet wide on each side of the centerline of the rail track as originally located and constructed between milepost 69.05 and milepost 61.10 within Barnes County, North Dakota, as shown and described on the map entitled “City of Valley City—Railroad Parcels” dated September 1, 2000. Such map shall be placed on file and available for inspection in the offices of the Director of the Bureau of Land Management.

(c) **ACCESS AND MINERAL RIGHTS.**—

(1) **PRESERVATION OF RIGHTS OF ACCESS.**—Nothing in this section shall impair any rights of access in favor of the public or any owner of adjacent lands over, under, or across the lands described in section 2.

(2) **MINERALS.**—The United States reserves any federally owned mineral rights in the lands described in subsection (b), except that the United States disclaims any and all right of surface entry to the mineral estate of such lands.

SEC. 145. (a) SHORT TITLE.—This section may be cited as the “First Ladies National Historic Site Act of 2000”.

(b) **FIRST LADIES NATIONAL HISTORIC SITE.**—

(1) **FINDINGS.**—The Congress finds the following:

(A) Throughout the history of the United States, First Ladies have had an important impact on our Nation’s history.

(B) Little attention has been paid to the role of First Ladies and their impact on our Nation’s history.

(C) Establishment of the First Ladies National Historic Site will provide unique opportunities for education and study into the impact of First Ladies on our history.

(2) **PURPOSES.**—The purposes of this section are the following:

(A) To preserve and interpret the role and history of First Ladies for the benefit, inspiration, and education of the people of the United States.

(B) To interpret the impact of First Ladies on the history of the United States.

(C) To provide to school children and scholars access to information about the contributions of First Ladies through both a physical educational facility and an electronic virtual library.

(D) To establish the First Ladies National Historic Site in Canton, Ohio, the home of First Lady Ida Saxton McKinley.

(E) To create a public-private partnership between the National Park Service and the National First Ladies Library.

(3) **ESTABLISHMENT OF FIRST LADIES NATIONAL HISTORIC SITE.**—

(A) **ESTABLISHMENT.**—There is established in Canton, Ohio, the First Ladies National Historic Site.

(B) **DESCRIPTION.**—The historic site shall consist of—
(i) the land and improvements comprising the National Park Service property located at 331 Market

First Ladies
National Historic
Site Act of 2000.
16 USC 461 note.

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Avenue South in Canton, Ohio, known as the Ida Saxton McKinley House; and

(i) if acquired under subsection (b)(4), National Park Service property located at 205 Market Avenue South in Canton, Ohio, known as the City National Bank Building.

(4) ACQUISITION OF CITY NATIONAL BANK BUILDING.—The Secretary may acquire by donation, for inclusion in the historic site, the property located at 205 Market Avenue South in Canton, Ohio, known as the City National Bank Building.

(5) ADMINISTRATION OF THE HISTORIC SITE.—

(A) IN GENERAL.—The Secretary shall administer the historic site in accordance with this section and the provisions of law generally applicable to units of the National Park System, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666, chapter 593; 16 U.S.C. 461 et seq.).

(B) COOPERATIVE AGREEMENTS.—

(i) To further the purposes of this section, the Secretary may enter into a cooperative agreement with the National First Ladies Library (a nonprofit corporation established under the laws of the District of Columbia) under which the National First Ladies Library may operate and maintain the site.

(ii) To further the purposes of this section, the Secretary may enter into cooperative agreements with other public and private organizations.

(C) ASSISTANCE.—The Secretary may provide to the National First Ladies Library—

(i) technical assistance for the preservation of historic structures of, the maintenance of the cultural landscape of, and local preservation planning for, the historic site; and

(ii) subject to the availability of appropriations, financial assistance for the operation and maintenance of the historic site.

(D) ADMISSION FEES.—The Secretary may authorize the National First Ladies Library to—

(i) charge fees for admission to the historic site; and

(ii) retain and use for the historic site amounts paid as such fees.

(E) MANAGEMENT OF PROPERTY.—The Secretary may authorize the National First Ladies Library—

(i) to manage any property within the historic site;

(ii) to lease to other public or private entities any property managed under subparagraph (i) by the National First Ladies Library; and

(iii) to retain and use for the historic site amounts received under such leases.

(6) GENERAL MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than the last day of the third full fiscal year beginning after the date of enactment of this Act, the Secretary shall, in consultation with the

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Deadline.

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officials described in paragraph (B), prepare a general management plan for the historic site.

(B) CONSULTATION.—In preparing the general management plan, the Secretary shall consult with an appropriate official of—

- (i) the National First Ladies Library; and
- (ii) appropriate political subdivisions of the State of Ohio that have jurisdiction over the area where the historic site is located.

(C) SUBMISSION OF PLAN TO CONGRESS.—Upon the completion of the general management plan, the Secretary shall submit a copy of the plan to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives.

(7) DEFINITIONS.—In this section:

(A) HISTORIC SITE.—The term “historic site” means the First Ladies National Historic Site established by subsection (b)(3).

(B) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 146. (a) CONTRIBUTIONS TOWARD ESTABLISHMENT OF ABRAHAM LINCOLN INTERPRETIVE CENTER.—

(1) GRANTS AUTHORIZED.—Subject to subsections (a)(2) and (a)(3), the Secretary of the Interior shall make grants to contribute funds for the establishment in Springfield, Illinois, of an interpretive center to preserve and make available to the public materials related to the life of President Abraham Lincoln and to provide interpretive and educational services which communicate the meaning of the life of Abraham Lincoln.

(2) PLAN AND DESIGN.—

(A) SUBMISSION.—Not later than 18 months after the date of the enactment of this Act, the entity selected by the Secretary of the Interior to receive grants under subsection (a)(1) shall submit to the Secretary a plan and design for the interpretive center, including a description of the following:

Deadline.

- (i) The design of the facility and site.
- (ii) The method of acquisition.
- (iii) The estimated cost of acquisition, construction, operation, and maintenance.

(iv) The manner and extent to which non-Federal entities will participate in the acquisition, construction, operation, and maintenance of the center.

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(B) CONSULTATION AND COOPERATION.—The plan and design for the interpretive center shall be prepared in consultation with the Secretary of the Interior and the Governor of Illinois and in cooperation with such other public, municipal, and private entities as the Secretary considers appropriate.

(3) CONDITIONS ON GRANT.—

(A) MATCHING REQUIREMENT.—A grant under subsection (a)(1) may not be made until such time as the entity selected to receive the grant certifies to the Secretary of the Interior that funds have been contributed by the State of Illinois or raised from non-Federal sources for use to establish the interpretive center in an amount equal to at least double the amount of that grant.

(B) RELATION TO OTHER LINCOLN-RELATED SITES AND MUSEUMS.—The Secretary of the Interior shall further condition the grant under subsection (a)(1) on the agreement of the grant recipient to operate the resulting interpretive center in cooperation with other Federal and non-Federal historic sites, parks, and museums that represent significant locations or events in the life of Abraham Lincoln. Cooperative efforts to promote and interpret the life of Abraham Lincoln may include the use of cooperative agreements, cross references, cross promotion, and shared exhibits.

(4) PROHIBITION ON CONTRIBUTION OF OPERATING FUNDS.—Grant amounts may not be used for the maintenance or operation of the interpretive center.

(5) NON-FEDERAL OPERATION.—The Secretary of the Interior shall have no involvement in the actual operation of the interpretive center, except at the request of the non-Federal entity responsible for the operation of the center.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of the Interior a total of \$50,000,000 to make grants under subsection (a)(1). Amounts so appropriated shall remain available for expenditure through fiscal year 2006.

Palace of the
Governors Annex
Act.

SEC. 147. (a) SHORT TITLE.—This section may be cited as the “Palace of the Governors Annex Act”.

(b) CONSTRUCTION OF PALACE OF THE GOVERNORS ANNEX, SANTA FE, NEW MEXICO.—

(1) FINDINGS.—Congress finds that—

(A) the United States has a rich legacy of Hispanic influence in politics, government, economic development, and cultural expression;

(B) the Palace of the Governors—

(i) has been the center of administrative and cultural activity over a vast region of the Southwest since its construction as New Mexico’s second capitol in Santa Fe by Governor Pedro de Peralta in 1610;

(ii) is the oldest continuously occupied public building in the continental United States, having been occupied for 390 years; and

(iii) has been designated as a National Historic Landmark;

(C) since its creation, the Museum of New Mexico has worked to protect and promote Southwestern, Hispanic, and Native American arts and crafts;

(D) the Palace of the Governors houses the history division of the Museum of New Mexico;

(E) the Museum has an extensive, priceless, and irreplaceable collection of—

(i) Spanish Colonial paintings (including the Segesser Hide Paintings, paintings on buffalo hide dating back to 1706);

(ii) pre-Columbian Art; and

(iii) historic artifacts, including—

(I) helmets and armor worn by the Don Juan de Oñate expedition conquistadors who established the first capital in the territory that is now the

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United States, San Juan de los Caballeros, in July 1598;

(II) the Vara Stick used to measure land grants and other real property boundaries in Dona Ana County, New Mexico;

(III) the Columbus, New Mexico Railway Station clock that was shot, stopping the pendulum, freezing for all history the moment when Pancho Villa's raid began;

(IV) the field desk of Brigadier General Stephen Watts Kearny, who was posted to New Mexico during the Mexican War and whose Army of the West traveled the Santa Fe trail to occupy the territories of New Mexico and California; and

(V) more than 800,000 other historic photographs, guns, costumes, maps, books, and handicrafts;

(F) the Palace of the Governors and its contents are included in the Mary C. Skaggs Centennial Collection of America's Treasures;

(G) the Palace of the Governors and the Segesser Hide paintings have been declared national treasures by the National Trust for Historic Preservation; and

(H) time is of the essence in the construction of an annex to the Palace of the Governors for the exhibition and storing of the collection described in paragraph (E), because—

(i) the existing facilities for exhibiting and storing the collection are so inadequate and unsuitable that existence of the collection is endangered and its preservation is in jeopardy; and

(ii) 2010 marks the 400th anniversary of the continuous occupation and use of the Palace of the Governors and is an appropriate date for ensuring the continued viability of the collection.

(2) DEFINITIONS.—In this section:

(A) ANNEX.—The term “Annex” means the annex for the Palace of the Governors of the Museum of New Mexico, to be constructed behind the Palace of the Governors building at 110 Lincoln Avenue, Santa Fe, New Mexico.

(B) OFFICE.—The term “Office” means the State Office of Cultural Affairs.

(C) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(D) STATE.—The term “State” means the State of New Mexico.

(3) GRANT.—

(A) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall make a grant to the Office to pay 50 percent of the costs of the final design, construction, management, inspection, furnishing, and equipping of the Annex.

(B) REQUIREMENTS.—Subject to the availability of appropriations, to receive a grant under this paragraph (A), the Office shall—

(i) submit to the Secretary a copy of the architectural blueprints for the Annex; and

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(ii) enter into a memorandum of understanding with the Secretary under subsection ((b)(4).

(4) MEMORANDUM OF UNDERSTANDING.—At the request of the Office, the Secretary shall enter into a memorandum of understanding with the Office that—

(A) requires that the Office award the contract for construction of the Annex after a competitive bidding process and in accordance with the New Mexico Procurement Code; and

(B) specifies a date for completion of the Annex.

(5) NON-FEDERAL SHARE.—The non-Federal share of the costs of the final design, construction, management, inspection, furnishing, and equipping of the Annex—

(A) may be in cash or in kind fairly evaluated, including land, art and artifact collections, plant, equipment, or services; and

(B) shall include any contribution received by the State (including contributions from the New Mexico Foundation and other endowment funds) for, and any expenditure made by the State for, the Palace of the Governors or the Annex, including—

(i) design;

(ii) land acquisition (including the land at 110 Lincoln Avenue, Santa Fe, New Mexico);

(iii) acquisitions for and renovation of the library;

(iv) conservation of the Palace of the Governors;

(v) construction, management, inspection, furnishing, and equipping of the Annex; and

(vi) donations of art collections and artifacts to the Museum of New Mexico on or after the date of enactment of this section.

(6) USE OF FUNDS.—The funds received under a grant awarded under subsection (b)(3) shall be used only for the final design, construction, management, inspection, furnishing and equipment of the Annex.

(7) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—Subject to paragraph (B), subject to the availability of appropriations, there is authorized to be appropriated to the Secretary to carry out this section \$15,000,000, to remain available until expended.

(B) CONDITION.—Paragraph (A) authorizes sums to be appropriated on the condition that—

(i) after the date of enactment of this section and before January 1, 2010, the State appropriate at least \$8,000,000 to pay the costs of the final design, construction, management, inspection, furnishing, and equipping of the Annex; and

(ii) other non-Federal sources provide sufficient funds to pay the remainder of the 50 percent non-Federal share of those costs.

SEC. 148. (a) Section 104 of the Act entitled “An Act to establish in the Department of the Interior the Southwestern Pennsylvania Heritage Preservation Commission, and for other purposes”, approved November 19, 1988 (Public Law 100-698) is amended—

(1) in the flush material at the end of subsection (a), by striking “10 years” and inserting “20 years”; and

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16 USC 461 note.

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(2) in subsection (e), by striking “10 years” and inserting “20 years”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 105 of the Act entitled “An Act to establish in the Department of the Interior the Southwestern Pennsylvania Heritage Preservation Commission, and for other purposes”, approved November 19, 1988 (Public Law 100-698) is amended by inserting “for each of fiscal years 2001 through 2010” after “\$3,000,000”.

16 USC 461 note.

(c) EFFECTIVE DATE.—The amendment made by section 1 shall be deemed to have taken effect on November 18, 1998.

16 USC 461 note.

SEC. 149. REDESIGNATION OF CUYAHOGA VALLEY NATIONAL RECREATION AREA AS CUYAHOGA VALLEY NATIONAL PARK. (a) REDESIGNATION.—The Cuyahoga Valley National Recreation Area is redesignated as Cuyahoga Valley National Park.

16 USC 460ff note.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Cuyahoga Valley National Recreation Area is deemed to be a reference to Cuyahoga Valley National Park.

16 USC 460ff note.

(c) CONFORMING AMENDMENTS.—The Act entitled “An Act to provide for the establishment of the Cuyahoga Valley National Recreation Area” (Public Law 93-555; 16 U.S.C. 460ff et seq.), approved December 27, 1974, is amended—

(1) in section 1 by striking “National Recreation Area” and inserting “National Park”; and

16 USC 460ff.

(2) by striking “recreation area” each place it appears and inserting “park”.

(d) CLERICAL AMENDMENTS.—Section 5 of such Act (16 U.S.C. 460ff-4) is repealed, and section 6 of such Act (16 U.S.C. 460ff-5) is redesignated as section 5.

Sec. 150. (a) SHORT TITLE.—This section may be cited as the “National Underground Railroad Freedom Center Act”.

National Underground Railroad Freedom Center Act.
16 USC 461 note.
16 USC 469l-2 note.

(b) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress finds that—

(A) the National Underground Railroad Freedom Center (hereinafter “Freedom Center”) is a nonprofit organization incorporated under the laws of the State of Ohio in 1995;

(B) the objectives of the Freedom Center are to interpret the history of the Underground Railroad through development of a national cultural institution in Cincinnati, Ohio, that will house an interpretive center, including museum, educational, and research facilities, all dedicated to communicating to the public the importance of the quest for human freedom which provided the foundation for the historic and inspiring story of the Underground Railroad;

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(C) the city of Cincinnati has granted exclusive development rights for a prime riverfront location to the Freedom Center;

(D) the Freedom Center will be a national center linked through state-of-the-art technology to Underground Railroad sites and facilities throughout the United States and to a constituency that reaches across the United States, Canada, Mexico, the Caribbean and beyond; and

(E) the Freedom Center has reached an agreement with the National Park Service to pursue a range of historical and educational cooperative activities related to the Underground Railroad, including but not limited to

assisting the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act.

(2) PURPOSES.—The purposes of this section are—

(A) to promote preservation and public awareness of the history of the Underground Railroad;

(B) to assist the Freedom Center in the development of its programs and facilities in Cincinnati, Ohio; and

(C) to assist the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act (112 Stat. 679; 16 U.S.C. 469l and following).

(c) DEFINITIONS.—In this section:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) PROJECT BUDGET.—The term “project budget” means the total amount of funds expended by the Freedom Center on construction of its facility, development of its programs and exhibits, research, collection of informative and educational activities related to the history of the Underground Railroad, and any administrative activities necessary to the operation of the Freedom Center, prior to the opening of the Freedom Center facility in Cincinnati, Ohio.

(3) FEDERAL SHARE.—The term “Federal share” means an amount not to exceed 20 percent of the project budget and shall include all amounts received from the Federal Government under this legislation and any other Federal programs.

(4) NON-FEDERAL SHARE.—The term “non-Federal share” means all amounts obtained by the Freedom Center for the implementation of its facilities and programs from any source other than the Federal Government, and shall not be less than 80 percent of the project budget.

(5) THE FREEDOM CENTER FACILITY.—The term “the Freedom Center facility” means the facility, including the building and surrounding site, which will house the museum and research institute to be constructed and developed in Cincinnati, Ohio, on the site described in subsection (d)(3).

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) PROGRAM AUTHORIZED.—From sums appropriated pursuant to the authority of subsection (d)(4) in any fiscal year, the Secretary is authorized and directed to provide financial assistance to the Freedom Center, in order to pay the Federal share of the cost of authorized activities described in subsection (e).

(2) EXPENDITURE ON NON-FEDERAL PROPERTY.—The Secretary is authorized to expend appropriated funds under subsection (d)(1) of this section to assist in the construction of the Freedom Center facility and the development of programs and exhibits for that facility which will be funded primarily through private and non-Federal funds, on property owned by the city of Cincinnati, Hamilton County, and the State of Ohio.

(3) DESCRIPTION OF THE FREEDOM CENTER FACILITY SITE.—The facility referred to in subsections (d)(1) and (d)(2) will be located on a site described as follows: a 2-block area south of new South Second, west of Walnut Street, north of relocated

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Theodore M. Berry Way, and east of Vine Street in Cincinnati, Ohio.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$16,000,000 for the 4 fiscal year period beginning October 1, 1999. Funds not to exceed that total amount may be appropriated in 1 or more of such fiscal years. Funds shall not be disbursed until the Freedom Center has commitments for a minimum of 50 percent of the non-Federal share.

(5) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, funds appropriated to carry out the provisions of this section shall remain available for obligation and expenditure until the end of the fiscal year succeeding the fiscal year for which the funds were appropriated.

(6) OTHER PROVISIONS.—Any grant made under this section shall provide that—

(A) no change or alteration may be made in the Freedom Center facility except with the agreement of the property owner and the Secretary;

(B) the Secretary shall have the right of access at reasonable times to the public portions of the Freedom Center facility for interpretive and other purposes; and

(C) conversion, use, or disposal of the Freedom Center facility for purposes contrary to the purposes of this section, as determined by the Secretary, shall result in a right of the United States to compensation equal to the greater of—

(i) all Federal funds made available to the grantee under this section; or

(ii) the proportion of the increased value of the Freedom Center facility attributable to such funds, as determined at the time of such conversion, use, or disposal.

(e) AUTHORIZED ACTIVITIES.—

(1) IN GENERAL.—The Freedom Center may engage in any activity related to its objectives addressed in subsection (b)(1), including, but not limited to, construction of the Freedom Center facility, development of programs and exhibits related to the history of the Underground Railroad, research, collection of information and artifacts and educational activities related to the history of the Underground Railroad, and any administrative activities necessary to the operation of the Freedom Center.

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(2) PRIORITIES.—The Freedom Center shall give priority to—

(A) construction of the Freedom Center facility;

(B) development of programs and exhibits to be presented in or from the Freedom Center facility; and

(C) providing assistance to the National Park Service in the implementation of the National Underground Railroad Network to Freedom Act (16 U.S.C. 469l).

(f) APPLICATION.—

(1) IN GENERAL.—The Freedom Center shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require. Each application shall—

(A) describe the activities for which assistance is sought;

(B) provide assurances that the non-Federal share of the cost of activities of the Freedom Center shall be paid from non-Federal sources, together with an accounting of costs expended by the Freedom Center to date, a budget of costs to be incurred prior to the opening of the Freedom Center facility, an accounting of funds raised to date, both Federal and non-Federal, and a projection of funds to be raised through the completion of the Freedom Center facility.

(2) APPROVAL.—The Secretary shall approve the application submitted pursuant to subsection (f)(1) unless such application fails to comply with the provisions of this section.

Deadline.

(g) REPORTS.—The Freedom Center shall submit an annual report to the appropriate committees of the Congress not later than January 31, 2000, and each succeeding year thereafter for any fiscal year in which Federal funds are expended pursuant to this section. The report shall—

(1) include a financial statement addressing the Freedom Center's costs incurred to date and projected costs, and funds raised to date and projected fundraising goals;

(2) include a comprehensive and detailed description of the Freedom Center's activities for the preceding and succeeding fiscal years; and

(3) include a description of the activities taken to assure compliance with this section.

(h) AMENDMENT TO THE NATIONAL UNDERGROUND RAILROAD NETWORK TO FREEDOM ACT OF 1998.—The National Underground Railroad Network to Freedom Act of 1998 (112 Stat. 679; 16 U.S.C. 469l and following) is amended by adding at the end the following:

“SEC. 4. PRESERVATION OF HISTORIC SITES OR STRUCTURES.

“(a) AUTHORITY TO MAKE GRANTS.—The Secretary of the Interior may make grants in accordance with this section for the preservation and restoration of historic buildings or structures associated with the Underground Railroad, and for related research and documentation to sites, programs, or facilities that have been included in the national network.

“(b) GRANT CONDITIONS.—Any grant made under this section shall provide that—

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“(1) no change or alteration may be made in property for which the grant is used except with the agreement of the property owner and the Secretary;

“(2) the Secretary shall have the right of access at reasonable times to the public portions of such property for interpretive and other purposes; and

“(3) conversion, use, or disposal of such property for purposes contrary to the purposes of this Act, as determined by the Secretary, shall result in a right of the United States to compensation equal to all Federal funds made available to the grantee under this Act.

“(c) MATCHING REQUIREMENT.—The Secretary may obligate funds made available for a grant under this section only if the grantee agrees to match, from funds derived from non-Federal sources, the amount of the grant with an amount that is equal

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to or greater than the grant. The Secretary may waive the requirement of the preceding sentence with respect to a grant if the Secretary determines that an extreme emergency exists or that such a waiver is in the public interest to assure the preservation of historically significant resources.

“(d) FUNDING.—There are authorized to be appropriated to the Secretary for purposes of this section \$2,500,000 for fiscal year 2001 and each subsequent fiscal year. Amounts authorized but not appropriated in a fiscal year shall be available for appropriation in subsequent fiscal years.”.

* * * * *

SEC. 155. BLUE RIDGE PARKWAY. (a) The Blue Ridge Parkway headquarters building located at 199 Hemphill Knob in Asheville, North Carolina, shall be known and designated as the “Gary E. Everhardt Headquarters Building”. 114 STAT. 962

(b) Any reference in a law, map, regulation, document, paper, or other record of the United States to the headquarters building referred to in subsection (a) shall be deemed to be a reference to the “Gary E. Everhardt Headquarters Building”.

SEC. 156. None of the funds in this Act or any other Act shall be used, by the Secretary of the Interior to promulgate final rules to revise 43 C.F.R. subpart 3809, except that the Secretary, following the public comment period required by section 3002 of Public Law 106-31, may issue final rules to amend 43 C.F.R. subpart 3809 which are not inconsistent with the recommendations contained in the National Research Council report entitled “Hardrock Mining on Federal Lands” so long as these regulations are also not inconsistent with existing statutory authorities. Nothing in this section shall be construed to expand the existing statutory authority of the Secretary. 114 STAT. 963

SEC. 157. (a) SHORT TITLE.—This section may be cited as the “Wheeling National Heritage Area Act of 2000”.

Wheeling
National
Heritage Area
Act of 2000.
16 USC 461 note.

(b) FINDINGS AND PURPOSES.—

(1) FINDINGS.—The Congress finds that—

(A) the area in an around Wheeling, West Virginia, possesses important historical, cultural, and natural resources, representing major heritage themes of transportation, commerce and industry, and Victorian culture in the United States;

(B) the City of Wheeling has played an important part in the settlement of this country by serving as—

(i) the western terminus of the National Road of the early 1800’s;

(ii) the “Crossroads of America” throughout the nineteenth century;

(iii) one of the few major inland ports in the nineteenth century; and

(iv) the site for the establishment of the Restored State of Virginia, and later the State of West Virginia, during the Civil War and as the first capital of the new State of West Virginia;

(C) the City of Wheeling has also played an important role in the industrial and commercial heritage of the United States, through the development and maintenance of many industries crucial to the Nation’s expansion, including iron

and steel, textile manufacturing, boat building, glass manufacturing, and stogie and chewing tobacco manufacturing facilities, many of which are industries that continue to play an important role in the national economy;

(D) the city of Wheeling has retained its national heritage themes with the designations of the old custom house (now Independence Hall) and the historic suspension bridge as National Historic Landmarks; with five historic districts; and many individual properties in the Wheeling area listed or eligible for nomination to the National Register of Historic Places;

(E) the heritage themes and number and diversity of Wheeling's remaining resources should be appropriately retained, enhanced, and interpreted for the education, benefit, and inspiration of the people of the United States; and

(F) in 1992 a comprehensive plan for the development and administration of the Wheeling National Heritage Area was completed for the National Park Service, the City of Wheeling, and the Wheeling National Task Force, including—

(i) an inventory of the national and cultural resources in the City of Wheeling;

(ii) criteria for preserving and interpreting significant natural and historic resources;

(iii) a strategy for the conservation, preservation, and reuse of the historical and cultural resources in the City of Wheeling and the surrounding region; and

(iv) an implementation agenda by which the State of West Virginia and local governments can coordinate their resources as well as a complete description of the management entity responsible for implementing the comprehensive plan.

(2) PURPOSES.—The purposes of this section are—

(A) to recognize the special importance of the history and development of the Wheeling area in the cultural heritage of the Nation;

(B) to provide a framework to assist the City of Wheeling and other public and private entities and individuals in the appropriate preservation, enhancement, and interpretation of significant resources in the Wheeling area emblematic of Wheeling's contributions to the Nation's cultural heritage;

(C) to allow for limited Federal, State and local capital contributions for planning and infrastructure investments to complete the Wheeling National Heritage Area, in partnership with the State of West Virginia, the City of Wheeling, and other appropriate public and private entities; and

(D) to provide for an economically self-sustaining National Heritage Area not dependent on Federal financial assistance beyond the initial years necessary to establish the heritage area.

(c) DEFINITIONS.—As used in this section—

(1) the term "city" means the City of Wheeling;

(2) the term "heritage area" means the Wheeling National Heritage Area established in subsection (d);

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(3) the term “plan” means the “Plan for the Wheeling National Heritage Area” dated August, 1992;

(4) the term “Secretary” means the Secretary of the Interior; and

(5) the term “State” means the State of West Virginia.

(d) WHEELING NATIONAL HERITAGE AREA.—

(1) ESTABLISHMENT.—In furtherance of the purposes of this section, there is established in the State of West Virginia the Wheeling National Heritage Area, as generally depicted on the map entitled “Boundary Map, Wheeling National Heritage Area, Wheeling, West Virginia” and dated March, 1994. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(2) MANAGEMENT ENTITY.—

(A) The management entity for the heritage area shall be the Wheeling National Heritage Corporation, a non-profit corporation chartered in the State of West Virginia.

(B) To the extent consistent with this section, the management entity shall manage the heritage area in accordance with the plan.

(e) DUTIES OF THE MANAGEMENT ENTITY.—

(1) MISSION.—

(A) The primary mission of the management entity shall be—

(i) to implement and coordinate the recommendations contained in the plan;

(ii) ensure integrated operation of the heritage area; and

(iii) conserve and interpret the historic and cultural resources of the heritage area.

(B) The management entity shall also direct and coordinate the diverse conservation, development, programming, educational, and interpretive activities within the heritage area.

(2) RECOGNITION OF PLAN.—The management entity shall work with the State of West Virginia and local governments to ensure that the plan is formally adopted by the City and recognized by the State.

(3) IMPLEMENTATION.—To the extent practicable, the management entity shall—

(A) implement the recommendations contained in the plan in a timely manner pursuant to the schedule identified in the plan;

(B) coordinate its activities with the City, the State, and the Secretary;

(C) ensure the conservation and interpretation of the heritage area’s historical, cultural, and natural resources, including—

(i) assisting the City and the State in the preservation of sites, buildings, and objects within the heritage area which are listed or eligible for listing on the National Register of Historic Places;

(ii) assisting the City, the State, or a nonprofit organization in the restoration of any historic building in the heritage area;

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(iii) increasing public awareness of and appreciation for the natural, cultural, and historic resources of the heritage area;

(iv) assisting the State or City in designing, establishing, and maintaining appropriate interpretive facilities and exhibits in the heritage area;

(v) assisting in the enhancement of public awareness and appreciation for the historical, archaeological, and geologic resources and sites in the heritage area; and

(vi) encouraging the City and other local governments to adopt land use policies consistent with the goals of the plan, and to take actions to implement those policies;

(D) encourage intergovernmental cooperation in the achievement of these objectives;

(E) develop recommendations for design standards within the heritage area; and

(F) seek to create public-private partnerships to finance projects and initiatives within the heritage area.

(4) AUTHORITIES.—The management entity may, for the purposes of implementing the plan, use Federal funds made available by this section to—

(A) make grants to the State, City, or other appropriate public or private organizations, entities, or persons;

(B) enter into cooperative agreements with, or provide technical assistance to Federal agencies, the State, City or other appropriate public or private organizations, entities, or persons;

(C) hire and compensate such staff as the management entity deems necessary;

(D) obtain money from any source under any program or law requiring the recipient of such money to make a contribution in order to receive such money;

(E) spend funds on promotion and marketing consistent with the resources and associated values of the heritage area in order to promote increased visitation; and

(F) contract for goods and services.

(5) ACQUISITION OF REAL PROPERTY.—

(A) Except as provided in paragraph (B), the management entity may not acquire any real property or interest therein within the heritage area, other than the leasing of facilities.

(B)(i) Subject to subparagraph (ii), the management entity may acquire real property, or an interest therein, within the heritage area by gift or devise, or by purchase from a willing seller with money which was donated, bequeathed, appropriated, or otherwise made available to the management entity on the condition that such money be used to purchase real property, or interest therein, within the heritage area.

(ii) Any real property or interest therein acquired by the management entity pursuant to this paragraph shall be conveyed in perpetuity by the management entity to an appropriate public or private entity, as determined by the management entity. Any such conveyance shall be made as soon as practicable after acquisition, without

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consideration, and on the condition that the real property or interest therein so conveyed shall be used for public purposes.

(6) REVISION OF PLAN.—Within 18 months after the date of enactment, the management entity shall submit to the Secretary a revised plan. Such revision shall include, but not be limited to—

(A) a review of the implementation agenda for the heritage area;

(B) projected capital costs; and

(C) plans for partnership initiatives and expansion of community support.

(f) DUTIES OF THE SECRETARY.—

(1) INTERPRETIVE SUPPORT.—The Secretary may, upon request of the management entity, provide appropriate interpretive, planning, educational, staffing, exhibits, and other material or support for the heritage area, consistent with the plan and as appropriate to the resources and associated values of the heritage area.

(2) TECHNICAL ASSISTANCE.—The Secretary may upon request of the management entity and consistent with the plan, provide technical assistance to the management entity.

(3) COOPERATIVE AGREEMENTS AND GRANTS.—The Secretary may, in consultation with the management entity and consistent with the management plan, make grants to, and enter into cooperative agreements with the management entity, the State, City, non-profit organization or any person.

(3) PLAN AMENDMENTS.—No amendments to the plan may be made unless approved by the Secretary. The Secretary shall consult with the management entity in reviewing any proposed amendments.

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(g) DUTIES OF OTHER FEDERAL AGENCIES.—Any Federal department, agency, or other entity conducting or supporting activities directly affecting the heritage area shall—

(1) consult with the Secretary and the management entity with respect to such activities.

(2) cooperate with the Secretary and the management entity in carrying out their duties under this Act, and to the extent practicable, coordinate such activities directly with the duties of the Secretary and the management entity.

(3) to the extent practicable, conduct or support such activities in a manner which the management entity determines will not have an adverse effect on the heritage area.

(h) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section \$10,000,000, except that not more than \$1,000,000 may be appropriated to carry out this section for any fiscal year.

(2) MATCHING FUNDS.—Federal funding provided under this section shall be matched at least 25 percent by other funds or in-kind services.

(i) SUNSET.—The Secretary may not make any grant or provide any assistance under this section after September 30, 2015.

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TITLE II—RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

* * * * *

114 STAT. 968

WILDLAND FIRE MANAGEMENT

114 STAT. 969

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, \$839,129,000, to remain available until expended: *Provided*, That such funds are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That not less than 50 percent of any unobligated balances remaining (exclusive of amounts for hazardous fuels reduction) at the end of fiscal year 2000 shall be transferred, as repayment for post advances that have not been repaid, to the fund established pursuant to section 3 of Public Law 71-319 (16 U.S.C. 576 et seq.): *Provided further*, That notwithstanding any other provision of law, up to \$8,600,000 of funds appropriated under this appropriation may be used for Fire Science Research in support of the Joint Fire Science Program: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest Service and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

For an additional amount to cover necessary expenses for emergency rehabilitation, presuppression due to emergencies, and wild-fire suppression activities of the Forest Service, \$426,000,000, to remain available until expended: *Provided*, That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That these funds shall be available only to the extent an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

* * * * *

114 STAT. 986

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses made necessary by the Act establishing a Commission of Fine Arts (40 U.S.C. 104), \$1,078,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation.

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NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

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

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89-665, as amended), \$3,189,000: *Provided*, That none of these funds shall be available for compensation of level V of the Executive Schedule or higher positions.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$6,500,000: *Provided*, That all appointed members of the Commission will be compensated at a rate not to exceed the daily equivalent of the annual rate of pay for positions at level IV of the Executive Schedule for each day such member is engaged in the actual performance of duties.

* * * * *

PRESIDIO TRUST

PRESIDIO TRUST FUND

For necessary expenses to carry out title I of the Omnibus Parks and Public Lands Management Act of 1996, \$23,400,000 shall be available to the Presidio Trust, to remain available until expended. The Trust is authorized to issue obligations to the Secretary of the Treasury pursuant to section 104(d)(3) of the Act, in an amount not to exceed \$10,000,000.

TITLE III—GENERAL PROVISIONS

114 STAT. 987

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

Contracts.
Public
information.

* * * * *

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

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

SEC. 305. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal

cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

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

* * * * *

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

SEC. 309. None of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps program, unless the relevant agencies of the Department of the Interior and/or Agriculture follow appropriate reprogramming guidelines: *Provided*, That if no funds are provided for the AmeriCorps program by the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001, then none of the funds appropriated or otherwise made available by this Act may be used for the AmeriCorps programs.

114 STAT. 988

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

SEC. 311. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

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

(c) REPORT.—On September 30, 2001, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104-208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected

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114 STAT. 988

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

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SEC. 314. None of the funds collected under the Recreational Fee Demonstration program may be used to plan, design, or construct a visitor center or any other permanent structure without prior approval of the House and the Senate Committees on Appropriations if the estimated total cost of the facility exceeds \$500,000. 114 STAT. 989

SEC. 315. All interests created under leases, concessions, permits and other agreements associated with the properties administered by the Presidio Trust, hereafter shall be exempt from all taxes and special assessments of every kind by the State of California and its political subdivisions. 16 USC 460bb note.

SEC. 316. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance. 16 USC 459j-4 note.

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SEC. 322. None of the funds in this Act may be used to support Government-wide administrative functions unless such functions are justified in the budget process and funding is approved by the House and Senate Committees on Appropriations. 114 STAT. 994

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SEC. 324. None of the funds in this Act may be used for planning, design or construction of improvements to Pennsylvania Avenue in front of the White House without the advance approval of the House and Senate Committees on Appropriations.

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SEC. 326. None of the funds provided in this or previous appropriations Acts for the agencies funded by this Act or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be transferred to and used to fund personnel, training, or other administrative activities of the Council on Environmental Quality or other offices in the Executive Office of the President for purposes related to the American Heritage Rivers program. 114 STAT. 995

SEC. 327. Other than in emergency situations, none of the funds in this Act may be used to operate telephone answering machines during core business hours unless such answering machines include an option that enables callers to reach promptly an individual on-duty with the agency being contacted.

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114 STAT. 996

PUBLIC LAW 106-291—OCT. 11, 2000

SEC. 329. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol which was adopted on December 11, 1997, in Kyoto, Japan at the Third Conference of the Parties to the United Nations Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

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114 STAT. 997

SEC. 336. In section 315(f) of title III of section 101(c) of Public Law 104-134 (16 U.S.C. 4601-6a note), as amended, strike "September 30, 2001" and insert "September 30, 2002", and strike "September 30, 2004" and insert "September 30, 2005".

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114 STAT. 998

SEC. 339. Any regulations or policies promulgated or adopted by the Departments of Agriculture or the Interior regarding recovery of costs for processing authorizations to occupy and use Federal lands under their control shall adhere to and incorporate the following principle arising from Office of Management and Budget Circular, A-25; no charge should be made for a service when the identification of the specific beneficiary is obscure, and the service can be considered primarily as benefiting broadly the general public.

SEC. 340. None of the funds made available in this Act may be used by the Secretary of the Interior or the Secretary of Agriculture to implement a final rule for estimating fair market value land use rental fees for fiberoptic communications rights-of-way on Federal lands that amends or replaces the linear right-of-way rental fee schedule published on July 8, 1987 (43 CFR 2803.1-2(c)(1)(I)). In determining rental fees for fiberoptic rights-of-way, the Secretaries shall use the rates contained in the linear right-of-way rental fee schedules in place on May 1, 2000.

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SEC. 345. BACKCOUNTRY LANDING STRIP ACCESS. (a) IN GENERAL.—Funds made available by this Act shall not be used to permanently close aircraft landing strips, officially recognized by State or Federal aviation officials, without public notice, consultation with cognizant State and Federal aviation officials and the consent of the Federal Aviation Administration.

(b) AIRCRAFT LANDING STRIPS.—An aircraft landing strip referred to in subsection (a) is a landing strip on Federal land administered by the Secretary of the Interior or the Secretary of Agriculture that is commonly known, and is consistently used for aircraft landing and departure activities.

114 STAT. 999

(c) PERMANENT CLOSURE.—For the purposes of subsection (a), an aircraft landing strip shall be considered to be closed permanently if the intended duration of the closure is more than 180 days in any calendar year.

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PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 1006

TITLE IV—WILDLAND FIRE EMERGENCY APPROPRIATIONS

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire suppression operations, burned areas rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, \$353,740,000 to remain available until expended, of which \$21,829,000 is for hazardous fuels reduction, \$120,300,000 is for removal of hazardous fuels to alleviate immediate emergency threats to urban wildland interface areas as defined by the Secretary of Interior, \$116,611,000 is for wildfire suppression, \$85,000,000 is for burned areas rehabilitation, and \$10,000,000 is for rural fire assistance: *Provided*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships, or small or disadvantaged businesses: *Provided further*, That funds in this account are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That unobligated balances of amounts previously appropriated to the “Fire Protection” and “Emergency Department of the Interior Firefighting Fund” may be transferred and merged with this appropriation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., Protection of United States Property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That the entire amount appropriated is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That this amount shall be made available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

114 STAT. 1007

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

For an additional amount to cover necessary expenses for emergency rehabilitation, hazard reduction activities in the urban-wildland interface, support to federal emergency response, repaying firefighting funds borrowed from programs, and wildfire suppression activities of the Forest Service, \$619,274,000, to remain available until expended, of which \$179,000,000 is for wildfire suppression, \$120,000,000 is for removal of hazardous fuels to alleviate immediate emergency threats to urban wildland interface areas as defined by the Secretary of Agriculture, \$142,000,000 is for emergency rehabilitation, \$44,000,000 is for capital improvement and maintenance of fire facilities, \$16,000,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), \$50,494,000 is for state fire assistance, \$8,280,000 is for volunteer fire assistance, \$12,000,000 is for forest health activities on state, private, and federal lands, \$12,500,000 is for economic action programs, and \$35,000,000 is for assistance to non-federal entities most affected by fire using all existing authorities under the State and Private Forestry appropriation; and of which \$320,274,000 may be transferred to the "State and Private Forestry", "National Forest System", "Forest and Rangeland Research", and "Capital Improvement and Maintenance" accounts to fund state fire assistance, volunteer fire assistance, and forest health management, vegetation and watershed management, heritage site rehabilitation, wildlife and fish habitat management, trails and facilities maintenance and restoration: *Provided*, That transfers of any amounts in excess of those authorized in this title, shall require approval of the House and Senate Committees on Appropriations in compliance with reprogramming procedures contained in House Report No. 105-163: *Provided further*, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or disadvantaged businesses: *Provided further*, That the entire amount appropriated is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That this amount shall be made available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as

PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 1009

an emergency requirement as defined by such Act, is transmitted by the President to the Congress: *Provided further*, That:

(1) In expending the funds provided with respect to this title for hazardous fuels reduction, the Secretary of the Interior and the Secretary of Agriculture may conduct fuel reduction treatments on Federal lands using all contracting and hiring authorities available to the Secretaries applicable to hazardous fuel reduction activities under the wildland fire management accounts. Notwithstanding Federal government procurement and contracting laws, the Secretaries may conduct fuel reduction treatments on Federal lands using grants and cooperative agreements. Notwithstanding Federal government procurement and contracting laws, in order to provide employment and training opportunities to people in rural communities, the Secretaries may award contracts, including contracts for monitoring activities, to—

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

(B) Youth Conservation Corps crews or related partnerships, with State, local and non-profit youth groups;

(C) small or micro-businesses; or

(D) other entities that will hire or train a significant percentage of local people to complete such contracts. The authorities described above relating to contracts, grants, and cooperative agreements are available until all funds provided in this title for hazardous fuels reduction activities in the urban wildland interface are obligated.

(2) Within 60 days after enactment, the Secretary of Agriculture and the Secretary of the Interior shall, after consultation with State and local fire-fighting agencies, jointly publish in the Federal Register a list of all urban wildland interface communities, as defined by the Secretaries, within the vicinity of Federal lands that are at high risk from wildfire, as defined by the Secretaries. This list shall include:

(A) an identification of communities around which hazardous fuel reduction treatments are ongoing; and

(B) an identification of communities around which the Secretaries are preparing to begin treatments in fiscal year 2001.

(3) Prior to May 1, 2001, the Secretary of Agriculture and the Secretary of the Interior shall jointly publish in the Federal Register a list of all urban wildland interface communities, as defined by the Secretaries, within the vicinity of Federal lands and at high risk from wildfire that are included in the list published pursuant to paragraph (2) but that are not included in subparagraphs (A) and (B) of paragraph (2), along with an identification of reasons, including but not limited to lack of available funds, why there are no treatments ongoing or being prepared for these communities.

(4) Within 30 days after enactment of this Act, the Secretary of Agriculture shall publish in the Federal Register the Forest Service's Cohesive Strategy for Protecting People and Sustaining Resources in Fire-Adapted Ecosystems. The documentation required by section 102(2)(C) of the National Environmental Policy Act accompanying the proposed regulations revising the National Forest System transportation policy; proposed roadless area protection regulation; and proposed

Federal Register,
publication.

Federal Register,
publication.

Federal Register,
publication.

Interior Columbia Basin Project; and the Sierra Nevada Framework/Sierra Nevada Forest Plan shall contain an analysis and explanation of any differences between the Cohesive Strategy and the policies and rule-making listed in this paragraph. Nothing in this title is intended or should require a delay in the rule-makings listed in this paragraph.

(5)(A) Funds provided to the Secretary of Agriculture by this title and to the Secretary of the Interior, the Secretary of Commerce, and the Council on Environmental Quality by this Act and any other applicable act appropriating funds for fiscal year 2001 shall be used as necessary to establish and implement the expedited procedures set forth in this paragraph for decisions to conduct hazardous fuel reduction treatments pursuant to paragraphs (1) and (2), and any post-burn treatments within the perimeters of areas burned by wildfire, on federal lands.

(B) The Secretary of Agriculture, the Secretary of the Interior, the Secretary of Commerce, and the Chairman of the Council on Environmental Quality shall use such funds specified in subparagraph (A) as necessary to evaluate the need for revised or expedited environmental compliance procedures including expedited procedures for the preparation of documentation required by section 102(2) of the National Environmental Policy Act (42 U.S.C. 4332(2)) for treatment decisions referred to in subparagraph (A). The Secretary of Agriculture, the Secretary of the Interior, the Chairman of the Council on Environmental Quality shall report to the relevant congressional committee of jurisdiction within 60 days of enactment of this Act to apprise the Congress of the decision to develop any expedited procedures or adopt or recommend any other measures. Each Secretary may employ any expedited procedures developed pursuant to this subsection for a treatment decision when the Secretary determines the procedures to be appropriate for the decision. These procedures shall ensure that the period of preparation for environmental documentation be expedited to the maximum extent practicable. Each Secretary and the Council shall effect any modifications to existing regulations and guidance as may be necessary to provide for the expedited procedures within 180 days of the date of enactment of this Act.

(C) With the funds specified in subparagraph (A), the Secretary, as defined in section 3(15) of the Endangered Species Act of 1973 (16 U.S.C. 1532(15)), may accord priority as appropriate to consultation or conferencing under section 7 of such Act (16 U.S.C. 1536) concerning any treatment decision referred to in subparagraph (A) for which consultation or conferencing is required.

(D) With the funds specified in subparagraph (A), administrative review of any treatment decision referred to in subparagraph (A) shall be conducted as expeditiously as possible but under no circumstances shall exceed any statutory deadline applicable to such review.

(E) No provision in this title shall be construed to override any existing environmental law.

Reports.

PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 1011

TITLE V—EMERGENCY SUPPLEMENTAL APPROPRIATIONS

DEPARTMENT OF THE INTERIOR

* * * * *

NATIONAL PARK SERVICE

114 STAT. 1012

CONSTRUCTION

For an additional amount for “Construction”, \$5,300,000, to remain available until expended, to repair or replace visitor facilities, equipment, roads and trails, and cultural sites and artifacts at national park units damaged by natural disasters: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

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RELATED AGENCY

114 STAT. 1013

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

STATE AND PRIVATE FORESTRY

For an additional amount for the Forest Service, notwithstanding any other provision of law, \$9,294,000 for the Alaska Railroad for—

(1) safety related track repair, damage, and control costs from avalanches, hurricane force winds, and severe winter storms; and

(2) oil spill clean-up, recovery, and remediation arising out of the related train derailments,

during the period of winter blizzards beginning December 21, 1999 for which the President declared a disaster on February 17, 2000 pursuant to the Stafford Act, as amended, (FEMA DR-1316-AK) as a direct lump sum payment and an additional \$2,000,000 for an avalanche prevention program in the Chugach National Forest, Kenai National Park, Kenai National Wildlife Refuge and nearby public lands to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

* * * * *

TITLE VIII—LAND CONSERVATION, PRESERVATION AND INFRASTRUCTURE IMPROVEMENT

114 STAT. 1025

For activities authorized by law for the acquisition, conservation, and maintenance of Federal and non-Federal lands and resources, and for Payments in Lieu of Taxes, in addition to the amounts provided under previous titles of this Act, \$686,000,000, to remain available until expended, of which \$179,000,000 is for the acquisition of lands or interests in lands; and of which \$50,000,000 is for “National Park Service, Land Acquisition and State Assistance” for the state assistance program; and of which \$20,000,000 is for “Forest Service, National Forest System” for inventory and monitoring activities and planning; and of which \$78,000,000 is for “United States Fish and Wildlife Service, Cooperative Endangered Species Fund”; and of which \$20,000,000

114 STAT. 1025

PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 1026

is for “United States Fish and Wildlife Service, North American Wetlands Conservation Fund”; and of which \$20,000,000 is for “United States Geological Survey, Surveys, Investigations, and Research” for science and cooperative programs; and of which \$30,000,000 is for “Forest Service, State and Private Forestry” for the Forest Legacy program; and of which \$50,000,000 is for “United States Fish and Wildlife Service, State Wildlife Grants”; and of which \$20,000,000 is for “National Park Service, Urban Park and Recreation Fund”; and of which \$15,000,000 is for “National Park Service, Historic Preservation Fund” for grants to states and Indian tribes; and of which \$4,000,000 is for “Forest Service, State and Private Forestry” for urban and community forestry programs; and of which \$50,000,000 is for “Bureau of Land Management, Payments in Lieu of Taxes”; and of which \$150,000,000 is for “Federal Infrastructure Improvement” for the deferred maintenance needs of the Federal land management agencies: *Provided*, That of the funds provided under this heading for the acquisition of lands or interests in lands, \$130,000,000 shall be available to the Department of the Interior and \$49,000,000 shall be available to the Department of Agriculture, Forest Service: *Provided further*, That none of the funds provided under this heading for the acquisition of lands or interests in lands shall be available until the House Committee on Appropriations and the Senate Committee on Appropriations provide to the Secretaries, in writing, a list of specific acquisitions to be undertaken with such funds: *Provided further*, That of the funds provided under this heading for “Federal Infrastructure Improvement” for the deferred maintenance needs of the Federal land management agencies, \$25,000,000 shall be for the Bureau of Land Management, \$25,000,000 shall be for the United States Fish and Wildlife Service, \$50,000,000 shall be for the National Park Service and \$50,000,000 shall be for the Forest Service.

SEC. 801. (a) CATEGORIES.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(c)) is amended—

(1) in paragraph (6), by—

(A) in subparagraph (B), by striking “and” after the semicolon;

(B) in subparagraph (C), by inserting “and” after the semicolon; and

(C) adding at the end the following:

“(D) for the conservation spending category: \$1,760,000,000, in new budget authority and \$1,232,000,000 in outlays;”;

(2) in paragraph (7), by—

(A) in subparagraph (A), by striking “and” after the semicolon;

(B) in subparagraph (B), by striking the period and inserting “; and”; and

(C) adding at the end the following:

“(C) for the conservation spending category: \$1,920,000,000, in new budget authority and \$1,872,000,000 in outlays;”;

(3) by inserting after paragraph (7) the following:

“(8) with respect to fiscal year 2004 for the conservation spending category: \$2,080,000,000, in new budget authority and \$2,032,000,000 in outlays;

PUBLIC LAW 106-291—OCT. 11, 2000

114 STAT. 1026

“(9) with respect to fiscal year 2005 for the conservation spending category: \$2,240,000,000, in new budget authority and \$2,192,000,000 in outlays;

“(10) with respect to fiscal year 2006 for the conservation spending category: \$2,400,000,000, in new budget authority and \$2,352,000,000 in outlays;

“(11) with respect to each fiscal year 2002 through 2006 for the Federal and State Land and Water Conservation Fund sub-category of the conservation spending category: \$540,000,000 in new budget authority and the outlays flowing therefrom;

“(12) with respect to each fiscal year 2002 through 2006 for the State and Other Conservation sub-category of the conservation spending category: \$300,000,000 in new budget authority and the outlays flowing therefrom;

“(13) with respect to each fiscal year 2002 through 2006 for the Urban and Historic Preservation sub-category of the conservation spending category: \$160,000,000 in new budget authority and the outlays flowing therefrom;

114 STAT. 1027

“(14) with respect to each fiscal year 2002 through 2006 for the Payments in Lieu of Taxes sub-category of the conservation spending category: \$50,000,000 in new budget authority and the outlays flowing therefrom;

“(15) with respect to each fiscal year 2002 through 2006 for the Federal Deferred Maintenance sub-category of the conservation spending category: \$150,000,000 in new budget authority and the outlays flowing therefrom;

“(16) with respect to fiscal year 2002 for the Coastal Assistance sub-category of the conservation spending category: \$440,000,000 in new budget authority and the outlays flowing therefrom; with respect to fiscal year 2003 for the Coastal Assistance sub-category of the conservation spending category: \$480,000,000 in new budget authority and the outlays flowing therefrom; with respect to fiscal year 2004 for the Coastal Assistance sub-category of the conservation spending category: \$520,000,000 in new budget authority and the outlays flowing therefrom; with respect to fiscal year 2005 for the Coastal Assistance sub-category of the conservation spending category: \$560,000,000 in new budget authority and the outlays flowing therefrom; and with respect to fiscal year 2006 for the Coastal Assistance sub-category of the conservation spending category: \$600,000,000 in new budget authority and the outlays flowing therefrom;”.

(b) ADDITION TO DISCRETIONARY SPENDING LIMITS.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at the end the following:

“(H) CONSERVATION SPENDING.—(i) If a bill or resolution making appropriations for any fiscal year appropriates an amount for the conservation spending category that is less than the limit for the conservation spending category as specified in subsection (c), then the adjustment for new budget authority and outlays for the following fiscal year for that category shall be the amount of new budget authority and outlays that equals the difference between the amount appropriated and the amount of that category specified in subsection (c).

114 STAT. 1027

PUBLIC LAW 106-291—OCT. 11, 2000

“(ii) If a bill or resolution making appropriations for any fiscal year appropriates an amount for any conservation spending sub-category that is less than the limit for that conservation spending sub-category as specified in subsections (c)(11)–(c)(16), then the adjustment for new budget authority for the following fiscal year for that sub-category shall be the amount of new budget authority that equals the difference between the amount appropriated and the amount of that sub-category specified in subsection (c)(11)–(c)(16).

“(iii) The total amount provided for any conservation activity within the conservation spending category may not exceed any authorized ceiling for that activity.”

114 STAT. 1028

(c) CATEGORIES DEFINED.—Section 250(c)(4) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(4)) is amended by adding at the end the following:

“(E) The term ‘conservation spending category’ means discretionary appropriations for conservation activities in the following budget accounts or portions thereof providing appropriations to preserve and protect lands, habitat, wildlife, and other natural resources, to provide recreational opportunities, and for related purposes:

“(i) 14-5033 Bureau of Land Management Land Acquisition.

“(ii) 14-5020 Fish and Wildlife Service Land Acquisition.

“(iii) 14-5035 National Park Service Land Acquisition and State Assistance.

“(iv) 12-9923 Forest Service Land Acquisition.

“(v) 14-5143 Fish and Wildlife Service Cooperative Endangered Species Conservation Fund.

“(vi) 14-5241 Fish and Wildlife Service North American Wetlands Conservation Fund.

“(vii) 14-1694 Fish and Wildlife Service State Wildlife Grants.

“(viii) 14-0804 United States Geological Survey Surveys, Investigations, and Research, the State Planning Partnership programs: Community/Federal Information Partnership, Urban Dynamics, and Decision Support for Resource Management.

“(ix) 12-1105 Forest Service State and Private Forestry, the Forest Legacy Program, Urban and Community Forestry, and Smart Growth Partnerships.

“(x) 14-1031 National Park Service Urban Park and Recreation Recovery program.

“(xi) 14-5140 National Park Service Historic Preservation Fund.

“(xii) Youth Conservation Corps.

“(xiii) 14-1114 Bureau of Land Management Payments in Lieu of Taxes.

“(xiv) Federal Infrastructure Improvement (as established in title VIII of the Department of the Interior and Related Agencies Appropriations Act, 2001).

“(xv) 13-1460 NOAA Procurement Acquisition and Construction, the National Marine Sanctuaries and the National Estuarine Research Reserve Systems.

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“(xvi) 13-1450 NOAA Operations, Research, and Facilities, the Coastal Zone Management Act programs, the National Marine Sanctuaries, the National Estuarine Research Reserve Systems, and Coral Restoration programs.

“(xvii) 13-1451 NOAA Pacific Coastal Salmon Recovery.

“(F) The term ‘Federal and State Land and Water Conservation Fund sub-category’ means discretionary appropriations for activities in the accounts described in (E)(i)–(E)(iv) or portions thereof.

“(G) The term ‘State and Other Conservation sub-category’ means discretionary appropriations for activities in the accounts described in (E)(v)–(E)(ix), with the exception of Urban and Community Forestry as described in (E)(ix), or portions thereof.

114 STAT. 1029

“(H) The term ‘Urban and Historic Preservation sub-category’ means discretionary appropriations for activities in the accounts described in (E)(ix)–(E)(xii), with the exception of Forest Legacy and Smart Growth Partnerships as described in (E)(ix), or portions thereof.

“(I) The term ‘Payments in Lieu of Taxes sub-category’ means discretionary appropriations for activities in the account described in (E)(xiii) or portions thereof.

“(J) The term ‘Federal Deferred Maintenance sub-category’ means discretionary appropriations for activities in the account described in (E)(xiv) or portions thereof.

“(K) The term ‘Coastal Assistance sub-category’ means discretionary appropriations for activities in the accounts described in (E)(xv)–(E)(xvii) or portions thereof.”.

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This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2001”.

Approved October 11, 2000.

LEGISLATIVE HISTORY—H.R. 4578:

HOUSE REPORTS: No. 106-646 (Comm. on Appropriations) and No. 106-914 (Comm. of Conference).

SENATE REPORTS: No. 106-312 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 13-15, considered and passed House.

July 10, 12, 17, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report.

Oct. 3-5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 11, Presidential statement and remarks.



8. Department of the Interior Appropriations for FY 2002

115 STAT. 414

PUBLIC LAW 107-63—NOV. 5, 2001

Public Law 107-63
107th Congress

An Act

Nov. 5, 2001
[H.R. 2217]

Making appropriations for the Department of the Interior and related agencies
for the fiscal year ending September 30, 2002, and for other purposes.

Department of
the Interior and
Related Agencies
Appropriations
Act, 2002.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,* That the
following sums are appropriated, out of any money in the Treasury
not otherwise appropriated, for the Department of the Interior
and related agencies for the fiscal year ending September 30, 2002,
and for other purposes, namely:

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

* * * * *

115 STAT. 415

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire preparedness, suppression operations, fire science and research, emergency rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, \$624,421,000, to remain available until expended, of which not to exceed \$19,774,000 shall be for the renovation or construction of fire facilities: *Provided*, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: *Provided further*, That unobligated balances of amounts previously appropriated to the “Fire Protection” and “Emergency Department of the Interior Firefighting Fund” may be transferred and merged with this appropriation: *Provided further*, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: *Provided further*, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further*, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further*, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts

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under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships, or small or disadvantaged businesses: *Provided further*, That funds appropriated under this head may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act in connection with wildland fire management activities.

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For an additional amount to cover necessary expenses for burned areas rehabilitation and fire suppression by the Department of the Interior, \$54,000,000, to remain available until expended, of which \$34,000,000 is for wildfire suppression and \$20,000,000 is for burned areas rehabilitation: *Provided*, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That \$54,000,000 shall be available only to the extent an official budget request, that includes designation of the \$54,000,000 as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

* * * * *

NATIONAL PARK SERVICE

115 STAT. 423

OPERATION OF THE NATIONAL PARK SYSTEM

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service (including special road maintenance service to trucking permittees on a reimbursable basis), and for the general administration of the National Park Service, \$1,476,977,000, of which \$10,869,000 for research, planning and interagency coordination in support of land acquisition for Everglades restoration shall remain available until expended; and of which \$72,640,000, to remain available until September 30, 2003, is for maintenance repair or rehabilitation projects for constructed assets, operation of the National Park Service automated facility management software system, and comprehensive facility condition assessments; and of which \$2,000,000 is for the Youth Conservation Corps, defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act, for high priority projects: *Provided*, That the only funds in this account which may be made available to support United States Park Police are those funds approved for emergency law and order incidents pursuant to established National Park Service procedures, those funds needed to maintain and repair United States Park Police administrative facilities, and those funds necessary to reimburse the United States Park Police account for the unbudgeted overtime and travel costs associated with special events for an amount not to exceed \$10,000 per event subject

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to the review and concurrence of the Washington headquarters office: *Provided further*, That none of the funds in this or any other Act may be used to fund a new Associate Director position for Partnerships.

UNITED STATES PARK POLICE

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

CONTRIBUTION FOR ANNUITY BENEFITS

16 USC 14e.

For reimbursement (not heretofore made), pursuant to provisions of Public Law 85-157, to the District of Columbia on a monthly basis for benefit payments by the District of Columbia to United States Park Police annuitants under the provisions of the Policeman and Fireman's Retirement and Disability Act (Act), to the extent those payments exceed contributions made by active Park Police members covered under the Act, such amounts as hereafter may be necessary: *Provided*, That hereafter the appropriations made to the National Park Service shall not be available for this purpose.

NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, \$66,159,000, of which \$500,000 are for grants pursuant to the National Underground Railroad Network to Freedom Act of 1988 (16 U.S.C. 469l, as amended).

URBAN PARK AND RECREATION FUND

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

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the Historic Preservation Act of 1966, as amended (16 U.S.C. 470), and the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333), \$74,500,000, to be derived from the Historic Preservation Fund, to remain available until September 30, 2003, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That, of the amount provided herein, \$2,500,000, to remain available until expended, is for a grant for the perpetual care and maintenance of National Trust Historic Sites, as authorized under 16 U.S.C. 470a(e)(2), to be made available in full upon signing of a grant agreement: *Provided further*, That, notwithstanding any other provision of law, these funds shall be available for investment with the proceeds to be used for the same purpose as set out

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herein: *Provided further*, That of the total amount provided, \$30,000,000 shall be for Save America's Treasures for priority preservation projects, including preservation of intellectual and cultural artifacts, preservation of historic structures and sites, and buildings to house cultural and historic resources and to provide educational opportunities: *Provided further*, That any individual Save America's Treasures grant shall be matched by non-Federal funds: *Provided further*, That individual projects shall only be eligible for one grant, and all projects to be funded shall be approved by the House and Senate Committees on Appropriations prior to the commitment of grant funds: *Provided further*, That Save America's Treasures funds allocated for Federal projects shall be available by transfer to appropriate accounts of individual agencies, after approval of such projects by the Secretary of the Interior: *Provided further*, That none of the funds provided for Save America's Treasures may be used for administrative expenses, and staffing for the program shall be available from the existing staffing levels in the National Park Service.

CONSTRUCTION

For construction, improvements, repair or replacement of physical facilities, including the modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989, \$366,044,000, to remain available until expended, of which \$66,851,000 is for conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the purposes of such Act: *Provided*, That of the amount provided for Cuyahoga National Park, \$200,000 may be used for the Cuyahoga Valley Scenic Railroad platform and station in Canton, Ohio.

LAND AND WATER CONSERVATION FUND

(RESCISSION)

The contract authority provided for fiscal year 2002 by 16 U.S.C. 4601-10a is rescinded.

16 USC 4601-10a
note.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 4601-4 through 11), including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, \$274,117,000, to be derived from the Land and Water Conservation Fund, to remain available until expended, and to be for the conservation activities defined in section 250(c)(4)(E) of the Balanced Budget and Emergency Deficit Control of 1985, as amended, for the purposes of such Act, of which \$144,000,000 is for the State assistance program including \$4,000,000 to administer the State assistance program, and of which \$11,000,000 shall be for grants, not covering more than 50 percent of the total cost of any acquisition to be made with such funds, to States and local communities for purposes of acquiring lands or interests in lands to preserve and protect Civil War battlefield sites identified in the July 1993 Report on the Nation's Civil War Battlefields prepared by the Civil War Sites Advisory Commission: *Provided*, That lands or interests in land

115 STAT. 426

acquired with Civil War battlefield grants shall be subject to the requirements of paragraph 6(f)(3) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601-8(f)(3)): *Provided further*, That of the amounts provided under this heading, \$15,000,000 may be for Federal grants to the State of Florida for the acquisition of lands or waters, or interests therein, within the Everglades watershed (consisting of lands and waters within the boundaries of the South Florida Water Management District, Florida Bay and the Florida Keys, including the areas known as the Frog Pond, the Rocky Glades and the Eight and One-Half Square Mile Area) under terms and conditions deemed necessary by the Secretary to improve and restore the hydrological function of the Everglades watershed; and \$16,000,000 may be for project modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act: *Provided further*, That funds provided under this heading for assistance to the State of Florida to acquire lands within the Everglades watershed are contingent upon new matching non-Federal funds by the State and shall be subject to an agreement that the lands to be acquired will be managed in perpetuity for the restoration of the Everglades: *Provided further*, That none of the funds provided for the State Assistance program may be used to establish a contingency fund.

ADMINISTRATIVE PROVISIONS

Reports.

Appropriations for the National Park Service shall be available for the purchase of not to exceed 315 passenger motor vehicles, of which 256 shall be for replacement only, including not to exceed 237 for police-type use, 11 buses, and 8 ambulances: *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided further*, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project.

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

Notwithstanding any other provision of law, the National Park Service may convey a leasehold or freehold interest in Cuyahoga NP to allow for the development of utilities and parking needed to support the historic Everett Church in the village of Everett, Ohio.

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GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft, buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: *Provided*, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible.

SEC. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on lands under the jurisdiction of the Secretary, pursuant to the authority in section 1773(b) of Public Law 99-198 (99 Stat. 1658); for emergency reclamation projects under section 410 of Public Law 95-87; and shall transfer, from any no year funds available to the Office of Surface Mining Reclamation and Enforcement, such funds as may be necessary to permit assumption of regulatory authority in the event a primacy State is not carrying out the regulatory provisions of the Surface Mining Act: *Provided*, That appropriations made in this title for wildland fire operations shall be available for the payment of obligations incurred during the preceding fiscal year, and for reimbursement to other Federal agencies for destruction of vehicles, aircraft, or other equipment in connection with their use for wildland fire operations, such reimbursement to be credited to appropriations currently available at the time of receipt thereof: *Provided further*, That for wildland fire operations, no funds shall be made available under this authority until the Secretary determines that funds appropriated for “wildland fire operations” shall be exhausted within 30 days: *Provided further*, That all funds used pursuant to this section are hereby designated by Congress to be “emergency requirements” pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, and must be replenished by a supplemental appropriation which must be requested as promptly as possible: *Provided further*, That such replenishment funds shall be used to reimburse, on a pro rata basis, accounts from which emergency funds were transferred.

115 STAT. 437

SEC. 103. Appropriations made in this title shall be available for operation of warehouses, garages, shops, and similar facilities, wherever consolidation of activities will contribute to efficiency or

economy, and said appropriations shall be reimbursed for services rendered to any other activity in the same manner as authorized by sections 1535 and 1536 of title 31, United States Code: *Provided*, That reimbursements for costs and supplies, materials, equipment, and for services rendered may be credited to the appropriation current at the time such reimbursements are received.

SEC. 104. Appropriations made to the Department of the Interior in this title shall be available for services as authorized by 5 U.S.C. 3109, when authorized by the Secretary, in total amount not to exceed \$500,000; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members.

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

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

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SEC. 112. Notwithstanding any other provisions of law, the National Park Service shall not develop or implement a reduced entrance fee program to accommodate non-local travel through a unit. The Secretary may provide for and regulate local non-recreational passage through units of the National Park System, allowing each unit to develop guidelines and permits for such activity appropriate to that unit.

* * * * *

SEC. 114. A grazing permit or lease that expires (or is transferred) during fiscal year 2002 shall be renewed under section 402 of the Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1752) or if applicable, section 510 of the California Desert Protection Act (16 U.S.C. 410aaa-50). The terms and conditions contained in the expiring permit or lease shall continue in effect under the new permit or lease until such time as the Secretary of the Interior completes processing of such permit or lease in compliance with all applicable laws and regulations, at which time such permit or lease may be canceled, suspended or modified, in whole or in part, to meet the requirements of such applicable laws and regulations. Nothing in this section shall be deemed to alter the Secretary's statutory authority: *Provided*, That any Federal lands included within the boundary of Lake Roosevelt National Recreation Area, as designated by the Secretary of the Interior on April 5, 1990, (Lake Roosevelt Cooperative Management Agreement) that were utilized as of March 31, 1997, for grazing purposes pursuant to a permit issued by the National Park Service, the person or persons so utilizing such lands as of March 31, 1997, shall be entitled to renew said permit under

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such terms and conditions as the Secretary may prescribe, for the lifetime of the permittee or 20 years, whichever is less.

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

SEC. 121. Notwithstanding any other provision of law, in conveying the Twin Cities Research Center under the authority provided by Public Law 104-134, as amended by Public Law 104-208, the Secretary may accept and retain land and other forms of reimbursement: *Provided*, That the Secretary may retain and use any such reimbursement until expended and without further appropriation: (1) for the benefit of the National Wildlife Refuge System within the State of Minnesota; and (2) for all activities authorized by Public Law 100-696; 16 U.S.C. 460zz.

115 STAT. 440

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

SEC. 123. Notwithstanding other provisions of law, the National Park Service may authorize, through cooperative agreement, the Golden Gate National Parks Association to provide fee-based education, interpretive and visitor service functions within the Crissy Field and Fort Point areas of the Presidio.

* * * * *

SEC. 130. From within funds available to the National Park Service, such sums as may be necessary shall be used for expenses necessary to complete and issue, no later than January 1, 2004, an Environmental Impact Statement (EIS) to identify and analyze the possible effects of the 1996 increases in the number of vessel entries issued for Glacier Bay National Park and Preserve: *Provided*, That such EIS, upon its completion, shall be used by the Secretary to set the maximum level of vessel entries: *Provided further*, That until the Secretary sets the level of vessel entries based on the new EIS, the number of vessel entries into the Park shall be the same as that in effect during the 2000 calendar year and the National Park Service approval of modified Alternative 5 and promulgation of the final rule issued on May 30, 1996, relating to vessel entries, including the number of such entries, for Glacier Bay National Park and Preserve are hereby approved and shall be in effect notwithstanding any other provision of law until the Secretary sets the maximum level of vessel entries consistent with this section: *Provided further*, That nothing in this section shall preclude the Secretary from suspending or revoking any vessel entry if the Secretary determines that it is necessary to protect Park resources.

115 STAT. 442
Deadline.
16 USC 410hh-2
note.

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SEC. 132. Funds provided in this Act for Federal land acquisition by the National Park Service for Brandywine Battlefield, Mississippi National River and Recreation Area, Shenandoah Valley Battlefields National Historic District, and Ice Age National Scenic Trail may be used for a grant to a State, a local government,

115 STAT. 442

PUBLIC LAW 107-63—NOV. 5, 2001

or any other governmental land management entity for the acquisition of lands without regard to any restriction on the use of Federal land acquisition funds provided through the Land and Water Conservation Fund Act of 1965 as amended.

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115 STAT. 459

OTHER RELATED AGENCIES

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115 STAT. 464

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

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

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses, as authorized by the National Capital Planning Act of 1952 (40 U.S.C. 71-71i), including services as authorized by 5 U.S.C. 3109, \$7,253,000: *Provided*, That all appointed members of the Commission will be compensated at a rate not to exceed the daily equivalent of the annual rate of pay for positions at level IV of the Executive Schedule for each day such member is engaged in the actual performance of duties.

* * * * *

PRESIDIO TRUST

PRESIDIO TRUST FUND

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

TITLE III—GENERAL PROVISIONS

Contracts.
Public
information.

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

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

115 STAT. 465

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

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115 STAT. 465

SEC. 304. None of the funds provided in this Act to any department or agency shall be obligated or expended to provide a personal cook, chauffeur, or other personal servants to any officer or employee of such department or agency except as otherwise provided by law.

SEC. 305. No assessments may be levied against any program, budget activity, subactivity, or project funded by this Act unless advance notice of such assessments and the basis therefor are presented to the Committees on Appropriations and are approved by such committees.

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

SEC. 308. None of the funds made available in this Act may be used: (1) to demolish the bridge between Jersey City, New Jersey, and Ellis Island; or (2) to prevent pedestrian use of such bridge, when such pedestrian use is consistent with generally accepted safety standards.

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

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

(c) REPORT.—On September 30, 2002, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104-208).

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

115 STAT. 466

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115 STAT. 466

PUBLIC LAW 107-63—NOV. 5, 2001

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

(1) by striking “commence on October 1, 1995, and end on September 30, 2002” and inserting “end on September 30, 2004”; and

(2) by striking “September 30, 2005” and inserting “September 30, 2007”.

16 USC 4601-6a note.

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

16 USC 4601-6a note.

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

16 USC 4601-6a note.

(d) DISCOUNTED FEES.—Subsection (b)(2) of such section is amended by inserting after “testing” the following: “, including the provision of discounted or free admission or use as the Secretary considers appropriate”.

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

115 STAT. 467

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

16 USC 459j-4 note.

SEC. 313. None of the funds made available in this or any other Act for any fiscal year may be used to designate, or to post any sign designating, any portion of Canaveral National Seashore in Brevard County, Florida, as a clothing-optional area or as an area in which public nudity is permitted, if such designation would be contrary to county ordinance.

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115 STAT. 468

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

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

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115 STAT. 469

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

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PUBLIC LAW 107-63—NOV. 5, 2001

115 STAT. 471

SEC. 333. Any regulations or policies promulgated or adopted by the Departments of Agriculture or the Interior regarding recovery of costs for processing authorizations to occupy and use Federal lands under their control shall adhere to and incorporate the following principle arising from Office of Management and Budget Circular, A-25; no charge should be made for a service when the identification of the specific beneficiary is obscure, and the service can be considered primarily as benefiting broadly the general public.

* * * * *

This Act may be cited as the “Department of the Interior and Related Agencies Appropriations Act, 2002”. 115 STAT. 473

Approved November 5, 2001.

LEGISLATIVE HISTORY—H.R. 2217:

HOUSE REPORTS: No. 107-103 (Comm. on Appropriations) and 107-234 (Comm. of Conference).

SENATE REPORTS: No. 107-36 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 147 (2001):

June 21, considered and passed House.

July 11, 12, considered and passed Senate, amended.

Oct. 17, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

Nov. 5, Presidential statement.



9. District of Columbia Appropriations Act for FY 2002

115 STAT. 923

PUBLIC LAW 107-96—DEC. 21, 2001

Public Law 107-96
107th Congress

An Act

Dec. 21, 2001
[H.R. 2944]

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 2002, and for other purposes.

District of
Columbia
Appropriations
Act, 2002.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia for the fiscal year ending September 30, 2002, and for other purposes, namely:

FEDERAL FUNDS

* * * * *

115 STAT. 925

FEDERAL PAYMENTS FOR DISTRICT OF COLUMBIA AND FEDERAL LAW ENFORCEMENT MOBILE WIRELESS INTEROPERABILITY PROJECT

For Federal payments in support of the District of Columbia and the Federal law enforcement Mobile Wireless Interoperability Project, \$1,400,000, of which \$400,000 shall be for a payment to the District of Columbia Office of the Chief Technology Officer, \$333,334 shall be for a payment to the United States Secret Service, \$333,333 shall be for a payment to the United States Capitol Police, and \$333,333 shall be for a payment to the United States Park Police: *Provided*, That each agency shall participate in the preparation of a joint report to the Committees on Appropriations of the Senate and the House of Representatives to be submitted no later than March 30, 2002 on the allocation of these resources and a description of each agencies' resource commitment to this project for fiscal year 2003.

Reports.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For a Federal payment to the District of Columbia for emergency planning and security costs and to reimburse the District for certain security expenses related to the presence of the Federal Government in the District of Columbia, \$16,058,000: *Provided*, That \$12,652,000 shall be made available immediately to the District of Columbia Emergency Management Agency for planning, training, and personnel costs required for development and implementation of the emergency operations plan for the District of Columbia, to be submitted to the appropriate Federal agencies: *Provided further*, That a detailed report of actual and estimated expenses incurred shall be provided to the Committees on Appropriations of the Senate and the House of Representatives no later than June 15, 2002: *Provided further*, That \$3,406,000 of such amount shall be made available immediately for reimbursement of fiscal year 2001 expenses incurred by the District of Columbia for equipment purchased for providing security for the planned

Reports.
Deadline.

115 STAT. 926

PUBLIC LAW 107-96—DEC. 21, 2001

115 STAT. 926

meetings in September 2001 of the World Bank and the International Monetary Fund in the District of Columbia: *Provided further*, That the Mayor and the Chairman of the Council of the District of Columbia shall develop, in consultation with the Director of the Office of Personnel Management, the United States Secret Service, the United States Capitol Police, the United States Park Police, the Washington Metropolitan Area Transit Authority, regional transportation authorities, the Federal Emergency Management Agency, the Governor of the State of Maryland and the Governor of the Commonwealth of Virginia, the county executives of contiguous counties of the region and the respective State and local law enforcement entities in the region, an integrated emergency operations plan for the District of Columbia in cases of national security events, including terrorist threats, protests, or other unanticipated events: *Provided further*, That such plan shall include a response to attacks or threats of attacks using biological or chemical agents: *Provided further*, That the city shall submit this plan to the Committees on Appropriations of the Senate and the House of Representatives no later than January 2, 2002: *Provided further*, That the Chief Financial Officer of the District of Columbia shall provide quarterly reports to the Committees on Appropriations on the use of the funds under this heading, beginning not later than April 2, 2002.

Deadline.

Reports.

FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE
DISTRICT OF COLUMBIA

For a Federal payment to the Chief Financial Officer of the District of Columbia, \$8,300,000, of which \$2,250,000 shall be for payment for a pilot project to demonstrate the “Active Cap” river cleanup technology on the Anacostia River; \$500,000 shall be for payment to the Washington, D.C. Sports and Entertainment Commission which, in coordination with the U.S. Soccer Foundation, shall use the funds for environmental and infrastructure costs at Kenilworth Park in the creation of the Kenilworth Regional Sports Complex; \$600,000 shall be for payment to the One Economy Corporation, a non-profit organization, to increase Internet access to low-income homes in the District of Columbia; \$500,000 shall be for payment to the Langston Project for the 21st Century, a community revitalization project to improve physical education and training facilities; \$1,000,000 shall be for payment to the Green Door Program, for capital improvements at a community mental health clinic; \$500,000 shall be for payment to the Historical Society of Washington, for capital improvements to the new City Museum; \$200,000 for a payment to Teach for America DC, for teacher development; \$350,000 for payment to the District of Columbia Safe Kids Coalition, to promote child passenger safety through the Child Occupant Protection Initiative; \$50,000 for payment for renovations at Eastern Market; \$1,000,000 shall be for payment to the Excel Institute Adult Education Program to be used by the Institute for construction and to acquire construction services provided by the General Services Administration on a reimbursable basis; \$300,000 shall be for payment to the Woodlawn Cemetery for restoration of the Cemetery; \$250,000 shall be for payment to the Real World Schools concerning 21st Century reform models for secondary education and the use of technology to support learning in the District of Columbia; \$300,000 shall be for payment

115 STAT. 927

115 STAT. 927

PUBLIC LAW 107-96—DEC. 21, 2001

to a mentoring program and for hotline services; \$250,000 shall be for payment to a youth development program with a character building curriculum; and \$250,000 shall be for payment to a basic values training program.

* * * * *

115 STAT. 959

This Act may be cited as the “District of Columbia Appropriations Act, 2002”.

Approved December 21, 2001.

LEGISLATIVE HISTORY—H.R. 2944 (S. 1543):

HOUSE REPORTS: Nos. 107-216 (Comm. on Appropriations) and 107-321 (Comm. of Conference).

SENATE REPORTS: No. 107-85 accompanying S. 1543 (Comm. on Appropriations).
CONGRESSIONAL RECORD, Vol. 147 (2001):

Sept. 25, considered and passed House.

Nov. 6, 7, considered and passed Senate, amended.

Dec. 6, House agreed to conference report.

Dec. 7, Senate agreed to conference report.



**10. Emergency Supplemental Appropriations Act for
FY 1999**

PUBLIC LAW 106-31—MAY 21, 1999

113 STAT. 57

Public Law 106-31
106th Congress

An Act

Making emergency supplemental appropriations for the fiscal year ending September 30, 1999, and for other purposes.

May 21, 1999
[H.R. 1141]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1999, and for other purposes, namely:

1999 Emergency
Supplemental
Appropriations
Act.

TITLE I—EMERGENCY SUPPLEMENTAL APPROPRIATIONS

* * * * *

CHAPTER 5

113 STAT. 71

DEPARTMENT OF THE INTERIOR

* * * * *

GENERAL PROVISION, THIS CHAPTER

113 STAT. 72

SEC. 501. GLACIER BAY. (a) DUNGENESS CRAB FISHERMEN.— Section 123(b) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of division A of Public Law 105-277) is amended—

Alaska.

(1) in paragraph (1)—

16 USC 410hh-4
note.

(A) by striking “February 1, 1999” and inserting “August 1, 1999”; and

(B) by striking “1996” and inserting “1998”; and

(2)(A) by striking “of any Dungeness crab pots or other Dungeness crab gear, and of not more than one Dungeness crab fishing vessel,”; and

(B) by striking “the period January 1, 1999, through December 31, 2004, based on the individual’s net earnings from the Dungeness crab fishery during the period January 1, 1991, through December 31, 1996.” and inserting “for the period beginning January 1, 1999 that is equivalent in length to the period established by such individual under paragraph (1), based on the individual’s net earnings from the Dungeness crab fishery during such established period. In addition, such individual shall be eligible to receive from the United States fair market value for any Dungeness crab pots, related gear, and not more than one Dungeness crab fishing vessel if such individual chooses to relinquish to the United States such pots, related gear, or vessel.”.

113 STAT. 72

PUBLIC LAW 106-31—MAY 21, 1999

(b) OTHERS AFFECTED BY FISHERY CLOSURES AND RESTRICTIONS.—Section 123 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of division A of Public Law 105-277), as amended, is amended further by redesignating subsection (c) as subsection (d) and inserting immediately after subsection (b) the following new subsection:

113 STAT. 73

“(c) OTHERS AFFECTED BY FISHERY CLOSURES AND RESTRICTIONS.—The Secretary of the Interior is authorized to provide \$23,000,000 for a program developed with the concurrence of the State of Alaska to fairly compensate United States fish processors, fishing vessel crew members, communities, and others negatively affected by restrictions on fishing in Glacier Bay National Park. For the purpose of receiving compensation under the program required by this subsection, a potential recipient shall provide a sworn and notarized affidavit to establish the extent of such negative effect.”.

16 USC 410hh-4 note.

(c) IMPLEMENTATION.—Section 123 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of division A of Public Law 105-277), as amended, is amended further by inserting at the end the following new subsection:

Publication.

“(e) IMPLEMENTATION AND EFFECTIVE DATE.—The Secretary of the Interior shall publish an interim final rule for the Federal implementation of paragraphs (2) through (5) of subsection (a) and shall provide an opportunity for public comment of no less than 45 days on such interim final rule. The final rule for the Federal implementation of paragraphs (2) through (5) of subsection (a) shall be published in the Federal Register no later than September 30, 1999 and shall take effect on September 30, 1999, except that the limitations in paragraphs (3) through (5) of such subsection shall not apply with respect to halibut fishing until November 15, 1999 or salmon troll fishing until December 31, 1999. In the event that any individual eligible for compensation under subsection (b) has not received full compensation by June 15, 1999, the Secretary shall provide partial compensation on such date to such individual and shall expeditiously provide full compensation thereafter.”.

Federal Register, publication.

(d) For the purposes of making the payments authorized in section 123 of the Department of the Interior and Related Agencies Appropriations Act, 1999, as amended by this section, an additional \$26,000,000 is hereby appropriated to “Departmental Management, Department of the Interior”, to remain available until expended, of which \$3,000,000 shall be an additional amount for compensation authorized by section 123(b) of such Act, as amended, and of which \$23,000,000 shall be for compensation authorized by section 123(c) of such Act, as amended. The entire amount made available in this subsection is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended (2 U.S.C. 901(b)(2)(A)), and shall be available only if the President transmits to the Congress an official budget request that includes designation of the entire amount as an emergency requirement as defined in such Act.

* * * * *

PUBLIC LAW 106-31—MAY 21, 1999

113 STAT. 114

This Act may be cited as the “1999 Emergency Supplemental Appropriations Act”.

Approved May 21, 1999.

LEGISLATIVE HISTORY—H.R. 1141 (S. 544):

HOUSE REPORTS: Nos. 106-64 (Comm. on Appropriations) and 106-143 (Comm. of Conference).

SENATE REPORTS: No. 106-8 accompanying S. 544 (Comm. on Appropriations).
CONGRESSIONAL RECORD, Vol. 145 (1999):

Mar. 24, considered and passed House.

Mar. 25, considered and passed Senate, amended, in lieu of S. 544.

May 18, House agreed to conference report.

May 20, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 35 (1999):

May 21, Presidential statement.



11. Military Construction Appropriations Act for FY 2001

114 STAT. 511 PUBLIC LAW 106-246—JULY 13, 2000

Public Law 106-246
106th Congress

An Act

July 13, 2000
[H.R. 4425]

Making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

* * * * * * *

114 STAT. 525
Emergency
Supplemental
Act, 2000.

DIVISION B—FISCAL YEAR 2000 SUPPLEMENTAL APPROPRIATIONS

The following sums are appropriated, out of any money in
the Treasury not otherwise appropriated, for the fiscal year ending
September 30, 2000, and for other purposes, namely:

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114 STAT. 540

TITLE II

NATURAL DISASTER ASSISTANCE AND OTHER SUPPLEMENTAL APPROPRIATIONS

* * * * * * *

114 STAT. 542

CHAPTER 2

* * * * * * *

114 STAT. 545

GENERAL PROVISIONS—THIS CHAPTER

* * * * * * *

114 STAT. 546

SEC. 2204. NORTH PACIFIC MARINE RESEARCH INSTITUTE.—
Public Law 101-380, as amended, is further amended by—

(1) inserting after section 5007 the following new section:

Alaska.
33 USC 2738.

“SEC. 5008. NORTH PACIFIC MARINE RESEARCH INSTITUTE.

“(a) INSTITUTE ESTABLISHED.—The Secretary of Commerce shall
establish a North Pacific Marine Research Institute (hereafter in
this section referred to as the ‘Institute’) to be administered at
the Alaska SeaLife Center by the North Pacific Research Board.

“(b) FUNCTIONS.—The Institute shall—

“(1) conduct research and carry out education and dem-
onstration projects on or relating to the North Pacific marine
ecosystem with particular emphasis on marine mammal, sea
bird, fish, and shellfish populations in the Bering Sea and
Gulf of Alaska including populations located in or near Kenai
Fjords National Park and the Alaska Maritime National Wild-
life Refuge; and

“(2) lease, maintain, operate, and upgrade the necessary
research equipment and related facilities necessary to conduct
such research at the Alaska SeaLife Center.

PUBLIC LAW 106-246—JULY 13, 2000

114 STAT. 546

“(c) EVALUATION AND AUDIT.—The Secretary of Commerce may periodically evaluate the activities of the Institute to ensure that funds received by the Institute are used in a manner consistent with this section. The Comptroller General of the United States, and any of his or her duly authorized representatives, shall have access, for purposes of audit and examination, to any books, documents, papers, and records of the Institute that are pertinent to the funds received and expended by the Institute.

“(d) STATUS OF EMPLOYEES.—Employees of the Institute shall not, by reason of such employment, be considered to be employees of the Federal Government for any purpose.

“(e) USE OF FUNDS.—No funds made available to carry out this section may be used to initiate litigation, or for the acquisition of real property (other than facilities leased at the Alaska SeaLife Center). No more than 10 percent of the funds made available to carry out subsection (b)(1) may be used to administer the Institute.

“(f) AVAILABILITY OF RESEARCH.—The Institute shall publish and make available to any person on request the results of all research, educational, and demonstration projects conducted by the Institute. The Institute shall provide a copy of all research, educational, and demonstration projects conducted by the Institute to the National Park Service, the United States Fish and Wildlife Service, and the National Oceanic and Atmospheric Administration.”; and

Publication.

114 STAT. 547

(2) in section 5006 by inserting at the end the following new subsection:

33 USC 2736.

“(c) SECTION 5008.—Amounts in the Fund shall be available, without further appropriation and without fiscal year limitation, to carry out section 5008(b), in an amount not to exceed \$5,000,000: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.”.

CHAPTER 3

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

For an additional amount for “Wildland Fire Management”, \$200,000,000, to remain available until expended, for emergency rehabilitation and wildfire suppression activities: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That \$100,000,000 shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an

114 STAT. 547

PUBLIC LAW 106-246—JULY 13, 2000

emergency requirement as defined by such Act, is transmitted by the President to the Congress.

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114 STAT. 548

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

* * * * *

WILDLAND FIRE MANAGEMENT

For an additional amount for "Wildland Fire Management", \$150,000,000, to remain available until expended, for emergency rehabilitation, presuppression, and wildfire suppression: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That this amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

114 STAT. 549

GENERAL PROVISIONS—THIS CHAPTER

* * * * *

Deadline.
Fish and fishing.

SEC. 2303. (a) Using funds appropriated by section 501(d) of the Emergency Supplemental Appropriations Act, 1999 (Public Law 106-31), the Secretary shall provide interim compensation within 60 days of the date of the enactment of this Act to—

(1) Dungeness fishing vessel crew members eligible for interim compensation under the existing National Park Service program (64 Fed. Reg. 145);

(2) United States fish processors which have been negatively affected by restrictions on fishing for Dungeness crab in Glacier Bay National Park and which previously received interim compensation; and

Buy N Pack
Seafoods.

(3) Buy N Pack Seafoods, a United States fish processor located in Hoonah, Alaska and which has been severely and negatively impacted by restrictions on fishing in Glacier Bay National Park, for estimated 1999 and 2000 losses based on an average net income derived from processing product harvested from Glacier Bay fisheries from 1995 through 1998. Payments made to processors under paragraph (2) are intended to compensate recipients for losses incurred in 2000 and shall not exceed compensation provided for losses incurred in 1999. The Park Service shall not delay the scheduled public involvement process for the Glacier Bay compensation plan.

(b) The amount of final compensation paid to any entity shall be reduced by the total dollar amount of any interim compensation payments received.

(c) Funds appropriated for the purpose of making payments authorized by section 123(b) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (section 101(e) of

PUBLIC LAW 106-246—JULY 13, 2000

114 STAT. 549

division A of Public Law 105-277, as amended) shall also be available for making payments authorized in subsection (c) of that section.

* * * * *

CHAPTER 7

114 STAT. 560

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For an additional amount, \$24,900,000 for the Secretary of the Treasury to establish and operate an in-service firearms training facility for the United States Customs Service and other agencies, to remain available until expended: *Provided*, That the Secretary is authorized to designate a lead agency to oversee the development, implementation and operation of the facility and to conduct training: *Provided further*, That the land identified as the Sleepy Hollow Partnership and Marcus Enterprises tract (44,-R), Harpers Ferry Magisterial District, Jefferson County, West Virginia, together with a forty-five foot right-of-way over the lands of Valley Blox, Inc., as described in the deed from Joel T. Broyhill Enterprises, Inc., to Sleepy Hollow Partnership, et al., in a Deed dated March 29, 1989, and recorded in the Jefferson County Clerk's Office in Deed Book 627, Page 494, originally acquired by the United States Fish and Wildlife Service as a proposed site for a training center but not selected for that purpose and presently held by the United States Fish and Wildlife Service in an administrative capacity, shall be managed by the National Park Service pursuant to a cooperative management agreement between the United States Fish and Wildlife Service and the National Park Service, consistent with the laws (including regulations) generally applicable to the National Park Service: *Provided further*, That administrative jurisdiction of a suitable portion of said land that is necessary for the creation of a Department of the Treasury training facility, to be identified by the National Park Service, shall be transferred under a lease-type arrangement at no cost within 120-days of the date of the enactment of this Act to the Department of the Treasury for such time as required by the Department of the Treasury: *Provided further*, That the training to be conducted at the facility shall be configured in a manner so that it does not duplicate or displace any Federal law enforcement program of the Federal Law Enforcement Training Center: *Provided further*, That training currently being conducted at a Federal Law Enforcement Training Center facility shall not be moved to the new training facility: *Provided further*, That at such time as the land is no longer required for training purposes, administrative jurisdiction shall be transferred back to the Department of the Interior in a manner and condition acceptable to the Department of the Interior: *Provided further*, That the total amount made available under this section is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent that an official budget request that includes designation of the entire

Government organization. Contracts.

Government organization. Contracts. Deadline.

114 STAT. 561

114 STAT. 561

PUBLIC LAW 106-246—JULY 13, 2000

amount as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

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114 STAT. 583

This division may be cited as the “Emergency Supplemental Act, 2000”.

Cerro Grande
Fire
Supplemental.
New Mexico.

DIVISION C—CERRO GRANDE FIRE

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2000, and for other purposes, namely:

Cerro Grande
Fire Assistance
Act.

TITLE I—CERRO GRANDE FIRE ASSISTANCE ACT

SEC. 101. SHORT TITLE.

This title may be cited as the “Cerro Grande Fire Assistance Act”.

SEC. 102. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) on May 4, 2000, the National Park Service initiated a prescribed burn on Federal land at Bandelier National Monument in New Mexico during the peak of the fire season in the Southwest;

(2) on May 5, 2000, the prescribed burn, which became known as the “Cerro Grande Prescribed Fire”, exceeded the containment capabilities of the National Park Service, was reclassified as a wildland burn, and spread to other Federal and non-Federal land, quickly becoming characterized as a wildfire;

(3) by May 7, 2000, the fire had grown in size and caused evacuations in and around Los Alamos, New Mexico, including the Los Alamos National Laboratory, one of the leading national research laboratories in the United States and the birthplace of the atomic bomb;

(4) on May 13, 2000, the President issued a major disaster declaration for the counties of Bernalillo, Cibola, Los Alamos, McKinley, Mora, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Taos, and Torrance, New Mexico;

(5) the fire resulted in the loss of Federal, State, local, tribal, and private property;

(6) the Secretary of the Interior and the National Park Service have assumed responsibility for the fire and subsequent losses of property; and

(7) the United States should compensate the victims of the Cerro Grande fire.

(b) PURPOSES.—The purposes of this title are—

(1) to compensate victims of the fire at Cerro Grande, New Mexico, for injuries resulting from the fire; and

(2) to provide for the expeditious consideration and settlement of claims for those injuries.

SEC. 103. DEFINITIONS.

In this title:

(1) CERRO GRANDE FIRE.—The term “Cerro Grande fire” means the fire resulting from the initiation by the National

PUBLIC LAW 106-246—JULY 13, 2000

114 STAT. 583

Park Service of a prescribed burn at Bandelier National Monument, New Mexico, on May 4, 2000.

(2) DIRECTOR.—The term “Director” means—

(A) the Director of the Federal Emergency Management Agency; or

(B) if a Manager is appointed under section 104(a)(3), the Manager. 114 STAT. 584

(3) INJURED PERSON.—The term “injured person” means—

(A) an individual, regardless of the citizenship or alien status of the individual; or

(B) an Indian tribe, corporation, tribal corporation, partnership, company, association, insurer, county, township, city, State, school district, or other non-Federal entity (including a legal representative), that suffered injury resulting from the Cerro Grande fire.

(4) INJURY.—The term “injury” has the same meaning as the term “injury or loss of property, or personal injury or death” as used in section 1346(b)(1) of title 28, United States Code.

(5) MANAGER.—The term “Manager” means an Independent Claims Manager appointed under section 104(a)(3).

(6) OFFICE.—The term “Office” means the Office of Cerro Grande Fire Claims established by section 104(a)(2).

SEC. 104. COMPENSATION FOR VICTIMS OF CERRO GRANDE FIRE.

(a) IN GENERAL.—

(1) COMPENSATION.—Each injured person shall be entitled to receive from the United States—

(A) compensation for injury suffered by the injured person as a result of the Cerro Grande fire; and

(B) damages described in subsection (d)(4), as determined by the Director.

(2) OFFICE OF CERRO GRANDE FIRE CLAIMS.—

(A) IN GENERAL.—There is established within the Federal Emergency Management Agency an Office of Cerro Grande Fire Claims.

(B) PURPOSE.—The Office shall receive, process, and pay claims in accordance with this title.

(C) FUNDING.—The Office—

(i) shall be funded from funds made available to the Director under this title;

(ii) may reimburse other Federal agencies for claims processing support and assistance;

(iii) may appoint and fix the compensation of such temporary personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in competitive service;

(iv) upon the request of the Director, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Federal Emergency Management Agency to assist it in carrying out its duties under this title; and

(v) shall not diminish the ability of the Director to carry out the responsibilities of the Federal Emergency Management Agency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act

114 STAT. 584

PUBLIC LAW 106-246—JULY 13, 2000

(42 U.S.C. 5121 et seq.), including the timely provision of disaster assistance to a State or territory, an area of which is the subject of a major disaster or emergency declaration made by the President during the period in which the Director carries out this Act.

114 STAT. 585

(3) OPTION TO APPOINT INDEPENDENT CLAIMS MANAGER.—The Director may appoint an Independent Claims Manager to—

(A) head the Office; and

(B) assume the duties of the Director under this title.

(b) SUBMISSION OF CLAIMS.—Not later than 2 years after the date on which regulations are first promulgated under subsection (f), an injured person may submit to the Director a written claim for one or more injuries suffered by the injured person in accordance with such requirements as the Director determines to be appropriate.

(c) INVESTIGATION OF CLAIMS.—

(1) IN GENERAL.—The Director shall, on behalf of the United States, investigate, consider, ascertain, adjust, determine, grant, deny, or settle any claim for money damages asserted under subsection (b).

(2) APPLICABILITY OF STATE LAW.—Except as otherwise provided in this title, the laws of the State of New Mexico shall apply to the calculation of damages under subsection (d)(4).

(3) EXTENT OF DAMAGES.—Any payment under this title—

(A) shall be limited to actual compensatory damages measured by injuries suffered; and

(B) shall not include—

(i) interest before settlement or payment of a claim;

or

(ii) punitive damages.

(d) PAYMENT OF CLAIMS.—

(1) DETERMINATION AND PAYMENT OF AMOUNT.—

(A) IN GENERAL.—

(i) PAYMENT.—Not later than 180 days after the date on which a claim is submitted under this title, the Director shall determine and fix the amount, if any, to be paid for the claim.

(ii) PRIORITY.—The Director, to the maximum extent practicable, shall pay subrogation claims submitted under this title only after paying claims submitted by injured parties that are not insurance companies seeking payment as subrogees.

(B) PARAMETERS OF DETERMINATION.—In determining and settling a claim under this title, the Director shall determine only—

(i) whether the claimant is an injured person;

(ii) whether the injury that is the subject of the claim resulted from the fire;

(iii) the amount, if any, to be allowed and paid under this title; and

(iv) the person or persons entitled to receive the amount.

(C) INSURANCE AND OTHER BENEFITS.—

(i) IN GENERAL.—In determining the amount of, and paying, a claim under this title, to prevent recovery

PUBLIC LAW 106-246—JULY 13, 2000

114 STAT. 585

by a claimant in excess of actual compensatory damages, the Director shall reduce the amount to be paid for the claim by an amount that is equal to the total of insurance benefits (excluding life insurance benefits) or other payments or settlements of any nature that were paid, or will be paid, with respect to the claim.

(ii) GOVERNMENT LOANS.—This subparagraph shall not apply to the receipt by a claimant of any Government loan that is required to be repaid by the claimant.

114 STAT. 586

(2) PARTIAL PAYMENT.—

(A) IN GENERAL.—At the request of a claimant, the Director may make one or more advance or partial payments before the final settlement of a claim, including final settlement on any portion or aspect of a claim that is determined to be severable.

(B) JUDICIAL DECISION.—If a claimant receives a partial payment on a claim under this title, but further payment on the claim is subsequently denied by the Director, the claimant may—

- (i) seek judicial review under subsection (i); and
- (ii) keep any partial payment that the claimant received, unless the Director determines that the claimant—

(I) was not eligible to receive the compensation; or

(II) fraudulently procured the compensation.

(3) RIGHTS OF INSURER OR OTHER THIRD PARTY.—If an insurer or other third party pays any amount to a claimant to compensate for an injury described in subsection (a), the insurer or other third party shall be subrogated to any right that the claimant has to receive any payment under this title or any other law.

(4) ALLOWABLE DAMAGES.—

(A) LOSS OF PROPERTY.—A claim that is paid for loss of property under this title may include otherwise uncompensated damages resulting from the Cerro Grande fire for—

- (i) an uninsured or underinsured property loss;
- (ii) a decrease in the value of real property;
- (iii) damage to physical infrastructure;
- (iv) a cost resulting from lost tribal subsistence from hunting, fishing, firewood gathering, timbering, grazing, or agricultural activities conducted on land damaged by the Cerro Grande fire;

(v) a cost of reforestation or revegetation on tribal or non-Federal land, to the extent that the cost of reforestation or revegetation is not covered by any other Federal program; and

(vi) any other loss that the Director determines to be appropriate for inclusion as loss of property.

(B) BUSINESS LOSS.—A claim that is paid for injury under this title may include damages resulting from the Cerro Grande fire for the following types of otherwise uncompensated business loss:

- (i) Damage to tangible assets or inventory.
- (ii) Business interruption losses.
- (iii) Overhead costs.

114 STAT. 586

PUBLIC LAW 106-246—JULY 13, 2000

(iv) Employee wages for work not performed.

(v) Any other loss that the Director determines to be appropriate for inclusion as business loss.

114 STAT. 587

(C) FINANCIAL LOSS.—A claim that is paid for injury under this title may include damages resulting from the Cerro Grande fire for the following types of otherwise uncompensated financial loss:

(i) Increased mortgage interest costs.

(ii) An insurance deductible.

(iii) A temporary living or relocation expense.

(iv) Lost wages or personal income.

(v) Emergency staffing expenses.

(vi) Debris removal and other cleanup costs.

(vii) Costs of reasonable efforts, as determined by the Director, to reduce the risk of wildfire, flood, or other natural disaster in the counties specified in section 102(a)(4), to risk levels prevailing in those counties before the Cerro Grande fire, that are incurred not later than the date that is 3 years after the date on which the regulations under subsection (f) are first promulgated.

(viii) A premium for flood insurance that is required to be paid on or before May 12, 2002, if, as a result of the Cerro Grande fire, a person that was not required to purchase flood insurance before the Cerro Grande fire is required to purchase flood insurance.

(ix) Any other loss that the Director determines to be appropriate for inclusion as financial loss.

(e) ACCEPTANCE OF AWARD.—The acceptance by a claimant of any payment under this title, except an advance or partial payment made under subsection (d)(2), shall—

(1) be final and conclusive on the claimant (but not on any subrogee of the claimant), with respect to all claims arising out of or relating to the same subject matter;

(2) constitute a complete release of all claims against the United States (including any agency or employee of the United States) under chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”), or any other Federal or State law, arising out of or relating to the same subject matter; and

(3) shall include a certification by the claimant, made under penalty of perjury and subject to the provisions of section 1001 of title 18, United States Code, that such claim is true and correct.

(f) REGULATIONS AND PUBLIC INFORMATION.—

Deadline.
Federal Register,
publication.

(1) REGULATIONS.—Notwithstanding any other provision of law, not later than 45 days after the date of the enactment of this Act, the Director shall promulgate and publish in the Federal Register interim final regulations for the processing and payment of claims under this title.

(2) PUBLIC INFORMATION.—

Publication.

(A) IN GENERAL.—At the time at which the Director promulgates regulations under paragraph (1), the Director shall publish, in newspapers of general circulation in the State of New Mexico, a clear, concise, and easily understandable explanation, in English and Spanish, of—

PUBLIC LAW 106-246—JULY 13, 2000

114 STAT. 587

(i) the rights conferred under this title; and

(ii) the procedural and other requirements of the regulations promulgated under paragraph (1).

(B) DISSEMINATION THROUGH OTHER MEDIA.—The Director shall disseminate the explanation published under subparagraph (A) through brochures, pamphlets, radio, television, and other media that the Director determines are likely to reach prospective claimants.

114 STAT. 588

(g) CONSULTATION.—In administering this title, the Director shall consult with the Secretary of the Interior, the Secretary of Energy, the Secretary of Agriculture, the Administrator of the Small Business Administration, other Federal agencies, and State, local, and tribal authorities, as determined to be necessary by the Director to—

(1) ensure the efficient administration of the claims process; and

(2) provide for local concerns.

(h) ELECTION OF REMEDY.—

(1) IN GENERAL.—An injured person may elect to seek compensation from the United States for one or more injuries resulting from the Cerro Grande fire by—

(A) submitting a claim under this title;

(B) filing a claim or bringing a civil action under chapter 171 of title 28, United States Code; or

(C) bringing an authorized civil action under any other provision of law.

(2) EFFECT OF ELECTION.—An election by an injured person to seek compensation in any manner described in paragraph (1) shall be final and conclusive on the claimant with respect to all injuries resulting from the Cerro Grande fire that are suffered by the claimant.

(3) ARBITRATION.—

(A) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Director shall establish by regulation procedures under which a dispute regarding a claim submitted under this title may be settled by arbitration.

Deadline.
Regulations.

(B) ARBITRATION AS REMEDY.—On establishment of arbitration procedures under subparagraph (A), an injured person that submits a disputed claim under this title may elect to settle the claim through arbitration.

(C) BINDING EFFECT.—An election by an injured person to settle a claim through arbitration under this paragraph shall—

(i) be binding; and

(ii) preclude any exercise by the injured person of the right to judicial review of a claim described in subsection (i).

(4) NO EFFECT ON ENTITLEMENTS.—Nothing in this title affects any right of a claimant to file a claim for benefits under any Federal entitlement program.

(i) JUDICIAL REVIEW.—

(1) IN GENERAL.—Any claimant aggrieved by a final decision of the Director under this title may, not later than 60 days after the date on which the decision is issued, bring a civil action in the United States District Court for the District

114 STAT. 588

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of New Mexico, to modify or set aside the decision, in whole or in part.

(2) RECORD.—The court shall hear a civil action under paragraph (1) on the record made before the Director.

114 STAT. 589

(3) STANDARD.—The decision of the Director incorporating the findings of the Director shall be upheld if the decision is supported by substantial evidence on the record considered as a whole.

(j) ATTORNEY'S AND AGENT'S FEES.—

(1) IN GENERAL.—No attorney or agent, acting alone or in combination with any other attorney or agent, shall charge, demand, receive, or collect, for services rendered in connection with a claim submitted under this title, fees in excess of 10 percent of the amount of any payment on the claim.

(2) VIOLATION.—An attorney or agent who violates paragraph (1) shall be fined not more than \$10,000.

(k) WAIVER OF REQUIREMENT FOR MATCHING FUNDS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a State or local project that is determined by the Director to be carried out in response to the Cerro Grande fire under any Federal program that applies to an area affected by the Cerro Grande fire shall not be subject to any requirement for State or local matching funds to pay the cost of the project under the Federal program.

(2) FEDERAL SHARE.—The Federal share of the costs of a project described in paragraph (1) shall be 100 percent.

(l) APPLICABILITY OF DEBT COLLECTION REQUIREMENTS.—Section 3716 of title 31, United States Code, shall not apply to any payment under this title.

(m) INDIAN COMPENSATION.—Notwithstanding any other provision of law, in the case of an Indian tribe, a tribal entity, or a member of an Indian tribe that submits a claim under this title—

(1) the Bureau of Indian Affairs shall have no authority over, or any trust obligation regarding, any aspect of the submission of, or any payment received for, the claim;

(2) the Indian tribe, tribal entity, or member of an Indian tribe shall be entitled to proceed under this title in the same manner and to the same extent as any other injured person; and

(3) except with respect to land damaged by the Cerro Grande fire that is the subject of the claim, the Bureau of Indian Affairs shall have no responsibility to restore land damaged by the Cerro Grande fire.

Deadline.

(n) REPORT.—Not later than 1 year after the date of promulgation of regulations under subsection (f)(1), and annually thereafter, the Director shall submit to Congress a report that describes the claims submitted under this title during the year preceding the date of submission of the report, including, for each claim—

(1) the amount claimed;

(2) a brief description of the nature of the claim;

(3) the status or disposition of the claim, including the amount of any payment under this title; and

(4) the Comptroller General shall conduct an annual audit on the payment of all claims made under this title and shall report to the Congress on the results of this audit beginning not later than the expiration of the 1-year period beginning

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on the date of the enactment of this Act. This report shall include a review of all subrogation claims for which insurance companies have been paid or are seeking payment as subrogees under this title.

(o) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, there are authorized to be appropriated such sums as are necessary to carry out this Act, to remain available until expended. 114 STAT. 590

(2) FEMA FUNDS.—None of the funds provided to the Federal Emergency Management Agency for the administration of disaster relief shall be used to carry out this Act.

SEC. 105. APPROPRIATION OF FUNDS.

(a) CERRO GRANDE FIRE ASSISTANCE CLAIMS OFFICE.—

(1) IN GENERAL.—There is appropriated for the Office for administration of the compensation process under this title up to \$45,000,000, to remain available until expended.

(2) EMERGENCY REQUIREMENT.—The entire amount made available under subparagraph (A)—

(A) shall be available only to the extent that the President submits to Congress an official budget request for up to \$45,000,000 that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.); and

(B) is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

(b) CERRO GRANDE FIRE ASSISTANCE.—

(1) IN GENERAL.—There is appropriated for the payment of claims in accordance with this title up to \$455,000,000, to remain available until expended.

(2) EMERGENCY REQUIREMENT.—The entire amount made available under subparagraph (A)—

(A) shall be available only to the extent that the President submits to Congress an official budget request for up to \$455,000,000 that includes designation of the entire amount of the request as an emergency requirement for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.); and

(B) is designated by Congress as an emergency requirement under section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)).

SEC. 106. PERIOD OF EFFECTIVENESS.

This title shall apply on and after the date of the enactment of this Act, without regard to any fiscal year. Applicability.

114 STAT. 590

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TITLE II—CERRO GRANDE FIRE EMERGENCY
SUPPLEMENTAL APPROPRIATIONS

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

EMERGENCY CONSERVATION PROGRAM

114 STAT. 591

For an additional amount for “Emergency Conservation Program”, \$10,000,000: *Provided*, That notwithstanding any other provision of law, these funds shall be available to rehabilitate farmland damaged from fires which resulted from prescribed burnings conducted by the Federal Government which subsequently resulted in unintended damage to farmlands and other lands: *Provided further*, That requirements for cost-sharing by landowners shall not apply to funds provided pursuant to this section: *Provided further*, That the entire amount shall be available only to the extent that an official budget request for \$10,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for “Watershed and Flood Prevention Operations”, for the Emergency Watershed Protection Program, to repair damages to the waterways and watersheds resulting from fires which resulted from prescribed burnings conducted by the Federal Government, and other natural occurrences, \$4,000,000, to remain available until expended: *Provided*, That requirements for cost-sharing by project sponsors shall not apply to funds provided under this provision: *Provided further*, That the entire amount shall be available only to the extent an official budget request for \$4,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

CERRO GRANDE FIRE ACTIVITIES

For necessary expenses to remediate damaged Department of Energy facilities and for other expenses associated with the Cerro Grande fire, \$138,000,000, to remain available until expended: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$138,000,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President

PUBLIC LAW 106-246—JULY 13, 2000

114 STAT. 591

to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DEPARTMENT OF THE INTERIOR

114 STAT. 592

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For an additional amount for “Operation of Indian Programs”, \$8,982,000, to remain available until expended, for emergency restoration, rehabilitation, and reforestation of tribal lands and facilities of the Pueblo of Santa Clara and the Pueblo of San Ildefonso damaged by the Cerro Grande Fire in New Mexico: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$8,982,000, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of such Act.

GENERAL PROVISION—THIS TITLE

SEC. 2101. The Secretary of the Interior shall allow enrolled members of the Pueblo of San Ildefonso and the Pueblo of Santa Clara to collect plants, including the parts or products thereof, and mineral resources within the Bandelier National Monument for traditional and cultural uses. All collection activity, except quantity limitations in current regulations of the National Park Service, shall be consistent with applicable laws, and shall be subject to such conditions as the Secretary deems necessary to protect the resources and values of the Monument.

This division may be cited as the “Cerro Grande Fire Supplemental”.

Approved July 13, 2000.

 LEGISLATIVE HISTORY—H.R. 4425 (S. 2521):

HOUSE REPORTS: Nos. 106-614 (Comm. on Appropriations) and 106-710 (Comm. of Conference).

SENATE REPORTS: No. 106-290 accompanying S. 2521 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

May 16, considered and passed House.

May 18, considered and passed Senate, amended, in lieu of S. 2521.

June 29, House agreed to conference report.

June 30, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

July 13, Presidential statement.



12. Supplemental Appropriations for FY 2001

115 STAT. 155 PUBLIC LAW 107-20—JULY 24, 2001

Public Law 107-20
107th Congress

An Act

July 24, 2001
[H.R. 2216]

Making supplemental appropriations for the fiscal year ending September 30, 2001, and for other purposes.

Supplemental
Appropriations
Act, 2001.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2001, and for other purposes, namely:

* * * * *

115 STAT. 164

TITLE II—OTHER SUPPLEMENTAL APPROPRIATIONS

* * * * *

115 STAT. 176

CHAPTER 6

DEPARTMENT OF THE INTERIOR

* * * * *

NATIONAL PARK SERVICE

UNITED STATES PARK POLICE

For an additional amount for “United States Park Police”, \$1,700,000, to remain available until September 30, 2002, for unbudgeted increases in pension costs for retired United States Park Police officers.

* * * * *

115 STAT. 177

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2601. Of the funds appropriated to “Operation of the National Park System” in Public Law 106-291, \$200,000 for completion of a wilderness study at Apostle Islands National Lakeshore, Wisconsin, shall remain available until expended.

SEC. 2602. (a) The unobligated balances as of September 30, 2001, of the funds transferred to the Secretary of the Interior pursuant to section 311 of chapter 3 of division A of the Miscellaneous Appropriations Act, 2001 (as enacted into law by Public Law 106-554) for maintenance, protection, or preservation of the land and interests in land described in section 3 of the Minuteman Missile National Historic Site Establishment Act of 1999 (Public Law 106-115), are rescinded.

Effective date.

(b) Subsection (a) shall be effective on September 30, 2001.

(c) The amount rescinded pursuant to subsection (a) is appropriated to the Secretary of the Interior for the purposes specified in such subsection, to remain available until expended.

* * * * *

PUBLIC LAW 107–20—JULY 24, 2001

115 STAT. 193

This Act may be cited as the “Supplemental Appropriations Act, 2001”.

Approved July 24, 2001.

LEGISLATIVE HISTORY—H.R. 2216 (S. 1077):

HOUSE REPORTS: Nos. 107–102 (Comm. on Appropriations) and 107–148 (Comm. of Conference).

SENATE REPORTS: No. 107–33 accompanying S. 1077 (Comm. on Appropriations).
CONGRESSIONAL RECORD, Vol. 147 (2001):

June 20, considered and passed House.

July 10, considered and passed Senate, amended, in lieu of S. 1077.

July 20, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 37 (2001):

July 24, Presidential statement.



13. Supplemental Appropriations for FY 2002

116 STAT. 820

PUBLIC LAW 107-206—AUG. 2, 2002

Public Law 107-206
107th Congress**An Act**Aug. 2, 2002
[H.R. 4775]

Making supplemental appropriations for further recovery from and response to terrorist attacks on the United States for the fiscal year ending September 30, 2002, and for other purposes.

2002
Supplemental
Appropriations
Act for Further
Recovery From
and Response To
Terrorist Attacks
on the United
States.*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2002, and for other purposes, namely:

TITLE I—SUPPLEMENTAL APPROPRIATIONS

* * * * *

116 STAT. 835

CHAPTER 3

DEPARTMENT OF DEFENSE

* * * * *

116 STAT. 839

GENERAL PROVISIONS—THIS CHAPTER

* * * * *

116 STAT. 841
Deadline.

SEC. 310. Not later than 15 days after the date of the enactment of this Act, the Secretary of Defense shall obligate, from funds made available in title II of division A of Public Law 107-117 under the heading “Operation and Maintenance, Defense-Wide” (115 Stat. 2233), \$4,000,000 for a grant to support the conversion of the Naval Security Group, Winter Harbor (the naval base on Schoodic Peninsula), Maine, to utilization as a research and education center for Acadia National Park, Maine, including the preparation of a plan for the reutilization of the naval base for such purpose that will benefit communities in the vicinity of the naval base and visitors to Acadia National Park and will stimulate important research and educational activities.

* * * * *

116 STAT. 860

CHAPTER 7

DEPARTMENT OF THE INTERIOR

* * * * *

NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

116 STAT. 861

For an additional amount for “Operation of the National Park System”, \$1,173,000, for emergency security expenses, to remain available until expended: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the

PUBLIC LAW 107–206—AUG. 2, 2002

116 STAT. 861

entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

CONSTRUCTION

For an additional amount for “Construction”, \$17,651,000, to remain available until expended: *Provided*, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the entire amount shall be available only to the extent an official budget request that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to the Congress.

* * * * *

This Act may be cited as the “2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States”.

116 STAT. 925

Approved August 2, 2002.

LEGISLATIVE HISTORY—H.R. 4775 (S. 2551):

HOUSE REPORTS: Nos. 107–480 (Comm. on Appropriations) and 107–593 (Comm. of Conference).

SENATE REPORTS: No. 107–156 accompanying S. 2551 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 148 (2002):

May 22–24, considered and passed House.

June 3–6, considered and passed Senate, amended.

July 23, House agreed to conference report.

July 24, Senate agreed to conference report.



14. Transportation Appropriations Act for FY 2001

114 STAT. 1356

PUBLIC LAW 106-346—OCT. 23, 2000

* Public Law 106-346
106th Congress

An Act

Oct. 23, 2000
[H.R. 4475]

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

Incorporation by
reference.

SECTION 101. (a) The provisions of the following bill are hereby enacted into law, H.R. 5394 of the 106th Congress, as introduced on October 5, 2000.

Publication.
1 USC 112 note.

(b) In publishing the Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the bill referred to in subsection (a) of this section.

Approved October 23, 2000.

LEGISLATIVE HISTORY—H.R. 4475 (S. 2720):

HOUSE REPORTS: Nos. 106-622 (Comm. on Appropriations) and 106-940 (Comm. of Conference).

SENATE REPORTS: No. 106-309 accompanying S. 2720 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

May 19, considered and passed House.

June 14, 15, considered and passed Senate, amended.

Oct. 6, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 23, Presidential statement.

*ENDNOTE: The following appendix was added pursuant to the provisions of section 101 of this Act.



APPENDIX—H.R. 5394

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 2001, and for other purposes, namely:

* * * * *

TITLE III—GENERAL PROVISIONS

114 STAT.
1356A-23

(INCLUDING TRANSFERS OF FUNDS)

* * * * *

SEC. 363. Section 117(c) of title 23, United States Code, is amended by inserting before the period at the end the following: “; except that the Federal share on account of the project to be carried out under item 1419 of the table contained in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 309), relating to reconstruction of a road and causeway in Shiloh Military Park in Hardin County, Tennessee, shall be 100 percent of the total cost thereof”.

114 STAT.
1356A-36

114 STAT.
1356A-37

* * * * *

SEC. 378. Notwithstanding any other provision of law, in addition to amounts made available in this Act or any other Act, the following sums shall be made available from the Highway Trust Fund (other than the Mass Transit Account): \$50,000,000 for the intelligent transportation infrastructure program as authorized by section 5117(b)(3) of Public Law 105-178; \$8,500,000 for construction of, and improvements to, 17th Avenue and 23d Avenue highway ramps in Denver, Colorado; \$1,000,000 for engineering, construction of, and improvements to, the Cascade Gateway Border Project in Whatcom County, Washington; \$100,000,000 for construction of, and improvements to, Corridor D on the Appalachian development highway system in the State of West Virginia; \$1,500,000 for construction of, and improvements to, the Alameda Corridor-East Gateway to American Trade corridor project, California; \$4,000,000 for construction of, and improvements to, Avenue G viaduct and connector roads in Council Bluffs, Iowa; \$34,100,000 for design and construction of the Birmingham, Alabama Northern Beltline; \$13,500,000 for construction of, and improvements to, US 231 from Bowling Green to Scottsville, Kentucky; \$150,000 for improvements to the Broad Street and Wyckoff Road intersection, including traffic light upgrades, in the Borough of Eatontown, New Jersey; \$12,000,000 for construction of road expansion and improvements to, the Broad Street Parkway in Nashua, New Hampshire; \$10,000,000 to construct interchanges US 281 at FM 2812, FM 162, FM 490, SP 122, and SH 186 in Texas; \$12,500,000 to construct interchanges US 77 at Business 77 North, FM 3186, FM 490, SP 122, and SP 413 in Texas; \$30,000,000 for construction of, and improvements to, the Cooper River Bridge in South Carolina; \$100,000,000 for construction of, and improvements to, Corridor X on the Appalachian development highway system in the State of Alabama; \$4,000,000 for construction, including related activities,

114 STAT.
1356A-38

114 STAT.
1356A-39

of an interchange at County Highway J and US 10 and to upgrade a segment of US 10 to a four-lane highway in Portage County, Wisconsin; \$5,000,000 for construction, including related activities, of the Craig Road overpass between I-15 and Lossee Road in the City of North Las Vegas, Nevada; \$30,200,000 for construction of, and improvements to, bridges and other projects on the Dalton Highway, Alaska; \$3,200,000 for improvements to Dayton Road in Ames, Iowa; \$15,000,000 for construction of, and improvements to, the Detroit, Michigan Ambassador Bridge Gateway project; \$24,000,000 for construction of, and improvements to, FAST Corridor in Washington; \$10,000,000 for construction of, and improvements to, the Fort Washington Way reconfiguration project, Cincinnati, Ohio; \$35,000,000 for construction of, and improvements to, the Four Bears Bridge in North Dakota; \$50,000,000 for construction of, and improvements to, the Glen Highway/George Parks Highway interchange in Alaska; \$8,000,000 for preliminary design of the Interstate Route 69 Great River Bridge crossing the Mississippi at Bolivar County, Mississippi; \$8,000,000 for reconstruction of, and other improvements to, Halls Mill Road in Freehold Township and Monmouth County, New Jersey; \$4,500,000 for construction of, and improvements to, Hamakua-Hilo corridor road and bridge projects, Hawaii; \$35,000,000 for construction, including related activities, of an extension of Highway 180 from the City of Mendota to I-5 in Fresno County, California; \$10,000,000 to upgrade Highway 36 in Marion County, Missouri, to four-lane divided highway; \$9,750,000 for widening, relocation of, and other improvements to South Carolina Highway 5, including the removal and relocation of municipal utilities, between Interstate 85 in Cherokee County, South Carolina and Interstate 77 in York County, South Carolina; \$10,000,000 for upgrading Highway 60 in Shannon and Carter counties, Missouri, to four-lane divided highway; \$6,400,000 for Hoeven Valley corridor, Sioux City, road, intersection, and rail crossing improvements in Iowa; \$20,000,000 for environmental work, design, and construction of the Hoover Dam bypass four-lane bridge; \$13,500,000 for construction of, and improvements to, I-15 between milepost 0 and milepost 16, from the Utah border to Deep Creek, Idaho; \$10,000,000 for construction of, and improvements to, the I-15 Southbound project, Nevada; \$10,000,000 for construction of, and improvements to, I-195 in Rhode Island; \$6,400,000 for municipality relocation costs for I-235 in Polk County, Iowa; \$12,000,000 for environmental work, preliminary survey and design, and reconstruction of I-35 from Des Moines to Ankeny, Iowa; \$36,000,000 for construction, including related activities, of the I-39/US 51/SH 29 corridor (Wausau Beltline) in and around Wausau, Wisconsin; \$94,000,000 for construction of, and improvements to, I-49 in the State of Arkansas; \$18,400,000 for environmental work, preliminary survey and design of I-69 in Tennessee; \$10,000,000 for construction of, and improvements to, the I-80/US 395 interchange, in Reno, Nevada; \$2,800,000 for border crossing improvements on I-87, in New York; \$8,000,000 for construction of, and improvements to, the I-95 to Transitway access project in Stamford, Connecticut; \$4,000,000 for construction of, and improvements to, U.S. Department of Transportation structure numbered 289-961-H at FAS Route 37 in Illinois; \$250,000 for improvements at the Rosedale Road and Provinceline Road intersection in the Township of Princeton, New Jersey; \$1,200,000 for improvements to County Route 605 in Delaware Township and

PUBLIC LAW 106-346—APPENDIX 114 STAT. 1356A-40

West Amwell Township Hunterdon County, New Jersey; \$2,500,000 for improvements to the Route 9 and Route 520 intersection in Marlboro Township, New Jersey; \$5,000,000 for improvements to US 73 from State Avenue North to Marxen Road in Wyandotte County, Kansas; \$5,000,000 for installation of sound barriers along the Route 309 Expressway between Limekiln Pike and State Route 63 in Montgomery County, Pennsylvania; \$8,700,000 for construction, including related activities, of a new interchange on I-435 at Donahoo Road in Wyandotte County, Kansas; \$15,000,000 for construction of, and improvements to, the intersection at 27th Street and Airport Road in Billings, Montana; \$5,000,000 for construction of, and improvements to, Kahuku Bridges, Hawaii; \$5,500,000 for construction of, and improvements to, the Kansas Lane Connector Road alignment project in Monroe, Louisiana; \$4,000,000 for construction of, and improvements to, Kekaha, Kauai access roads, Hawaii; \$10,000,000 for planning, environmental work, and preliminary engineering of highway, pedestrian, vehicular, and bicycle access to the John F. Kennedy Center for the Performing Arts in the District of Columbia; \$2,500,000 for construction of, and improvements to, Kihei Road, Hawaii; \$10,000,000 for Lafayette Street access improvements from the US 202 Dannehower Bridge to the Pennsylvania Turnpike, including extension of Lafayette Street to the Conshohocken Road, intersection improvements and bridge reconstruction, in Norristown, Pennsylvania; \$12,400,000 for widening and overlay/guard rail work on SR 789 between Lander and Hudson, Wyoming; \$500,000 for reconstruction of Lewisville Road in Lawrence Township, New Jersey; \$3,200,000 for construction of, and improvements to, the Martin Luther King, Jr. Bridge in Toledo, Ohio; \$9,300,000 for construction of, and improvements to, the Midtown West intermodal ferry terminal, New York City, New York; \$5,000,000 for construction, including related activities, of an extension of Mississippi Highway 44, including a bridge over the Pearl River, in Lawrence County, Mississippi; \$13,000,000 for construction of, and improvements to, the Missouri River pedestrian crossing in Omaha, Nebraska; \$5,000,000 for the NJCDC Training Facility Project in Paterson, New Jersey; \$16,000,000 for construction of, and improvements to, North Shore Road in Swain County, North Carolina; \$3,500,000 for construction of, and improvements to, the Norwich, Connecticut intermodal facility project; \$1,500,000 for construction of, and improvements to, Padanaram and Little River Road bridge projects in Dartmouth, Massachusetts; \$11,000,000 for reconstruction activities on the Potee Street Bridge in Baltimore, Maryland; \$250,000 for reconstruction of Institute Street, Lockwood Avenue, First Street, Second Street, Third Street, Ford Avenue, Liberty Street and Bond Street in the Borough of Freehold, New Jersey; \$4,200,000 for relocation and related construction activities thereto of MacArthur Boulevard in Oklahoma City, Oklahoma; \$1,200,000 for grade crossing eliminations along Route 17 in Chemung County, New York; \$4,000,000 for construction of, and improvements to, Route 2 between St. Johnsbury, Vermont and the New Hampshire State Line; \$500,000 for improvements to Route 35 at Clinton Avenue and other intersections in the Borough of Eatontown, New Jersey; \$500,000 for Route 35 corridor improvements, including signal upgrades, in the Borough of Eatontown, New Jersey; \$2,600,000 for construction of, and improvements to, the Niangua Bridge on Route 5 in Camden County, Missouri; \$1,000,000 for improvements to Route 641 in

114 STAT.
1356A-41

114 STAT. 1356A-41 PUBLIC LAW 106-346-APPENDIX

Hunterdon County, New Jersey; \$25,000,000 for construction, including related activities, of the Route 7 North bypass in Brookfield, Connecticut; \$6,000,000 for construction of, and improvements to, the Route 9 Bennington Bypass, Vermont; \$5,000,000 for construction of, and improvements to, Saddle Road, Hawaii; \$1,200,000 for reconstruction of School Road East in Marlboro Township, New Jersey; \$29,000,000 for construction of, and improvements to, a Southeast Connector Route between I-90 and SD 79 in South Dakota; \$5,000,000 for improvements, including traffic signal system upgrades, to State Route 99 in Shoreline, Washington; \$500,000 for the Township of Princeton, New Jersey municipal complex road improvements, including improvements to the Valley, Mount Lucas, Terhune and Cherry Hill roadways in the Township of Princeton, New Jersey; \$23,600,000 for construction of, and improvements to, US 12 between Aberdeen and I-29 in South Dakota; \$40,000,000 for construction of, and improvements to, US 19 in Pinellas County, Florida; \$25,000,000 for construction of, and improvements to, US 50 Parkersburg bypass in West Virginia; \$10,000,000 for construction of, and improvements to, US 63 in Jonesboro, Arkansas; \$5,000,000 for construction of, and improvements to, US 101 in Oregon; \$4,000,000 for construction of, and improvements to, US 54 in Kansas; \$100,000,000 for construction of, and improvements to, the US 82 bridge over the Mississippi River at Greenville, Mississippi; \$10,000,000 for construction of, and improvements to, including widening, of US 95 between Laughlin Cutoff and Railroad Pass, Nevada; \$1,000,000 for improvements to the Van Wyck Expressway, Queens County, New York; and \$20,000,000 for widening US 53 from two lanes to four lanes from Minnesota Highway 169 north of Virginia, Minnesota to Cook, Minnesota: *Provided*, That the amounts appropriated in this section shall remain available until expended and shall not be subject to, or computed against, any obligation limitation or contract authority set forth in this Act or any other Act.

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114 STAT.
1356A-57

This Act may be cited as the “Department of Transportation and Related Agencies Appropriations Act, 2001”.

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15. Veterans Affairs, HUD Appropriations for FY 2001

PUBLIC LAW 106-377—OCT. 27, 2000

114 STAT. 1441

* Public Law 106-377
106th Congress

An Act

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2001, and for other purposes.

Oct. 27, 2000
[H.R. 4635]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. (a) The provisions of the following bills of the 106th Congress are hereby enacted into law:

Incorporation by
reference.

(1) H.R. 5482, as introduced on October 18, 2000.

(2) H.R. 5483, as introduced on October 18, 2000.

(b) In publishing this Act in slip form and in the United States Statutes at Large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end appendixes setting forth the texts of the bills referred to in subsection (a) of this section.

Publication.
1 USC 112 note.

Approved October 27, 2000.

LEGISLATIVE HISTORY—H.R. 4635:

HOUSE REPORTS: Nos. 106-674 (Comm. on Appropriations) and 106-988 (Comm. of Conference).

SENATE REPORTS: No. 106-410 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 146 (2000):

June 19-21, considered and passed House.

Oct. 12, considered and passed Senate, amended.

Oct. 19, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 36 (2000):

Oct. 27, Presidential statement.

*ENDNOTE: The following appendixes were added pursuant to the provisions of section 1 of this Act.



TABLE OF CONTENTS

The table of contents is as follows:

APPENDIX A—H.R. 5482

APPENDIX B—H.R. 5483

APPENDIX B—H.R. 5483

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development for the fiscal year ending September 30, 2001, and for other purposes, namely:

* * * * *

TITLE II

114 STAT.
1441A-66

* * * * *

GENERAL PROVISIONS

114 STAT.
1441A-68

DEPARTMENT OF THE INTERIOR

* * * * *

SEC. 204. (a) IN GENERAL.—For fiscal year 2001 and each fiscal year thereafter, the Secretary of the Interior shall continue funding, from power revenues, the activities of the Glen Canyon Dam Adaptive Management Program as authorized by section 1807 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), at not more than \$7,850,000 (October 2000 price level), adjusted in subsequent years to reflect changes in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

114 STAT.
1441A-69

(b) VOLUNTARY CONTRIBUTIONS.—Nothing in this section precludes the use of voluntary financial contributions (except power revenues) to the Adaptive Management Program that may be authorized by law.

(c) ACTIVITIES TO BE FUNDED.—The activities to be funded as provided under subsection (a) include activities required to meet the requirements of section 1802(a) and subsections (a) and (b) of section 1805 of the Grand Canyon Protection Act of 1992 (106 Stat. 4672), including the requirements of the Biological Opinion on the Operation of Glen Canyon Dam and activities required by the Programmatic Agreement on Cultural and Historic Properties, to the extent that the requirements and activities are consistent with the Grand Canyon Protection Act of 1992 (106 Stat. 4672).

(d) ADDITIONAL FUNDING.—To the extent that funding under subsection (a) is insufficient to pay the costs of the monitoring and research and other activities of the Glen Canyon Dam Adaptive Management Program, the Secretary of the Interior may use funding from other sources, including funds appropriated for that purpose. All such appropriated funds shall be nonreimbursable and nonreturnable.

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