

UNITED STATES
STATUTES AT LARGE

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LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
ONE-HUNDREDTH CONGRESS
OF THE UNITED STATES OF AMERICA

1987

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AND

RECOMMENDATIONS OF THE PRESIDENT
AND PROCLAMATIONS

VOLUME 101

IN THREE PARTS

PART 2

PUBLIC LAWS 100-180 THROUGH 100-203



UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON 1989

*Public Law 100-202
100th Congress

Joint Resolution

Big Bend National

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Making further continuing appropriations for the fiscal year 1988, and for other purposes

Dec 22, 1987
[H J Res 395]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1 Because the spending levels included in this Resolution achieve the deficit reduction targets of the Economic Summit, sequestration is no longer necessary Therefore

2 USC 902 note

(a) Upon the enactment of this Resolution the orders issued by the President on October 20, 1987, and November 20, 1987, pursuant to section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, are hereby rescinded

(b) Any action taken to implement the orders referred to in subsection (a) shall be reversed, and any sequesterable resource that has been reduced or sequestered by such orders is hereby restored, revived, or released and shall be available to the same extent and for the same purpose as if the orders had not been issued.

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government for the fiscal year 1988, and for other purposes, namely

¹ SEC. 101 (a) Such amounts as may be necessary for programs, projects or activities provided for in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1988 at a rate of operations and to the extent and in the manner provided for, the provisions of such Act to be effective as if it had been enacted into law as the regular appropriations Act, as follows:

ENROLLMENT ERRATA

Pursuant to the provisions of section 101(n) of this joint resolution (appearing on 101 Stat 1329-432 changes made are indicated by footnote

The words "Government", when referring to the Government of the United States will be capitalized, "Act", if referring to an action of the Congress of the United States, will be capitalized, "State", when referring to a State of the United States will be capitalized, "title" and "section" will be lower case when referring to the United States Code or a Federal law The capitalization of the foregoing words may be changed, and not footnoted

Copy read: a. Such amounts

*Note: For information on the printing of this law and a related Presidential memorandum, see the editorial note at the end of the law.

Affairs
Resources

AN ACT

Making appropriations for the Department of the Interior and Related Agencies for the fiscal year ending September 30, 1988, and for other purposes

Department of the Interior and Related Agencies Appropriations Act, 1988

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, \$498,983,000, of which \$75,000,000 for firefighting and repayment to other appropriations from which funds were transferred under the authority of section 102 of the Department of the Interior and Related Agencies Appropriations Act, 1987, as contained in Public Law 99-591, shall remain available until expended: 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.

CONSTRUCTION AND ACCESS

For acquisition of lands and interests therein, and construction of buildings, recreation facilities, roads, trails, and appurtenant facilities, \$3,430,000, to remain available until expended

PAYMENTS IN LIEU OF TAXES

For expenses necessary to implement the Act of October 20, 1976 (31 U.S.C. 6901-07), \$105,000,000, of which not to exceed \$400,000 shall be available for administrative expenses

LAND ACQUISITION

For expenses necessary to carry out the provisions of sections 205, 206, and 318(d) of Public Law 94-579 including administrative expenses and acquisition of lands or waters, or interest therein, \$8,885,000, to be derived from the Land and Water Conservation Fund, to remain available until expended

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein including existing connecting roads on or adjacent to such grant lands, \$58,475,000, to remain available until expended. Provided, That the amount appropriated herein for road construction shall be transferred to the Federal Highway Administration, Department of Transportation: Provided further, That 25 per

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, 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, \$970,756,000, of which not less than \$47,787,000 shall remain available until expended for contract support for contracts entered into under Public Law 93-638; and of which not to exceed \$51,121,000 for higher education scholarships and assistance to public schools under the Act of April 16, 1934 (48 Stat. 596), as amended (25 U.S.C. 452 et seq), and \$25,000,000 for firefighting shall remain available for obligation until September 30, 1989, and the funds made available to tribes and tribal organizations through contracts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (88 Stat 2203; 25 U.S.C. 450 et seq) shall remain available until September 30, 1989: *Provided*, That this carryover authority does not extend to programs directly operated by the Bureau of Indian Affairs unless the tribe(s) and the Bureau of Indian Affairs enter into a cooperative agreement for consolidated services, and for expenses necessary to carry out the provisions of section 19(a) of Public Law 93-531 (25 U.S.C. 640d-18(a)), \$1,971,000, to remain available until expended: *Provided further*, 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 the amounts available 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 distributed on the same basis as such funds were distributed in fiscal year 1986: *Provided further*, That notwithstanding any provision of the American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act, the amounts appropriated for fiscal year 1988 for the Bureau of Indian Affairs for the Institute of American Indian Arts shall be available to operate the Institute until the Board of Regents and President of the Institute have been named and had an opportunity to organize, and for use under part A of that Act: *Provided further*, That the savings realized by the Bureau of Indian Affairs from the transfer of fish hatcheries to the United States Fish and Wildlife Service shall be available for cyclical maintenance of tribally-owned fish hatcheries and related facilities: *Provided further*, That no part of any appropriations to the Bureau of Indian Affairs shall be available to provide general assistance payments for Alaska Natives in the State of Alaska unless and until otherwise specifically provided for by Congress: *Provided further*, That none of

25 USC 452 note

20 USC 4411 note

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to construction shall not be released until (1) an application for the new school has been submitted to the Bureau of Indian Affairs and the Office of Construction Management; (2) the application has been reviewed and ranked on the school construction priority system; and (3) the planning and design for the new school has been completed *Provided further*, That \$1,482,000 of the funds appropriated for use by the Secretary to construct homes and related facilities for the Navajo and Hopi Indian Relocation Commission in lieu of construction by the Commission under section 15(d)(3) of the Act of December 22, 1974 (88 Stat. 1719; 25 U.S.C. 640d-14(d)(3)), may be used for counseling, archeological clearances, water production and administration related to the relocation of Navajo families *Provided further*, 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 may be transferred to the Bureau of Reclamation: *Provided further*, That none of the funds available in this Act may be used to implement any regulations, or amendments to or revisions of regulations, relating to the Bureau of Indian Affairs' housing improvement program that were not in effect on October 1, 1986.

ROAD CONSTRUCTION

For construction of roads and bridges pursuant to authority contained in 23 U.S.C. 203, the Act of November 2, 1921 (42 Stat. 208, 25 U.S.C. 13), and the Act of May 26, 1928 (45 Stat. 750; 25 U.S.C. 318a), \$1,000,000 for the Honobia Indian Road in Oklahoma, to remain available until expended: *Provided*, That not to exceed 5 per centum of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover roads program management costs and construction supervision costs of the Bureau of Indian Affairs.

MISCELLANEOUS PAYMENTS TO INDIANS

For miscellaneous payments to Indian tribes and individuals pursuant to Public Laws 98-500, 99-264, and 99-503, including funds for necessary administrative expenses, \$13,340,000, to remain available until expended. *Provided*, That not to exceed \$10,700,000 is made available to the Tohono O'odham Nation for purposes authorized in the Gila Bend Indian Reservation Lands Replacement Act, Public Law 99-503.

MISCELLANEOUS TRUST FUNDS

TRIBAL TRUST FUNDS

In addition to the tribal funds authorized to be expended by existing law, there is appropriated in fiscal year 1988 and thereafter to the Secretary of the Interior for the benefit of the tribes on whose behalf such funds were collected, not to exceed \$1,000,000 in each fiscal year from tribal funds not otherwise available for expenditure

REVOLVING FUND FOR LOANS

During fiscal year 1988, and within the resources and authority available, gross obligations for the principal amount of direct loans

25 U.S.C. 123d

pursuant to the Indian Financing Act of 1974, as amended (88 Stat 77, 25 U S C 1451 et seq), shall not exceed resources and authority available

INDIAN LOAN GUARANTY AND INSURANCE FUND

For payment of interest subsidies on new and outstanding guaranteed loans and for necessary expenses of management and technical assistance in carrying out the provisions of the Indian Financing Act of 1974, as amended (88 Stat 77, 25 U S C 1451 et seq), \$3,085,000, to remain available until expended *Provided*, That during fiscal year 1988, total commitments to guarantee loans pursuant to the Indian Financing Act of 1974, as amended, may be made only to the extent that the total loan principal, any part of which is to be guaranteed, shall not exceed resources and authority available

ADMINISTRATIVE PROVISIONS

Appropriations for the Bureau of Indian Affairs (except the revolving fund for loans and the Indian loan guarantee and insurance fund) shall be available for expenses of exhibits, and purchase of not to exceed 150 passenger carrying motor vehicles, of which 100 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, \$78,235,000 of which (1) \$75,287,000 shall be available until expended for technical assistance, late charges and payments of the annual interest rate differential required by the Federal Financing Bank, under terms of the second refinancing of an existing loan to the Guam Power Authority, as authorized by law (Public Law 98-454; 98 Stat 1732), 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 support of governmental functions; construction grants to the Government of the Virgin Islands as authorized by Public Law 97-357 (96 Stat 1709), construction grants to the Government of Guam, as authorized by law (Public Law 98-454, 98 Stat 1732), grants to the Government of the Northern Mariana Islands as authorized by law (Public Law 94-241; 90 Stat 272); and (2) \$2,948,000 for salaries and expenses of the Office of Territorial and International Affairs: *Provided*, That the territorial and local governments herein provided for are authorized to make purchases through the General Services Administration *Provided further*, 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 on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 99-396, except that should the Secretary of the Interior believe that

48 USC 1401f
1423f 1665

48 USC 1469b

the performance operations funds required by Public Law 100-202 previously appropriated to the United States to the Alexander Hamilton Development Corporation shall be available for issuance of a grant of Airport Construction and Aviation Administration amounts provided by Public Law 100-202 to the Clinton Foundation for a total appropriation of \$100 million for a disaster contingency fund

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For expenses of the administration of the Trust Territory of the Pacific Islands to the Trust Territory of the Pacific Islands, 18, 1947 (61 Stat 1000), as amended (90 Stat 1000), for support of the expenses of the Pacific Islands; for the Judiciary of the Trust Territory of the Pacific Islands for support of \$33,940,000 is for claims pursuant to that section 105 of the Trust Territory of the Pacific Islands Code, inserting after section 105 of the Trust Territory of the Pacific Islands Code, the following: "105. For construction, maintenance, and repair of the Trust Territory of the Pacific Islands, the Trust Territory of the Pacific Islands, that all financial transactions of the Trust Territory of the Pacific Islands, such transactions of the Trust Territory of the Pacific Islands, utilized by such 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*, That the Trust Territory of the Pacific Islands, through the General Accounting Office, shall be audited by the General Accounting Office, in accordance with chapter 35 of title 31, United States Code."

For economic assistance to the States of Micronesia, provided for in section 105 of the Trust Territory of the Pacific Islands Code, authorized by Public Law 99-396, the provisions of section 105 of the Palau Compact with the Palau Commonwealth shall be the effective date of section 105(d) of the Trust Territory of the Pacific Islands Code, previously appropriated for audit purposes as follows: "105. For economic assistance to the States of Micronesia, provided for in section 105 of the Trust Territory of the Pacific Islands Code, authorized by Public Law 99-396, the provisions of section 105 of the Palau Compact with the Palau Commonwealth shall be the effective date of section 105(d) of the Trust Territory of the Pacific Islands Code, previously appropriated for audit purposes as follows: Association."