

UNITED STATES
STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
ONE HUNDRED THIRD CONGRESS
OF THE UNITED STATES OF AMERICA

1993

AND

PROCLAMATIONS

VOLUME 107

IN THREE PARTS

PART 2

PUBLIC LAWS 103-89 THROUGH 103-160



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON 1994

erall mission of
the role of the
tor ^ the Free

entatives of the
That November
lies Recognition
tion of present
& such families
it is authorized
the people of
mate programs,

Public Law 103-138
103d Congress

An Act

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1994, and for other purposes

Nov 11, 1993
[H R 2520]

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, 1994, and for other purposes, namely:

Department of
the Interior and
Related
Agencies
Appropriations
Act, 1994

TITLE I—DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For expenses necessary for protection, use, improvement, development, disposal, cadastral surveying, classification, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau of Land Management, \$599,860,000, of which the following amounts shall remain available until expended: \$1,462,000 to be derived from the special receipt account established by section 4 of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-6a(1)), and \$69,418,000 for the Automated Land and Mineral Record System Project: *Provided*, That appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau of Land Management or its contractors; and in addition, \$15,300,000 for Mining Law Administration program operations to remain available through September 30, 1994, to be reduced by amounts collected by the Bureau of Land Management and credited to this appropriation from annual mining claim fees so as to result in a final fiscal year 1994 appropriation estimated at not more than \$599,860,000. *Provided further*, That in addition to funds otherwise available, not to exceed \$5,000,000 from annual mining claim fees shall be credited to this account for the costs of administering the mining claim fee program, and shall remain available until expended

FIRE PROTECTION

For necessary expenses for fire management, emergency rehabilitation, fire presuppression and preparedness, and other

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out the provisions of title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95-87, as amended, including the purchase of not more than 22 passenger motor vehicles for replacement only, \$190,107,000 to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended. *Provided*, That of the funds herein provided up to \$20,000,000 may be used for the emergency program authorized by section 410 of Public Law 95-87, as amended, of which no more than 25 per centum shall be used for emergency reclamation projects in any one State and funds for Federally-administered emergency reclamation projects under this proviso shall not exceed \$12,000,000. *Provided further*, That pursuant to Public Law 97-365, the Department of the Interior is authorized to utilize up to 20 per centum from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

For operation of Indian programs by direct expenditure, contracts, cooperative agreements, and grants including expenses necessary to provide education and welfare services for Indians, either directly or in cooperation with States and other organizations, including payment of care, tuition, assistance, and other expenses of Indians in boarding homes, or institutions, or schools; grants and other assistance to needy Indians; maintenance of law and order, management, development, improvement, and protection of resources and appurtenant facilities under the jurisdiction of the Bureau of Indian Affairs, including payment of irrigation assessments and charges, acquisition of water rights, advances for Indian industrial and business enterprises; operation of Indian arts and crafts shops and museums; development of Indian arts and crafts, as authorized by law; for the general administration of the Bureau of Indian Affairs, including such expenses in field offices, maintaining of Indian reservation roads as defined in section 101 of title 23, United States Code; and construction, repair, and improvement of Indian housing, \$1,490,805,000, including \$316,111,000 for school operations costs of Bureau-funded schools and other education programs which shall become available for obligation on July 1, 1994, and shall remain available for obligation until September 30, 1995, and \$49,226,000 for housing and road maintenance programs, to remain available until expended, and of which, payments of funds obligated as grants to schools pursuant to Public Law 100-297 shall be made on July 1 and December 1 in lieu of the payments authorized to be made on October 1 and January 1 of each calendar year, and of which not to exceed \$74,764,000 for higher education scholarships, adult vocational training, and assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall remain available for obligation until September 30, 1995, and the funds made available to tribes and tribal organizations through contracts or grants obligated during fiscal year 1994 as authorized by the Indian Self-Determination Act of 1975 (88 Stat. 2203; 25 U.S.C. 450 et seq.), or grants authorized by the Indian Education Amendments of 1988 (25 U.S.C.

2001 and 20
contractor or
shall remain
ance tribal c
submission of
available until
necessary to
Law 93-531
expended: *Pro*
Bureau of In
for programs
Vocational Ed
appropriated
gated balance
Native Claims
and may be o
tion for educ
village corpor
ther, That \$1
be available f
eries and rel
\$91,223,000 of
to tribes and
contracts or g
Determination
previous years
Reservation r
(as defined in
Indian Affairs
quent update
BIA system ad
trust fund for
further, That
the Secretary
trust fund allo
further, That
Bureau of Ind
any third part
trust funds u
individuals ha
date, the resul
independent p
possible, and
with an accou
standing any
shall not com
in litigation p
to or misman
individual Indi
funds from wh
has been a los
provided for e
for a grant to
the Task Force
continue activit
April 17, 1991
shall not be in

visions of title
of 1977,
ase of not more
lacement only,
andoned Mine
xpended: Pro-
20,000,000 may
section 410 of
re than 25 per
projects in any
gency reclama-
2,000,000: Pro-
the Department
er centum from
United States

penditure, con-
expenses nec-
Indians, either
organizations,
other expenses
schools; grants
nce of law and
d protection of
isdiction of the
igation assess-
ances for Indian
Indian arts and
arts and crafts,
a o Bureau
dice, maintain-
ion 101 of title
d improvement
1,000 for school
r education pro-
n July 1, 1994,
ember 30, 1995,
ce programs, to
yments of funds
c Law 100-297
the payments
each calendar
gher education
tance to public
26), as amended
obligation until
to tribes and
ligated during
-Determination
r grants author-
388 (25 U.S.C.

2001 and 2008A) shall remain available until expended by the contractor or grantee; and of which \$1,983,000 for litigation support shall remain available until expended, \$4,934,000 for self-governance tribal compacts shall be made available on completion and submission of such compacts to the Congress, and shall remain available until expended; and of which \$1,179,000 for expenses necessary to carry out the provisions of section 19(a) of Public Law 93-531 (25 U.S.C. 640d-18(a)), shall remain available until expended: *Provided*, That none of the funds appropriated to the Bureau of Indian Affairs shall be expended as matching funds for programs funded under section 103(b)(2) of the Carl D. Perkins Vocational Education Act: *Provided further*, That of the amount appropriated under this head in Public Law 102-381, any unobligated balance as of September 30, 1993 related to the Alaska Native Claims Settlement Act shall remain available until expended and may be obligated under a grant to the Alaska Native Foundation for education, training, and technical assistance to Alaskan village corporations for reconveyance requirements: *Provided further*, That \$199,000 of the funds made available in this Act shall be available for cyclical maintenance of tribally owned fish hatcheries and related facilities: *Provided further*, That not to exceed \$91,223,000 of the funds in this Act shall be available for payments to tribes and tribal organizations for indirect costs associated with contracts or grants or compacts authorized by the Indian Self-Determination Act of 1975, as amended, for fiscal year 1994 and previous years: *Provided further*, That for the purpose of Indian Reservation road construction, all public Indian reservation roads (as defined in 23 U.S.C. 101), identified in the 1990 Bureau of Indian Affairs Juneau Area Transportation Study (and in any subsequent update of such Transportation Study) shall be included as BIA system adjusted miles in the Bureau of Indian Affairs highway trust fund formula for distribution for fiscal year 1994: *Provided further*, That this provision shall expire upon implementation by the Secretary of the Interior of a relative needs based highway trust fund allocation formula pursuant to 23 U.S.C. 202(d): *Provided further*, That none of the funds in this Act shall be used by the Bureau of Indian Affairs to transfer funds under a contract with any third party for the management of tribal or individual Indian trust funds until the funds held in trust for all such tribes or individuals have been audited and reconciled to the earliest possible date, the results of such reconciliation have been certified by an independent party as the most complete reconciliation of such funds possible, and the affected tribe or individual has been provided with an accounting of such funds: *Provided further*, That notwithstanding any other provision of law, the statute of limitations shall not commence to run on any claim, including any claim in litigation pending on the date of this Act, concerning losses to or mismanagement of trust funds, until the affected tribe or individual Indian has been furnished with the accounting of such funds from which the beneficiary can determine whether there has been a loss: *Provided further*, That \$297,000 of the amounts provided for education program management shall be available for a grant to the Close Up Foundation: *Provided further*, That the Task Force on Bureau of Indian Affairs Reorganization shall continue activities under its charter as adopted and amended on April 17, 1991: *Provided further*, That any reorganization proposal shall not be implemented until the Task Force has reviewed it

and recommended its implementation to the Secretary and such proposal has been submitted to and approved by the Committees on Appropriations, except that the Bureau may submit a reorganization proposal related only to management improvements, along with Task Force comments or recommendations to the Committees on Appropriations for review and disposition by the Committees *Provided further*, That to provide funding uniformity within a Self-Governance Compact, any funds provided in this Act with availability for more than one year may be reprogrammed to one year availability but shall remain available within the Compact until expended *Provided further*, That notwithstanding any other provision of law, Indian tribal governments may, by appropriate changes in eligibility criteria or by other means, change eligibility for general assistance or change the amount of general assistance payments for individuals within the service area of such tribe who are otherwise deemed eligible for general assistance payments so long as such changes are applied in a consistent manner to individuals similarly situated *Provided further*, That any savings realized by such changes shall be available for use in meeting other priorities of the tribes: *Provided further*, That any such change must be part of a comprehensive tribal plan for reducing the long-term need for general assistance payments: *Provided further*, That any such tribal plan must incorporate, to the greatest extent feasible, currently existing social service, educational training, and employment assistance resources prior to changing general assistance eligibility or payment standards which would have the effect of increasing the cost of general assistance *Provided further*, That any net increase in costs to the Federal government which result solely from tribally increased payment levels and which are not part of such a comprehensive tribal plan shall be met exclusively from funds available to the tribe from within its tribal priority allocation *Provided further*, That any forestry funds allocated to a tribe which remain unobligated as of September 30, 1994, may be transferred during fiscal year 1995 to an Indian forest land assistance account established for the benefit of such tribe within the tribe's trust fund account *Provided further*, That any such unobligated balances not so transferred shall expire on September 30, 1995: *Provided further*, That notwithstanding any other provision of law, no funds available to the Bureau of Indian Affairs, other than the amounts provided herein for assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq.), shall be available to support the operation of any elementary or secondary school in the State of Alaska in fiscal year 1994: *Provided further*, That the Bureau shall form a Joint Task Force with representatives of Alaska Natives and Alaska schools to examine the needs of the schools and formulate recommendations to address those needs in fiscal year 1994: *Provided further*, That any funds provided under this head or previously provided for tribally-controlled community colleges which are distributed prior to September 30, 1994 which have been or are being invested or administered in compliance with section 331 of the Higher Education Act shall be deemed to be in compliance for current and future purposes with title III of the Tribally Controlled Community Colleges Assistance Act.

For const
and power sy
ing architect
of lands and 1
\$166,979,000,
\$1,500,000 of
for rehabilitat
ties *Provided*
for the const
for other wat
River Pima-I
Arizona Wate
Community V
the Bureau of
6 per centum
Indian Affairs
to cover the
Indian Affairs
Safety of Dar
available on a

INDIAN LAND A

For misce
for implement
ments pursua
486, 101-602,
implementatio
necessary adm
able until exp
\$1,260,000 sh
98-500, 99-26
(1) to liquidate
of any checks
Equality Banl
31 U.S.C. 333
trust funds am
and loan assoc
ing any inter
but was not be

For Navaj
in accordance
93-531, as a
administrative
expended.

TECH

For payme
associated with
ing Act of 1974

CONSTRUCTION

For construction, major repair, and improvement of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands and interests in lands; and preparation of lands for farming, \$166,979,000, to remain available until expended: *Provided*, That \$1,500,000 of the funds made available in this Act shall be available for rehabilitation of tribally owned fish hatcheries and related facilities: *Provided further*, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project and for other water resource development activities related to the Salt River Pima-Maricopa Water Rights Settlement Act, Southern Arizona Water Rights Settlement Act and Fort McDowell Indian Community Water Rights Settlement Act may be transferred to the Bureau of Reclamation: *Provided further*, That not to exceed 6 per centum of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau of Indian Affairs: *Provided further*, That any funds provided for the Safety of Dams program pursuant to 25 U.S.C. 13 shall be made available on a non-reimbursable basis.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals for implementation of enacted Indian land and water claim settlements pursuant to Public Laws 87-483, 97-293, 100-512, 101-486, 101-602, 101-618, 101-628, 102-441, 102-575, and for implementation of other enacted water rights settlements, and for necessary administrative expenses, \$103,259,000, to remain available until expended: *Provided*, That of the funds provided herein, \$1,260,000 shall be available pursuant to Public Laws 96-420, 98-500, 99-264, and 100-580; and \$3,000,000 shall be available (1) to liquidate obligations owed tribal and individual Indian payees of any checks canceled pursuant to section 1003 of the Competitive Equality Banking Act of 1987 (Public Law 100-86 (101 Stat. 659)), 31 U.S.C. 3334(b), and (2) to restore to Individual Indian Monies trust funds amounts invested in credit unions or defaulted savings and loan associations and which were not Federally insured, including any interest on these amounts that may have been earned, but was not because of the default.

NAVAJO REHABILITATION TRUST FUND

For Navajo tribal rehabilitation and improvement activities in accordance with the provisions of section 32(d) of Public Law 93-531, as amended (25 U.S.C. 640d-30), including necessary administrative expenses, \$2,466,000, to remain available until expended.

TECHNICAL ASSISTANCE OF INDIAN ENTERPRISES

For payment of management and technical assistance requests associated with loans and grants approved under the Indian Financing Act of 1974, as amended, \$1,970,000.

INDIAN DIRECT LOAN PROGRAM ACCOUNT

For the cost, as defined in section 13201 of the Budget Enforcement Act of 1990, including the cost of modifying loans, of expert assistance loans authorized by the Act of November 4, 1963, as amended, and the cost of direct loans authorized by the Indian Financing Act of 1974, as amended, \$2,484,000. *Provided*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$10,890,000

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans, \$8,784,000, as authorized by the Indian Financing Act of 1974, as amended *Provided*, That such costs including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended *Provided further*, That these funds are available to subsidize total loan principal any part of which is to be guaranteed not to exceed \$69,000,000

In addition, for administrative expenses necessary to carry out the guaranteed loan program, \$906,000

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans, the Indian loan guarantee and insurance fund the Technical Assistance of Indian Enterprises account, the Indian Direct Loan Program account, and the Indian Guaranteed Loan Program account) shall be available for expenses of exhibits, and purchase of not to exceed 260 passenger carrying motor vehicles, of which not to exceed 212 shall be for replacement only

TERRITORIAL AND INTERNATIONAL AFFAIRS

ADMINISTRATION OF TERRITORIES

For expenses necessary for the administration of territories under the jurisdiction of the Department of the Interior, \$81,907,000, of which (1) \$77,369,000 shall be available until expended for technical assistance, including maintenance assistance, disaster assistance, drug interdiction and abuse prevention, insular management controls, and brown tree snake control and research; grants to the judiciary in American Samoa for compensation and expenses, as authorized by law (48 U.S.C. 1661(c)), grants to the Government of American Samoa, in addition to current local revenues, for construction and support of governmental functions; grants to the Government of the Virgin Islands as authorized by law, grants to the Government of Guam, as authorized by law, and grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241; 90 Stat. 272); and (2) \$4,538,000 shall be available for salaries and expenses of the Office of Territorial and International Affairs: *Provided*, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or utilized by such governments, shall be audited by the General Accounting Office, in accordance with chapter 35 of title 31, United States Code. *Provided further*, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives

48 USC 1409b

on Future U
Mariana Islan
legislation rel
Islands Coven
of the Interior
agreement are
but only by A
Provided furtl
nical assistan
Foundation P
operations an
institutionaliz
structure in
Commonwealth
Palau, the Re
States of Micr
and maintena
and maintena
and vocational
(with territori
by the Secret.
to timely main
any appropriat
Act or previou
matching fund
pursuant to se
and Emergency

TI
For expen
in administrati
ant to the Tr
of July 18, 1'
(68 Stat. 330),
495), and gra
in addition to l
\$23,838,000, t
\$18,464,000 fo
That all finan
such transactio
or utilized by s
Accounting Off
States Code:
funds appropri
this account f
against fiscal y
approving the l
658), if such C
vided further,
Republic of Pa
be dedicated to
agreement betw

For econon
erated States of