
MISCELLANEOUS APPROPRIATIONS

PUBLIC LAW 106-554

MISCELLANEOUS APPROPRIATIONS, 2001

114 STAT.

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.

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

Incorporation by
reference.

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 Transportation 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 information required by that section, the Director of the Office of Management and Budget shall change any balance of direct spending 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”.

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APPENDIX D—H.R. 5666

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

CHAPTER 1

GENERAL PROVISIONS—THIS CHAPTER

SEC. 101. The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001, is amended—

(1) In title III, under the heading “Rural Utilities Service, Rural Electrification and Telecommunications Loans Program Account”, after “per year” insert “: *Provided further*, That not more than \$100,000 shall be available for guarantees of private sector loans”.

(2) In title III, at the end of the first proviso under the “Rural Housing Assistance Grants” account, insert “in Mississippi and Alaska”.

(3) In section 724, by striking “to Hispanic-serving institutions” and all that follows through “maintained by such institutions” and inserting “to eligible grantees specified in subsection (d)(3) of that section”;

(4) In title VIII, under the heading “Rural Community Advancement Program”, by striking “January 1, 2001” and inserting “January 1, 2000”;

(5) In section 806, by inserting “: *Provided further*, That of the funds made available by this section, the Secretary shall transfer \$5,000,000 to the State of Alabama to be used in conjunction with the program administered by the Alabama Department of Agriculture and Industries: *Provided further*, That of the funds made available by this section, the Secretary shall transfer not more than \$300,000 to the State of Montana for transportation needs associated with emergency haying and feeding: *Provided further*, That of the funds made available by this section, the Secretary shall use not more than \$2,000,000 to carry out a program for income losses sustained before April 30, 2001, by individuals who raise poultry owned by other individuals as a result of Poult Enteritis Mortality Syndrome control programs, as determined by the Secretary” after “American Indian Livestock Feed Program”;

(6) In section 815(d)(3), by inserting “affected” after “all”;

¹\$50,000,000

¹ CBO estimate.

(7) In section 830, by striking “section 401” and inserting “title IV”.

(8) In section 843, by striking “were unable to market the crops” and all that follows through “in this section:” and inserting “suffered a loss because of the insolvency of an agriculture cooperative in the State of California: *Provided*, That the amount of a payment made to a producer under this section shall not exceed 50 percent of the loss referred to in this section.”;

(9) In section 844—

(A) in the section heading, by inserting “, FLUE-CURED, AND CIGAR BINDER TYPE 54-55” after “BURLEY”; and

(B) in subsection (a)—

(i) in paragraph (1)—

(I) by inserting “, without further cost to the association,” after “settle”; and

(II) by inserting “, Flue-cured, or Cigar Binder Type 54-55” after “Burley” each place it appears;

(ii) in paragraph (2)(B), by inserting “, Flue-cured, Cigar Binder Type 54-55,” after “Burley”; and

(iii) in paragraph (3), by striking subparagraph

(A) and inserting the following:

¹ \$13,000,000

“(A) counted for the purpose of determining the Burley, Flue-cured, or Cigar Binder Type 54-55 tobacco quota or allotment for any year under part I of subtitle B of title III of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1311 et seq.); or”;

(10) Notwithstanding any other provision of law, section 204(b)(10)(B) of Public Law 106-224 shall not be effective until July 1, 2001; and

(11) The effective date of this section is the date of enactment of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001.

SEC. 102. The second sentence of section 520 of the Housing Act of 1949 (42 U.S.C. 1490) is amended by striking “1990 decennial census” and inserting “1990 or 2000 decennial census”, and by striking “year 2000” and inserting “year 2010”.

SEC. 103. The Secretary of Agriculture, in collaboration with the Secretaries of Energy and Interior, shall undertake a study of the feasibility of including ethanol, biodiesel, and other bio-based fuels as part of the Strategic Petroleum Reserve. This study shall include a review of legislative and regulatory changes needed to allow this inclusion, and those elements necessary to design and implement such a program, including cost. The Secretary shall provide this study to the House and Senate Appropriations Committees by February 15, 2001.

SEC. 104. Notwithstanding section 730 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000 (Public Law 106-78), the City of Wilson, North Carolina, shall be eligible in fiscal year 2001 for the community facility loan guarantee program under section 306(a)(1) of the Consolidated Farm and Rural Development Act.

SEC. 105. Title VIII of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001, is amended by inserting at the end the following new section:

¹ CBO estimate.

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“SEC. 778. Notwithstanding section 723 of this Act or any other provision of law, there are hereby appropriated \$26,000,000, to remain available until expended, for the program authorized under section 334 of the Federal Agriculture Improvement and Reform Act of 1996: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$26,000,000, 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.”

\$26,000,000

SEC. 106. In carrying out the bovine tuberculosis eradication program covered by the Secretary of Agriculture’s emergency declaration effective as of October 11, 2000, the Secretary of Agriculture shall pay 100 percent of the amounts of approved claims for materials affected by or exposed to bovine tuberculosis, and of approved claims growing out of the destruction of animals: *Provided*, That in calculating the net present value of the future income portion of any claim, the Secretary shall use a discount rate of 7 percent: *Provided further*, That the entire amount necessary to carry out this section shall be available only to the extent that an official budget request for the entire 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: *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.

¹ 6,000,000

SEC. 107. Section 820(b) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001, is amended by striking “of 1996” and inserting the following: “of 1996, and for the Farmland Protection Program established under section 388 of the Federal Agriculture Improvement and Reform Act of 1996”.

SEC. 108. For an additional amount for the United States Department of Agriculture, Office of the General Counsel, \$500,000: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$500,000, 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.

500,000

SEC. 109. For an additional amount for Grain Inspection, Packers and Stockyards Administration, Salaries and Expenses, \$200,000: *Provided*, That the entire amount shall be available only to the extent an official budget request for \$200,000, 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.

200,000

SEC. 110. Notwithstanding any other provision of law, the Natural Resources Conservation Service may provide financial and

¹ CBO estimate.

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technical assistance to the Hamakua Ditch project in Hawaii from funds available for the Emergency Watershed Program, not to exceed \$3,000,000.

[Total, Chapter 1, \$95,700,000.]

CHAPTER 2

DEPARTMENT OF JUSTICE

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

\$500,000 For an additional amount for “Salaries and Expenses”, \$500,000, to remain available until expended: *Provided*, That these funds are to be expended by the National Institute of Corrections (NIC) for a comprehensive assessment of medical care and incidents of inmate mortality in the Wisconsin State Prison System.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

300,000 For an additional amount for “Justice Assistance”, \$300,000, to remain available until expended: *Provided*, That these funds are to be expended to expand the collection of data on prisoner deaths while in law enforcement custody.

COMMUNITY ORIENTED POLICING SERVICES

3,080,000 For an additional amount for “Community Oriented Policing Services”, \$3,080,000, to remain available until expended, of which \$1,880,000 shall be for a grant to the Pasadena, California, Police Department for equipment; of which \$200,000 shall be for a grant to the City of Signal Hill, California, for equipment and technology for an emergency operations center; and of which \$1,000,000 shall be for a grant to the State of Alabama Department of Forensic Sciences for equipment.

JUVENILE JUSTICE PROGRAMS

1,000,000 For an additional amount for “Juvenile Justice Programs”, \$1,000,000, to remain available until expended, for a grant to Mobile County, Alabama, for a juvenile court network program.

GENERAL PROVISIONS

SEC. 201. Chapter 2 of title II of division B of Public Law 106-246 (114 Stat. 542) is amended in the matter immediately under the first heading—

(1) by inserting, “(or the State, in the case of New Mexico)” before “only”; and

(2) by inserting, “detention costs,” after “court costs,”.

12,000,000 SEC. 202. For an additional amount under the heading “United States Attorneys, Salaries and Expenses” in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001, \$10,000,000 for the State of Texas and \$2,000,000 for the State of Arizona, to reimburse county and municipal governments only for Federal costs associated with the handling and processing of illegal immigration and drug and alien smuggling

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cases, such reimbursements being limited to court costs, detention costs, courtroom technology, the building of holding spaces, administrative staff, and indigent defense costs.

SEC. 203. In addition to amounts appropriated under the heading “State and Local Law Enforcement Assistance, Office of Justice Programs” in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001, \$9,000,000 is for an award to the Alliance of Boys & Girls of South Carolina for the establishment of the Strom Thurmond Boys & Girls Club National Training Center. \$9,000,000

SEC. 204. In addition to any amounts made available for “State and Local Law Enforcement Assistance” within the Department of Justice, \$500,000 shall be made available only for the New Hampshire Department of Safety to investigate and support the prosecution of violations of Federal trucking laws. 500,000

SEC. 205. In addition to other amounts made available for the COPS technology program of the Department of Justice, \$4,000,000 shall be available to the State of South Dakota to establish a regional radio system to facilitate communications between Federal, State, and local law enforcement agencies, fire-fighting agencies, and other emergency services agencies. 4,000,000

[Total, Department of Justice, \$30,380,000.]

DEPARTMENT OF COMMERCE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$200,000, to remain available until expended, for the establishment of satellite accounts for the travel and tourism industry. 200,000

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for “Operations, Research, and Facilities”, \$750,000, to remain available until expended, for a study by the National Academy of Sciences pursuant to H.R. 2090, as passed by the House of Representatives on September 12, 2000. 750,000

GENERAL PROVISIONS

SEC. 206. The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001, as enacted by section 1(a)(2) of the Act entitled “An Act 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, 2001, and for other purposes” is amended by inserting before the period at the end of the paragraph under the heading “National Oceanic and Atmospheric Administration, Operations, Research, and Facilities” the following new proviso: “: *Provided further*, That, of the amounts made available for the National Marine Fisheries Service under this heading, \$10,000,000 shall be available only for research regarding litigation concerning the Alaska Steller sea lion and Bering Sea/Aleutian Islands and Gulf of Alaska groundfish fisheries, of which \$6,000,000 shall be available only for the Office of Oceanic

and Atmospheric Research to study the impact of ocean climate shifts on the North Pacific and Bering Sea fish and marine mammal species composition, of which \$2,000,000 shall be available only for the National Ocean Service to study predator/prey relationships as they relate to the decline of the western population of Steller sea lions, and of which \$2,000,000 shall be available only for the North Pacific Fishery Management Council for an independent analysis of Steller sea lion science and other work related to such litigation”.

\$7,500,000 SEC. 207. (a) In addition to amounts appropriated or otherwise made available under the heading “Operations, Research, and Facilities, National Oceanic and Atmospheric Administration” in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001, \$7,500,000 is appropriated for disaster assistance for communities affected by the 2000 western Alaska salmon disaster for which the Secretary of Commerce declared a fishery failure under section 312(a) of the Magnuson Stevens Fisheries Conservation and Management Act.

(b) Funds appropriated by this section shall be made available as direct lump sum payments no later than 30 days after the date of enactment of this Act, as follows: \$3,500,000 to the Tanana Chiefs Conference, \$3,500,000 to the Association of Village Council Presidents, and \$500,000 to Kawerak.

(c) Such funds shall be used to provide personal assistance with priority given to: (1) food; (2) energy needs; (3) housing assistance; (4) transportation fuel including for subsistence activities; and (5) other urgent community needs.

(d) Not more than 5 percent of such funds may be used for administrative expenses.

(e) The President of the Tanana Chiefs Conference, the President of the Association of Village Council Presidents, and the President of Kawerak shall disburse all funds no later than May 1, 2000 and shall submit a report to the Secretary of Commerce detailing the expenditure of funds, including the number of persons and households served and the amount of administrative costs, by the end of the fiscal year.

3,000,000 SEC. 208. In addition to amounts appropriated or otherwise made available by this or any other Act, \$3,000,000 is appropriated to enable the Secretary of Commerce to provide economic assistance to fishermen and fishing communities affected by Federal closures and fishing restrictions in the Hawaii long line fishery, to remain available until expended.

SEC. 209. IMPLEMENTATION OF STELLER SEA LION PROTECTIVE MEASURES.—

(a) FINDINGS.—The Congress finds that—

(1) the western population of Steller sea lions has substantially declined over the last 25 years.

(2) scientists should closely research and analyze all possible factors relating to such decline, including the possible interactions between commercial fishing and Steller sea lions and the localized depletion hypothesis;

(3) the authority to manage commercial fisheries in Federal waters lies with the regional councils and the Secretary of Commerce (hereafter in this section “Secretary”) pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (hereafter in this section “Magnuson-Stevens Act”); and

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(4) the Secretary of Commerce shall comply with the Magnuson-Stevens Act when using fishery management plans and regulations to implement the decisions made pursuant to findings under the Endangered Species Act, and shall utilize the processes and procedures of the regional fishery management councils as required by the Magnuson-Stevens Act.

(b) INDEPENDENT SCIENTIFIC REVIEW.—The North Pacific Fishery Management Council (hereafter in this section “North Pacific Council”) shall utilize the expertise of the National Academy of Sciences to conduct an independent scientific review of the November 30, 2000 Biological Opinion for the Bering Sea/Aleutian Islands and Gulf of Alaska groundfish fisheries (hereafter in this section “Biological Opinion”), its underlying hypothesis, and the Reasonable and Prudent Alternatives (hereafter in this section “Alternatives”) contained therein. The Secretary shall cooperate with the independent scientific review, and the National Academy of Sciences is requested to give its highest priority to this review.

(c) PREPARATION OF FISHERY MANAGEMENT PLANS AND REGULATIONS TO IMPLEMENT PROTECTIVE MEASURES IN THE NOVEMBER 30, 2000 BIOLOGICAL OPINION.—

(1) The Secretary of Commerce shall submit to the North Pacific Council proposed conservation and management measures to implement the Alternatives contained in the November 30, 2000 Biological Opinion for the Bering Sea/Aleutian Islands and Gulf of Alaska groundfish fisheries. The North Pacific Council shall prepare and transmit to the Secretary a fishery management plan amendment or amendments to implement such Alternatives that are consistent with the Magnuson-Stevens Act (including requirements in such Act relating to best available science, bycatch reduction, impacting on fishing communities, the safety of life at sea, and public comment and hearings.)

(2) The Bering Sea/Aleutian Islands and Gulf of Alaska groundfish fisheries shall be managed in a manner consistent with the Alternatives contained in the Biological Opinion, except as otherwise provided in this section. The Alternatives shall become fully effective no later than January 1, 2002, as revised if necessary and appropriate based on the independent scientific review referred to in subsection (b) and other new information, and shall be phased in in 2001 as described in paragraph (3).

(3) The 2001 Bering Sea/Aleutian Islands and Gulf of Alaska groundfish fisheries shall be managed in accordance with the fishery management plan and Federal regulations in effect for such fisheries prior to July 15, 2000, including—

- (A) conservative total allowable catch levels;
- (B) no entry zones within three miles of rookeries;
- (C) restricted harvest levels near rookeries and haul-

outs;

- (D) federally-trained observers;
- (E) spatial and temporal harvest restrictions;
- (F) federally-mandated bycatch reduction programs;

and

- (G) additional conservation benefits provided through cooperative fishing arrangements,

and said regulations are hereby restored to full force and effect.

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(4) The Secretary shall amend these regulations by January 20, 2001, after consultation with the North Pacific Council and in a manner consistent with all law, including the Magnuson-Stevens Act, and consistent with the Alternatives to the maximum extent practicable, subject to the other provisions of this subsection.

(5) The harvest reduction requirement ("Global Control Rule") shall take effect immediately in any 2001 groundfish fishery in which it applies, but shall not cause a reduction in the total allowable catch of any fishery of more than 10 percent.

(6) In enforcing regulations for the 2001 fisheries, the Secretary, upon recommendation of the North Pacific Council, may open critical habitat where needed, adjust seasonal catch levels, and take other measures as needed to ensure that harvest levels are sufficient to provide income from these fisheries for small boats and Alaskan on-shore processors that is no less than in 1999.

(7) The regulations that are promulgated pursuant to paragraph (4) shall not be modified in any way other than upon recommendation of the North Pacific Council, before March 15, 2001.

\$20,000,000 (d) SEA LION PROTECTION MEASURES.—\$20,000,000 is hereby appropriated to the Secretary of Commerce to remain available until expended to develop and implement a coordinated, comprehensive research and recovery program for the Steller sea lion, which shall be designed to study—

- (1) available prey species;
- (2) predator/prey relationships;
- (3) predation by other marine mammals;
- (4) interactions between fisheries and Steller sea lions, including the localized depletion theory;
- (5) regime shift, climate change, and other impacts associated with changing environmental conditions in the North Pacific and Bering Sea;
- (6) disease;
- (7) juvenile and pup survival rates;
- (8) population counts;
- (9) nutritional stress;
- (10) foreign commercial harvest of sealions outside the exclusive economic zone;
- (11) the residual impacts of former government-authorized Steller sea lion eradication bounty programs; and
- (12) the residual impacts of intentional lethal takes of Steller sea lions.

Within available funds the Secretary shall implement on a pilot basis innovative non-lethal measures to protect Steller sea lions from marine mammal predators including killer whales.

30,000,000 (e) ECONOMIC DISASTER RELIEF.—\$30,000,000 is hereby appropriated to the Secretary of Commerce to make available as a direct payment to the Southwest Alaska Municipal Conference to distribute to fishing communities, businesses, community development quota groups, individuals, and other entities to mitigate the economic losses caused by Steller sea lion protection measures heretofore incurred; provided that the President of such organization shall provide a written report to the Secretary and the House

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and Senate Appropriations Committee within 6 months of receipt of these funds.

[*Total, Department of Commerce, \$61,450,000.*]

DEPARTMENT OF STATE AND RELATED AGENCY

GENERAL PROVISIONS

SEC. 210. In addition to any amounts made available for “Educational and Cultural Exchange Programs within the Department of State”, \$500,000 shall be made available only for the Irish Institute. \$500,000

SEC. 211. In addition to amounts appropriated under the heading “International Broadcasting Operations, Broadcasting Board of Governors” in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001, \$10,000,000 to remain available until expended, for increased broadcasting to Russia and surrounding areas, and to China, by Radio Free Europe/Radio Liberty, Radio Free Asia, and the Voice of America: *Provided*, That any amount of such funds may be transferred to the “Broadcasting Capital Improvements” account to carry out such purposes. 10,000,000

[*Total, \$10,500,000.*]

RELATED AGENCIES

COMMISSION ON ONLINE CHILD PROTECTION

For necessary expenses of the Commission on Online Child Protection, \$750,000, to remain available until expended. 750,000

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$1,000,000 shall be available for a grant to the Electronic Commerce Resource Center in Scranton, Pennsylvania, to establish an electronic commerce technology distribution center. 1,000,000

GENERAL PROVISION

SEC. 212. For an additional amount for “Small Business Administration, Salaries and Expenses”, \$1,000,000 shall be made available only for a grant to the National Museum of Jazz in New York, New York. 1,000,000

GENERAL PROVISION—THIS CHAPTER

SEC. 213. (a) The provisions of H.R. 5548 (as enacted into law by H.R. 4942 of the 106th Congress) are amended as follows:

(1) In title I, under the heading “Salaries and Expenses, United States Marshals Service”, by striking “3,947” and inserting “4,034”.

(2) In title I, by redesignating sections 114 through 119 as sections 113 through 118, respectively.

(3) In title II, under the heading “National Oceanic and Atmospheric Administration—Operations, Research, and Facilities”, by striking “\$31,439,000” and inserting “\$32,054,000”.

(4) In title II, under the heading “National Oceanic and Atmospheric Administration—Coastal and Ocean Activities”—

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(A) by striking “non-contiguous States except Hawaii” and inserting “Alaska”;

(B) by striking “Inc.” and inserting “Inc.”;

(C) by striking “scrub;” and inserting “scrub;”;

(D) by striking “watershed for lower Rouge River restoration:” and inserting “watershed:”.

(5) In title IV, by striking section 406 and by redesignating sections 407 and 408 as sections 406 and 407, respectively.

(6) In title VI, by striking sections 635 and 636.

(7) In title IX, in the first proviso of section 901, by striking “, territory or an Indian Tribe” and inserting “or territory”.

(b) The amendments made by this section shall take effect as if included in H.R. 4942 of the 106th Congress on the date of its enactment.

[Total, chapter 2, \$105,080,000.]

CHAPTER 3

DEPARTMENT OF DEFENSE

GENERAL PROVISIONS—THIS CHAPTER

SEC. 301. In the event that award of the full funding contract for low-rate initial production of the F-22 aircraft is delayed beyond December 31, 2000 because of inability to complete the requirements specified in section 8124 of the Department of Defense Appropriations Act, 2001 (Public Law 106-259), the Secretary of the Air Force may obligate up to \$353,000,000 of the funds appropriated in title III of Public Law 106-259 to continue F-22 Lot 1 (10 aircraft) advance procurement to protect the supplier base and preserve program costs and schedule.

SEC. 302. (a) Consistent with Executive Order Number 1733, dated March 3, 1913, and notwithstanding section 303 of the Alaska National Interest Lands Conservation Act, Public Law 96-487, or any other law, the Department of the Air Force shall have primary jurisdiction, custody, and control over Shemya Island and its appurtenant waters (including submerged lands). In exercising such primary jurisdiction, custody, and control, the Secretary of the Air Force may utilize and apply such authorities as are generally applicable to a military installation, base, camp, post, or station. Shemya Island and its appurtenant waters (including submerged lands) shall continue to be included within the Alaska Maritime National Wildlife Refuge and the National Wildlife Refuge System and the Secretary of the Interior shall have jurisdiction secondary to that of the Department of the Air Force. Nothing in this section shall prohibit the transfer of jurisdiction, custody, and control over Shemya Island by the Department of the Air Force to another military department. In the event the military department exercising such primary jurisdiction, custody, and control no longer has a need to exercise such primary jurisdiction, custody, and control of Shemya Island and its appurtenant waters (including submerged lands), such jurisdiction, custody, and control shall terminate and the Secretary of the Interior shall then exercise sole jurisdiction, custody, and control over Shemya Island and its appurtenant waters (including submerged lands) as part of the Alaska Maritime National Wildlife Refuge.

(b) Any environmental contamination of Shemya Island caused by a military department shall be the responsibility of that military

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department and not the responsibility of the Department of the Interior. Any money rentals received by a military department from outgrants on Shemya Island will be applied to the environmental restoration of the island in accordance with 10 U.S.C. 2667.

(c) This section shall not be construed as altering any existing property rights of the State of Alaska or any private person.

(d) The military department exercising primary jurisdiction, custody, and control over Shemya Island shall, consistent with the accomplishment of the military mission and subject to section 21 of the Internal Security Act of 1950, Public Law 81-831 (50 U.S.C. 797) (also known as the Subversive Activities Control Act of 1950)—

(1) work with the United States Fish and Wildlife Service to protect and conserve the wildlife and habitat on the island; and

(2) grant access to Shemya Island and its appurtenant waters to the United States Fish and Wildlife Service for the purpose of management of the Alaska Maritime National Wildlife Refuge.

SEC. 303. Within the funds appropriated for the Patriot PAC-3 program under title III of the Department of Defense Appropriations Act, 2001 (Public Law 106-259), the Ballistic Missile Defense Organization shall procure no less than 40 PAC-3 missiles.

SEC. 304. Section 8133 of Public Law 106-259 (114 Stat. 703) is amended by striking “\$300,000,000” in the first proviso and inserting “\$550,000,000”.

(TRANSFER OF FUNDS)

SEC. 305. Of the total amount appropriated by title II of the Department of Defense Appropriations Act, 2001 (Public Law 106-259) for operation and maintenance for the Armed Force or Armed Forces under the jurisdiction of the Secretary of a military department, the Secretary of that military department may transfer up to \$2,000,000 to the central fund established by the Secretary under section 2493(d) of title 10, United States Code, for funding Fisher Houses and Fisher Suites. Amounts so transferred shall be merged with other amounts in the central fund to which transferred and shall be available without fiscal year limitation for the purposes for which amounts in that fund are available.

SEC. 306. FUNDING FOR CERTAIN COSTS OF VESSEL TRANSFERS. There is hereby appropriated into the Defense Vessels Transfer Program Account such sums as may be necessary for the costs (as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a)) of the lease-sale transfers authorized by the National Defense Authorization Act, 2001. Funds in that account are available only for the purpose of covering those costs.

SEC. 307. Of the total amount appropriated by title IV of the Department of Defense Appropriations Act, 2001 (Public Law 106-259) under the heading “Research, Development, Test and Evaluation, Defense-Wide”, not less than \$5,000,000 shall be made available only for support of a Gulf War illness research program at the University of Texas Southwestern Medical Center.

(INCLUDING TRANSFER OF FUNDS)

SEC. 308. In addition to amounts appropriated for the Department of Defense in the Department of Defense Appropriations Act,

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\$150,000,000 2001 (Public Law 106-259), \$150,000,000 is hereby appropriated for “Operation and Maintenance, Navy” and shall remain available until expended, only for costs associated with the repair of the U.S.S. COLE: *Provided*, That the Secretary of Defense may transfer these funds to appropriations accounts for procurement: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the welfare of the crew, and of the families of the crew, of the U.S.S. COLE shall be considered in the Navy’s selection of the process and location for the repair of the U.S.S. COLE: *Provided further*, That the entire amount made available in 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.

SEC. 309. Notwithstanding any other provision of law, the Administrator of the General Services Administration may utilize funds available to the National Science and Technology Council (authorized by Executive Order No. 12881), or any successor entity to the council, under section 635 of the Treasury and General Government Appropriations Act, 2001, for payment of any expenses of, and shall ensure that administrative services, facilities, staff and other support are provided for, the Commission on the Future of the United States Aerospace Industry pursuant to section 1092(e)(1) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by section 1 of the Act to authorize appropriations for fiscal year 2001 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes).

2,000,000 SEC. 310. In addition to funds provided elsewhere in this Act, or in the Department of Defense Appropriations Act, 2001 (Public Law 106-259), \$2,000,000 is hereby appropriated to “Operation and Maintenance, Marine Corps”, only for planning and National Environmental Protection Act documentation for the proposed airfield and heliport at the Marine Corps Air Ground Task Force Training Command.

(TRANSFER OF FUNDS)

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

SEC. 312. (a) The Secretary of the Air Force is authorized to convey to the Roosevelt General Hospital, Portales, New Mexico, without consideration, and without regard to title II of the Federal Property and Administrative Services Act of 1949, all right, title,

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and interest of the United States in any personal property of the Air Force that the Secretary determines—

(1) is appropriate for use by the Roosevelt General Hospital in the operation of that hospital; and

(2) is excess to the needs of the Air Force.

(b) The Secretary may require any additional terms and conditions in connection with any conveyance under subsection (a) that the Secretary considers appropriate to protect the interests of the United States.

(INCLUDING TRANSFER OF FUNDS)

SEC. 313. In addition to amounts appropriated for the Department of Defense in the Department of Defense Appropriations Act, 2001 (Public Law 106-259), \$100,000,000 is hereby appropriated for “Overseas Contingency Operations Transfer Fund” and shall remain available until expended: *Provided*, That the Secretary of Defense may transfer the funds provided herein only to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and working capital funds: *Provided further*, That the funds transferred shall be merged with and shall be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority contained elsewhere in this Act: *Provided further*, That funds appropriated by this section, or made available by the transfer of funds in this section, for intelligence activities are deemed to be specifically authorized by the Congress for the purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2001: *Provided further*, That the entire amount made available in 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.

\$100,000,000

SEC. 314. Of the total amount appropriated by title IV of the Department of Defense Appropriations Act, 2001 (Public Law 106-259) under the heading “Research, Development, Test and Evaluation, Navy”, up to \$3,000,000 shall be made available to the Marine Corps to pursue research in Nanotechnology for Consequence Management.

SEC. 315. Of the total amount appropriated by title IV of the Department of Defense Appropriations Act, 2001 (Public Law 106-259) under the heading “Research, Development, Test and Evaluation, Army”, not less than \$1,500,000 shall be made available only for installation of the Medical Area Network for Virtual Technologies at Fort Detrick and Walter Reed Army Hospital, and not less than \$1,000,000 shall be made available only to conduct a pilot study to determine the feasibility of establishing a Department of Defense Information Analysis Center for telemedicine.

SEC. 316. The Secretary of the Navy shall acquire 50 acres of real property located on Reed Island, along the south shore of the St. John’s River across from Blount Island Command, Jacksonville, Florida. The Secretary of the Navy shall pay not more than the fair market value of the property, to be determined pursuant to an appraisal acceptable to the Secretary of the Navy;

but in no case shall the price exceed \$4,200,000: *Provided*, That the exact acreage and legal description of the real property to be acquired pursuant to this section shall be determined by a survey satisfactory to the Secretary of the Navy: *Provided further*, That the Secretary of the Navy may require such additional terms and conditions in connection with the land acquisition pursuant to this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 317. Of the total amount appropriated by title IV of the Department of Defense Appropriations Act, 2001 (Public Law 106-259) under the heading "Research, Development, Test, and Evaluation, Navy" the Secretary of the Navy may establish Marine Fire Training Centers at the Marine and Environmental Research and Training Station and Barbers Point by grants or contracts.

SEC. 318. Notwithstanding any other provision of law, and notwithstanding the provisions in section 7306 of title 10, United States Code, of the funds provided in the Department of Defense Appropriations Act, 2001 (Public Law 106-259) for "Operation and Maintenance, Navy", \$750,000 shall be available only for repair of ex-Turner Joy.

SEC. 319. In addition to amounts appropriated or otherwise made available for the Department of Defense elsewhere in this Act or in the Department of Defense Appropriations Act, 2001 (Public Law 106-259), \$2,000,000 is hereby appropriated under the heading "Operation and Maintenance, Defense-Wide", to remain available for obligation until September 30, 2001, only for the Defense Imagery and Mapping Agency Program.

SEC. 320. None of the funds available in the Department of Defense Appropriations Act, 2001 (Public Law 106-259) shall be used to consolidate or incorporate Air Force radar operations maintenance and support programs or contracts into an Air Force SENSOR or a similar acquisition program.

SEC. 321. In addition to amounts appropriated elsewhere in this Act, or in the Department of Defense Appropriations Act, 2001 (Public Law 106-259), \$1,000,000 is hereby appropriated to "Research, Development, Test and Evaluation, Air Force", only to develop rapid diagnostic and fingerprinting techniques along with molecular monitoring systems for the detection of nosocomial infections.

SEC. 322. Of the total amount appropriated by title IV of the Department of Defense Appropriations Act, 2001 (Public Law 106-259) under the heading "Research, Development, Test and Evaluation, Navy", \$1,500,000 shall be made available by grant or contract only to the California Central Coast Research Partnership (C3RP).

SEC. 323. FORT IRWIN NATIONAL TRAINING CENTER EXPANSION.

(a) FINDINGS.—Congress makes the following findings:

(1) The National Training Center at Fort Irwin, California, is the only instrumented training area in the world suitable for live fire training of heavy brigade-sized military forces and thus provides the Army with essential training opportunities necessary to maintain and improve military readiness and promote national security.

(2) The National Training Center must be expanded to meet the critical need of the Army for additional training lands suitable for the maneuver of large numbers of military personnel and equipment, which is necessitated by advances

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in equipment, by doctrinal changes, and by Force XXI doctrinal experimentation requirements.

(3) The lands being considered for expansion of the National Training Center are home to the desert tortoise and other species that are protected under the Endangered Species Act of 1973, and the Secretary of Defense and the Secretary of the Interior, in developing a plan for expansion of the National Training Center, must provide for such expansion in a manner that complies with the Endangered Species Act of 1973, the National Environmental Policy Act of 1969, and other applicable laws.

(4) In order for the expansion of the National Training Center to be implemented on an expedited basis, the Secretaries should proceed without delay to define with specificity the key elements of the expansion plan, including obtaining early input regarding national security requirements, Endangered Species Act of 1973 compliance and mitigation, and National Environmental Policy Act of 1969 compliance.

(b) PURPOSE.—The purpose of this section is to expedite the expansion of the National Training Center at Fort Irwin, California, in a manner that is fully compliant with environmental laws.

(c) PREPARATION OF PROPOSED EXPANSION PLAN.—

(1) PREPARATION REQUIRED.—The Secretary of the Army and the Secretary of the Interior (in this section referred to as the “Secretaries”) shall jointly prepare a proposed plan for the expansion of the National Training Center at Fort Irwin, California.

(2) SUBMISSION AND AVAILABILITY.—The plan required by paragraph (1) (in this section referred to as the “proposed expansion plan”) shall be completed not later than 120 days after the date of the enactment of this Act. When completed, the Secretaries shall make the proposed expansion plan available to the public and shall publish in the Federal Register a “notice of availability” concerning the proposed expansion plan.

(d) KEY ELEMENTS OF PROPOSED EXPANSION PLAN.—

(1) JOINT REPORT.—Not later than 45 days after the date of the enactment of this Act, the Secretaries shall submit to Congress a joint report that identifies the key elements of the proposed expansion plan.

(2) LANDS WITHDRAWAL AND RESERVATION.—The proposed expansion plan shall include the withdrawal and reservation of an appropriate amount of public lands for—

- (A) the conduct of combined arms military training at the National Training Center;
- (B) the development and testing of military equipment at the National Training Center;
- (C) other defense-related purposes; and
- (D) conservation and research purposes.

(3) CONSERVATION MEASURES.—The proposed expansion plan shall also include a general description of conservation measures, anticipated to cost approximately \$75,000,000, that may be necessary and appropriate to protect and promote the conservation of the desert tortoise and other endangered or threatened species and their critical habitats in designated wildlife management areas in the West Mojave Desert. The conservation measures may include—

(A) the establishment of one or more research natural areas, which may include lands both within and outside the National Training Center;

(B) the acquisition of private and State lands within the wildlife management areas in the West Mojave Desert;

(C) the construction of barriers, fences, and other structures that would promote the conservation of endangered or threatened species and their critical habitats;

(D) the funding of research studies; and

(E) other conservation measures.

(d) PRELIMINARY REVIEW OF EXPANSION PLAN.—

(1) REVIEW REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the United States Fish and Wildlife Service shall submit to the Secretaries a preliminary review of the proposed expansion plan (as developed as of that date). In the preliminary review, the Director shall identify, with as much specificity as possible, an approach for implementing the proposed expansion plan consistent with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(2) RELATION TO FORMAL REVIEW.—The preliminary review under paragraph (1) shall not constitute a formal consultation under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536), but shall be used to assist the Secretaries in more precisely defining the nature and scope of an expansion plan for the National Training Center that is likely to satisfy requirements of the Endangered Species Act of 1973 and to expedite the formal consultation process under section 7 of such Act.

(3) CONSIDERATION OF PRELIMINARY REVIEW.—In preparing the proposed expansion plan, the Secretaries shall take into account the content of the preliminary review by the Director of the United States Fish and Wildlife Service under paragraph (1).

(e) DRAFT LEGISLATION.—The Secretaries shall submit to Congress with the proposed expansion plan a draft of proposed legislation providing for the withdrawal and reservation of public lands for the expansion of the National Training Center. It is the sense of the Congress that the proposed legislation should contain a provision that, if enacted, would prohibit ground-disturbing military use of the land to be withdrawn and reserved by the legislation until the Secretaries have certified that there has been full compliance with the appropriate provisions of the legislation, the Endangered Species Act of 1973, the National Environmental Policy Act of 1969, and other applicable laws.

(f) CONSULTATION UNDER ENDANGERED SPECIES ACT OF 1973.—The Secretaries shall initiate the formal consultation required under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) with respect to expansion of the National Training Center as soon as practicable and shall complete such consultation not later than 2 years after the date of the enactment of this Act.

(g) ENVIRONMENTAL REVIEW.—Not later than 6 months following completion of the formal consultation required under section 7 of the Endangered Species Act of 1973 with respect to expansion of the National Training Center, the Secretaries shall complete any analysis required under the National Environmental Policy Act of 1969 with respect to the proposed expansion of the National Training Center. The analysis shall be coordinated, to the extent

practicable and appropriate, with the review of the West Mojave Coordinated Management Plan that, as of the date of the enactment of this Act, is being undertaken by the Bureau of Land Management.

(h) FUNDING.—

(1) IMPLEMENTATION OF CONSERVATION MEASURES.—There are authorized to be appropriated \$75,000,000 to the Secretary of the Army for the implementation of conservation measures necessary for the final expansion plan for the National Training Center to comply with the Endangered Species Act of 1973.

(2) IMPLEMENTATION OF SECTION.—The amounts of \$2,500,000 for “Operation and Maintenance, Army” and \$2,500,000 for “Management of Lands and Resources, Bureau of Land Management” are hereby appropriated to the Secretary of the Army and the Secretary of the Interior, respectively, only to undertake and complete on an expedited basis the activities specified in this section.

\$2,500,000
2,500,000

[Total, chapter 3, \$260,000,000.]

CHAPTER 4

DISTRICT OF COLUMBIA FEDERAL FUNDS

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For an additional amount for the District of Columbia courts for capital repairs necessitated by the recent fire damage to the courthouse facilities, \$350,000, to remain available until September 30, 2002, and for an additional amount for such repairs for the Superior Court of the District of Columbia, \$50,000: *Provided*, That after providing notice to the Committees on Appropriations of the Senate and House of Representatives, the District of Columbia courts may reallocate not more than \$1,000,000 of the funds provided under this heading under the District of Columbia Appropriations Act, 2001, among the items and entities funded under such heading for the costs of such repairs.

350,000
50,000

GENERAL PROVISIONS—THIS CHAPTER

SEC. 401. (a) Section 106(b) of the District of Columbia Public Works Act of 1954 (sec. 43-1552(b), D.C. Code), as amended by section 133 of the District of Columbia Appropriations Act, 1990, is amended—

(1) in the third sentence of paragraph (1), by striking “United States Treasury and” and all that follows through “by the”; and

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

“(5) Not later than the 15th day of the month following each quarter (beginning with the first quarter of fiscal year 2001), the inspector general of each Federal department, establishment, or agency receiving water services from the District of Columbia shall submit a report to the Committees on Appropriations of the House of Representatives and Senate analyzing the promptness of payment with respect to the services furnished to such department, establishment, or agency.”.

(b) Section 212(b) of the District of Columbia Public Works Act of 1954 (sec. 43-1612(b), D.C. Code), as amended by section 133 of the District of Columbia Appropriations Act, 1990, is amended—

(1) in the third sentence of paragraph (1), by striking “United States Treasury and” and all that follows through “by the”; and

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

“(5) Not later than the 15th day of the month following each quarter (beginning with the first quarter of fiscal year 2001), the inspector general of each Federal department, establishment, or agency receiving sanitary sewer services from the District of Columbia shall submit a report to the Committees on Appropriations of the House of Representatives and Senate analyzing the promptness of payment with respect to the services furnished to such department, establishment, or agency.”.

(c) The amendments made by this section shall take effect as if included in the enactment of section 133 of the District of Columbia Appropriations Act, 1990.

SEC. 402. (a) The Act entitled “An Act donating certain Lots in the City of Washington for Schools for Colored Children in the District of Columbia”, approved July 28, 1866 (14 Stat. 343), is amended by striking the second sentence.

(b) Section 319 of the Revised Statutes of the United States relating to the District of Columbia and Post Roads (sec. 31-206, D.C. Code) is repealed.

SEC. 403. RESTRICTIONS ON USE OF ANNUAL UNOBLIGATED BALANCE IN D.C. CRIME VICTIMS COMPENSATION FUND. (a) IN GENERAL.—Section 16(d) of the Victims of Violent Crime Compensation Act of 1996 (sec. 3-435(d), D.C. Code), as added by section 160(d) of the District of Columbia Appropriations Act, 2000, is amended to read as follows:

“(d) Any unobligated balance existing in the Fund in excess of \$250,000 as of the end of each fiscal year (beginning with fiscal year 2000) may be used only in accordance with a plan developed by the District of Columbia and approved by the Committees on Appropriations of the Senate and House of Representatives, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate, and not less than 80 percent of such balance shall be used for direct compensation payments to crime victims through the Fund under this section and in accordance with this Act.”.

¹ \$18,000,000

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect September 30, 2000.

SEC. 404. (a) Notwithstanding any provision of the District of Columbia Appropriations Act, 2001, the District of Columbia may fund the programs identified under the heading “Reserve” in H.R. 4942, One Hundred Sixth Congress, as introduced, subject to the conditions described under such heading and upon certification by the District of Columbia Financial Responsibility and Management Assistance Authority to the Committees on Appropriations of the Senate and House of Representatives that the Chief Financial Officer of the District of Columbia, the Mayor of the District of Columbia, and the Council of the District of Columbia have identified and implemented such spending reductions as may be necessary to ensure that the District of Columbia will not have a budget deficit for fiscal year 2001.

(b)(1) Notwithstanding any provision of the District of Columbia Appropriations Act, 2001, the use by the District of the funds described in paragraph (2) for Pay-As-You-Go Capital Funds shall be optional.

¹ CBO estimate.

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(2) The funds described in this paragraph are funds set aside for the reserve established by section 202(j) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (as amended by section 148 of the District of Columbia Appropriations Act, 2000) which are not used for purposes of any reserve funds established under the District of Columbia Appropriations Act, 2001, or any amendments made by such Act.

(c)(1) The Mayor of the District of Columbia shall deposit the annual interest savings resulting from debt reductions using the proceeds of the tobacco securitization program into the emergency reserve fund established under section 450A of the District of Columbia Home Rule Act (as added by section 159 of the District of Columbia Appropriations Act, 2001).

(2) This subsection shall apply with respect to fiscal year 2001 and each succeeding fiscal year until the requirements of section 450A of the District of Columbia Home Rule Act have been met.

SEC. 405. (a) Notwithstanding any provision of the District of Columbia Appropriations Act, 2001, quarterly disbursements shall be calculated and paid to District of Columbia public charter schools during fiscal year 2001 in accordance with section 107a(b) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998 (sec. 31-2906.1(b), D.C. Code), as amended by the Enrollment Integrity Act.

SEC. 406. (a) The provisions of H.R. 5547 (as enacted into law by H.R. 4942 of the 106th Congress) are repealed and shall be deemed for all purposes (including section 1(b) of H.R. 4942) to have never been enacted.

(b) The repeal made by this section shall take effect as if included in H.R. 4942 of the 106th Congress on the date of its enactment.

[Total, chapter 4, \$18,400,000.]

CHAPTER 5

ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

For an additional amount for “General Investigations”, \$900,000, to remain available until expended: *Provided*, That \$100,000 shall be available for a reconnaissance study of shore protection needs at North Topsail Beach, North Carolina; \$100,000 shall be available for a reconnaissance study for the Passiac County, New Jersey, water infrastructure project; \$100,000 shall be available for a reconnaissance study of flooding, drainage and other related problems in the Cayuga Creek Watershed, New York; and \$600,000 shall be available for a cost-shared feasibility study of the restoration of the lower St. Anthony’s Falls natural rapids in Minnesota.

\$900,000

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CONSTRUCTION, GENERAL

\$2,750,000 For an additional amount for “Construction, General”, \$2,750,000, to remain available until expended: *Provided*, That \$75,000 shall be available for planning and design of a project to provide for floodplain evacuation in the watershed of Pond Creek, Kentucky; \$100,000 shall be available for design of recreation and access features at the Louisville Waterfront Park in Kentucky; \$500,000 shall be available for a Limited Reevaluation Report for the Central Boca Raton segment of the Palm Beach County, Florida, shore protection project; and \$75,000 shall be available to conduct research on the eradication of Eurasian water milfoil at Houghton Lake, Michigan: *Provided further*, That the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to use \$2,000,000 of the funds appropriated herein to initiate design and construction of the Hawaii Water Management Project, including Waiahole Ditch on Oahu, Kau Ditch on Maui, Pioneer Mill Ditch on Hawaii, and the complex system on the west side of Kauai: *Provided further*, That the Secretary of the Army may use up to \$5,000,000 of previously appropriated funds to carry out the Abandoned and Inactive Noncoal Mine Restoration program authorized by section 560 of Public Law 106-53.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

3,500,000 For an additional amount for “Flood Control, Mississippi River and Tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee”, \$3,500,000, to remain available until expended, for prosecuting work of repair, restoration or maintenance of the Mississippi River levees, and for the correction of deficiencies in the mainline Mississippi River levees.

[*Total, Department of Defense—Civil, \$7,150,000.*]

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

2,000,000 For an additional amount for “Water and Related Resources”, \$2,000,000, to remain available until expended, for construction of the Mid-Dakota Rural Water System, in addition to amounts made available under the Energy and Water Appropriations Development Act, 2001.

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY

800,000 For an additional amount for “Energy Supply”, \$800,000, to remain available until expended, for the Prime, LLC, of central South Dakota, for final engineering and project development of the integrated ethanol complex, including an ethanol unit, waste treatment system, and enclosed cattle feed lot.

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SCIENCE

For an additional amount for “Science”, \$1,000,000, to remain available until expended, for high temperature superconducting research and development at Boston College.

[Total, Department of Energy, \$1,800,000.]

[Total, chapter 5, \$10,950,000.]

CHAPTER 6

GENERAL PROVISIONS—THIS CHAPTER

SEC. 601. Of the funds appropriated under the heading Department of State, International Narcotics Control and Law Enforcement, in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001, not less than \$1,350,000 shall be available only for the Protection Project to continue its study of international trafficking, prostitution, slavery, debt bondage, and other abuses of women and children.

SEC. 602. EMBASSY COMPENSATION AUTHORITY. Funds made available under the heading “Other Bilateral Economic Assistance, Economic Support Fund” included in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001 (Public Law 106-429) may be made available, notwithstanding any other provision of law, to provide payment to the Government of the People’s Republic of China for property loss and damage arising out of the May 7, 1999 incident in Belgrade, Federal Republic of Yugoslavia.

CHAPTER 7

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

LAND ACQUISITION

For an additional amount for “Land Acquisition”, \$5,000,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, to carry out the provisions of title VI of the Steens Mountain Cooperative Management and Protection Act (Public Law 106-399): *Provided*, That sums necessary to complete the individual land exchanges identified under title VI shall be provided within 30 days of each land exchange.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For an additional amount for “Resource Management”, \$500,000 for a grant to the Center for Reproductive Biology at Washington State University.

MULTINATIONAL SPECIES CONSERVATION FUND

For an additional amount for the “Multinational Species Conservation Fund”, \$750,000, to remain available until expended, for Great Ape conservation activities authorized by law.

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NATIONAL PARK SERVICE

OPERATION OF THE NATIONAL PARK SYSTEM

\$100,000 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

1,600,000 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

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

CONSTRUCTION

3,500,000 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.
[Total, Department of the Interior, \$11,550,000.]

DEPARTMENT OF ENERGY

ENERGY CONSERVATION

300,000 For an additional amount for “Energy Conservation”, \$300,000, to remain available until expended, for a grant to the Oak Ridge National Laboratory/Nevada Test Site Development Corporation for the development of: (1) cooling, refrigeration, and thermal energy management equipment capable of using natural gas or hydrogen fuels; and (2) improvement of the reliability of heat-activated cooling, refrigeration, and thermal energy management equipment used in combined heating, cooling, and power applications.

RELATED AGENCY

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

PAYMENT TO ENDOWMENT FUND

5,000,000 For payment to the endowment fund of the Woodrow Wilson International Center for Scholars \$5,000,000: *Provided*, That such funds may be invested in investments approved by the Board of Trustees of the Woodrow Wilson International Center for Scholars and the income from such investments may be used to support the programs of the Center that the Board of Trustees and the Director of the Center determine appropriate.

GENERAL PROVISION—THIS CHAPTER

SEC. 701. In addition to amounts appropriated in Public Law 106-291 to the Indian Health Service under the heading “Indian

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Health Services”, \$30,000,000, to remain available until expended, is appropriated as follows: \$30,000,000

(1) \$15,000,000 shall be provided to the Alaska Federation of Natives as a direct lump sum payment within 30 days of enactment of this Act for its Alaska Native Sobriety and Alcohol Control Program: *Provided*, That the President of the Alaska Federation of Natives shall make grants to each Alaska Native regional non-profit corporation (as listed in section 103(a)(2) of Public Law 104-193 (110 Stat. 2159)) in which there are villages, including established villages and organized cities under State law, that have voted to ban the sale, importation, or possession of alcohol pursuant to local option State law: *Provided further*, That such grants shall be used to: (1) employ Village Public Safety Officers (hereinafter referred to as “VPSO’s”) under such terms and conditions that encourage retention of such VPSO’s and that are consistent with agreements with the State of Alaska for the provision of such VPSO services; (2) acquisition of law enforcement equipment or services; or (3) develop and implement restorative justice programs recognized under State sentencing law as a community-based complement or alternative to incarceration or other penalty: *Provided further*, That funds may also be used for activities and programs to further the sobriety movement including education and treatment. The President of the Alaska Federation of Natives shall submit a report on its activities and those of its grantees including administrative costs and persons served by December 31, 2001; and

(2) \$15,000,000 shall be provided to the Indian Health Service for drug and alcohol prevention and treatment services for non-Alaska tribes.

[Total, chapter 7, \$46,850,000.]

CHAPTER 8

GENERAL PROVISIONS—THIS CHAPTER

SEC. 801. There are appropriated to the Health Resources and Services Administration in the Department of Health and Human Services, for the construction of the Biotechnology Science Center at the Marshall University in Huntington, West Virginia, \$25,000,000, to remain available until expended. 25,000,000

SEC. 802. There are appropriated to the Health Resources and Services Administration in the Department of Health and Human Services, for the construction of the Christian Nurses Hospice in Brentwood, New York, \$400,000. 400,000

SEC. 803. There are appropriated to the Institute of Museum and Library Services, for expansion of the marine biology program at the Long Island Maritime Museum, \$250,000. 250,000

[Total, chapter 8, \$25,650,000.]

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CHAPTER 9

LEGISLATIVE BRANCH

CONGRESSIONAL OPERATIONS

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECREASED MEMBERS OF
CONGRESS

For payment to Laura Y. Bateman, widow of Herbert H. Bateman, late a Representative from the State of Virginia, \$141,300.

\$423,900 For payment to Susan L. Vento, widow of Bruce F. Vento, late a Representative from the State of Minnesota, \$141,300.

For payment to Betty Lee Dixon, widow of Julian C. Dixon, late a Representative from the State of California, \$141,300.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

CAPITOL BUILDINGS

SALARIES AND EXPENSES

For an additional amount for “CAPITOL BUILDINGS AND GROUNDS—CAPITOL BUILDINGS—SALARIES AND EXPENSES” for necessary expenses for construction of emergency egress from the fourth floor of the Capitol Building, \$1,033,000, 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.

1,033,000

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For the Library of Congress, \$25,000,000, to remain available until expended, for necessary salaries and expenses of the National Digital Information Infrastructure and Preservation Program; and an additional \$75,000,000, to remain available until expended, for such purposes: *Provided*, That the portion of such additional \$75,000,000, which may be expended shall not exceed an amount equal to the matching contributions (including contributions other than money) for such purposes that: (1) are received by the Librarian of Congress for the program from non-Federal sources; and (2) are received before March 31, 2003: *Provided further*, That such program shall be carried out in accordance with a plan or plans approved by the Committee on House Administration of the House of Representatives, the Committee on Rules and Administration of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate: *Provided further*, That of the total amount appropriated, \$5,000,000 may be expended before the approval of a plan to develop such a plan, and to collect or preserve essential digital information which otherwise would be uncollectible: *Provided further*, That the

25,000,000

75,000,000

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balance in excess of such \$5,000,000 shall not be expended without approval in advance by the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate: *Provided further*, That the plan under this heading shall be developed by the Librarian of Congress jointly with entities of the Federal Government with expertise in telecommunications technology and electronic commerce policy (including the Secretary of Commerce and the Director of the White House Office of Science and Technology Policy) and the National Archives and Records Administration, and with the participation of representatives of other Federal, research, and private libraries and institutions with expertise in the collection and maintenance of archives of digital materials (including the National Library of Medicine, the National Agricultural Library, the National Institute of Standards and Technology, the Research Libraries Group, the Online Computer Library Center, and the Council on Library and Information Resources) and representatives of private business organizations which are involved in efforts to preserve, collect, and disseminate information in digital formats (including the Open e-Book Forum): *Provided further*, That notwithstanding any other provision of law, effective with the One Hundred Seventh Congress and each succeeding Congress the chair of the Subcommittee on the Legislative Branch of the Committee on Appropriations of the House of Representatives shall serve as a member of the Joint Committee on the Library with respect to the Library's financial management, organization, budget development and implementation, and program development and administration, as well as any other element of the mission of the Library of Congress which is subject to the requirements of Federal law.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 901. RETIREMENT CREDIT FOR CERTAIN LEGISLATIVE BRANCH EMPLOYEES. (a) FORMER EMPLOYEES OF CONGRESSIONAL CAMPAIGN COMMITTEES.—

(1) CSRS.—Section 8332(m) of title 5, United States Code, as amended by section 312 of the Legislative Branch Appropriations Act, 2000, is amended—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by inserting after paragraph (1) the following new paragraph:

“(2) Upon application to the Office of Personnel Management, any individual who was an employee on the date of enactment of this paragraph, and who has on such date or thereafter acquires 5 years or more of creditable civilian service under this section (exclusive of service for which credit is allowed under this subsection) shall be allowed credit (as service as a congressional employee) for service before December 31, 1990, while employed by the Democratic Senatorial Campaign Committee, the Republican Senatorial Campaign Committee, the Democratic National Congressional Committee, or the Republican National Congressional Committee, if—

“(A) such employee has at least 4 years and 6 months of service on such committees as of December 31, 1990; and

“(B) such employee makes a deposit to the Fund in an amount equal to the amount which would be required under

section 8334(c) if such service were service as a congressional employee.”.

(2) FERS.—Section 8411 of title 5, United States Code, is amended by adding at the end the following new subsection: “(i)(1) Upon application to the Office of Personnel Management, any individual who was an employee on the date of enactment of this paragraph, and who has on such date or thereafter acquired 5 years or more of creditable civilian service under this section (exclusive of service for which credit is allowed under this subsection) shall be allowed credit (as service as a congressional employee) for service before December 31, 1990, while employed by the Democratic Senatorial Campaign Committee, the Republican Senatorial Campaign Committee, the Democratic National Congressional Committee, or the Republican National Congressional Committee, if—

“(A) such employee has at least 4 years and 6 months of service on such committees as of December 31, 1990; and

“(B) such employee deposits to the Fund an amount equal to 1.3 percent of the base pay for such service, with interest.

“(2) The Office shall accept the certification of the President of the Senate (or the President’s designee) or the Speaker of the House of Representatives (or the Speaker’s designee), as the case may be, concerning the service of, and the amount of compensation received by, an employee with respect to whom credit is to be sought under this subsection.

“(3) An individual shall not be granted credit for such service under this subsection if eligible for credit under section 8332(m) for such service.”.

(b) FORMER EMPLOYEES OF LEGISLATIVE SERVICE ORGANIZATIONS.—

(1) SERVICE OF EMPLOYEES OF LEGISLATIVE SERVICE ORGANIZATIONS.—

(A) IN GENERAL.—Subject to succeeding provisions of this paragraph, upon application to the Office of Personnel Management in such form and manner as the Office shall prescribe, any individual who performed service as an employee of a legislative service organization of the House of Representatives (as defined and authorized in the One Hundred Third Congress) and whose pay was paid in whole or in part by a source other than the Clerk Hire account of a Member of the House of Representatives (other than an individual described in paragraph (6)) shall be entitled—

(i) to receive credit under the provisions of subchapter III of chapter 83 or chapter 84 of title 5, United States Code (whichever would be appropriate), as congressional employee service, for all such service; and

(ii) to have all pay for such service which was so paid by a source other than the Clerk Hire account of a Member included (in addition to any amounts otherwise included in basic pay) for purposes of computing an annuity payable out of the Civil Service Retirement and Disability Fund.

(B) DEPOSIT REQUIREMENT.—In order to be eligible for the benefits described in subparagraph (A), an individual shall be required to pay into the Civil Service Retirement

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and Disability Fund an amount equal to the difference between—

(i) the employee contributions that were actually made to such Fund under applicable provisions of law with respect to the service described in subparagraph (A); and

(ii) the employee contributions that would have been required with respect to such service if the amounts described in subparagraph (A)(ii) had also been treated as basic pay.

The amount required under this subparagraph shall include interest, which shall be computed under section 8334(e) of title 5, United States Code.

(C) CERTAIN OFFSETS REQUIRED IN ORDER TO PREVENT DOUBLE CONTRIBUTIONS AND BENEFITS.—In the case of any period of service as an employee of a legislative service organization which constituted employment for purposes of title II of the Social Security Act—

(i) any pay for such service (as described in subparagraph (A)(ii)) with respect to which the deposit under subparagraph (B) would otherwise be computed by applying the first sentence of section 8334(a)(1) of title 5, United States Code, shall instead be computed in a manner based on section 8334(k) of such title; and

(ii) any retirement benefits under subchapter III of chapter 83 of title 5, United States Code, shall be subject to offset (to reflect that portion of benefits under title II of the Social Security Act attributable to pay referred to in subparagraph (A)) similar to that provided for under section 8349 of such title.

(2) SURVIVOR ANNUITANTS.—For purposes of survivor annuities, an application authorized by this section may, in the case of an individual under paragraph (1) who has died, be made by a survivor of such individual.

(3) RECOMPUTATION OF ANNUITIES.—Any annuity or survivor annuity payable as of when an individual makes the deposit required under paragraph (1) shall be recomputed to take into account the crediting of service under such paragraph for purposes of amounts accruing for any period beginning on or after the date on which the individual makes the deposit.

(4) CERTIFICATION OF SPEAKER.—The Office of Personnel Management shall accept the certification of the Speaker of the House of Representatives (or the Speaker's designee) concerning the service of, and the amount of compensation received by, an employee with respect to whom credit is to be sought under this subsection.

(5) NOTIFICATION AND OTHER DUTIES OF THE OFFICE OF PERSONNEL MANAGEMENT.—

(A) NOTICE.—The Office of Personnel Management shall take such action as may be necessary and appropriate to inform individuals of any rights they might have as a result of enactment of this subsection.

(B) ASSISTANCE.—The Office shall, on request, assist any individual in obtaining from any department, agency, or other instrumentality of the United States any information in the possession of such instrumentality which may

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be necessary to verify the entitlement of such individual to have any service credited under this subsection or to have an annuity recomputed under paragraph (3).

(C) INFORMATION.—Any department, agency, or other instrumentality of the United States which possesses any information with respect to an individual's performance of any service described in paragraph (1) shall, at the request of the office, furnish such information to the Office.

(6) EXCLUSION OF CERTAIN EMPLOYEES.—An individual is not eligible for credit under this subsection if the individual served as an employee of the House of Representatives for an aggregate period of 5 years or longer after the individual's final period of service as an employee of a legislative service organization of the House of Representatives.

(7) MEMBER DEFINED.—In this subsection, the term "Member of the House of Representatives" includes a Delegate or Resident Commissioner to Congress.

SEC. 902. (a) The Legislative Branch Appropriations Act, 2001 is amended under the subheading "MISCELLANEOUS ITEMS" under the heading "SENATE" under title I by striking "\$8,655,000" and inserting "\$25,155,000".

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 2001.

SEC. 903. Beginning on the first day of the 107th Congress, the Presiding Officer of the Senate shall apply all of the precedents of the Senate under Rule XXVIII in effect at the conclusion of the 103d Congress. Further that there is now in effect a Standing order of the Senate that the reading of conference reports is no longer required, if the said conference report is available in the Senate.

[Total, chapter 9, \$117,957,000.]

CHAPTER 10

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1001. In addition to amounts appropriated or otherwise made available in the Military Construction Appropriations Act, 2001, \$43,500,000 is hereby appropriated to the Department of Defense, to remain available until September 30, 2005, as follows:

27,000,000	"Military Construction, Army", \$27,000,000;
12,000,000	"Military Construction, Air Force", \$12,000,000;
4,500,000	"Military Construction, Army National Guard", \$4,500,000;

Provided, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design, military construction, and family housing projects not otherwise authorized by law.

SEC. 1002. TRANSFER OF JURISDICTION, MELROSE AIR FORCE RANGE, NEW MEXICO. (a) TRANSFER REQUIRED.—(1) The Secretary of the Interior shall transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Air Force the surface estate in the real property described in paragraph (2), which consists of 6,713.90 acres of public domain lands in Roosevelt County, New Mexico.

(2) The transfer of administrative jurisdiction under paragraph (1) encompasses the following sections (or portions thereof):

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(A) In Township 1 North, Range 30 East, New Mexico Prime Meridian:

- (i) Sec. 2 (S^{1/2}).
- (ii) Sec. 11. All.
- (iii) Sec. 20 (S^{1/2}SE^{1/4}).
- (iv) Sec. 28. All.

(B) In Township 1 South, Range 30 East, New Mexico Prime Meridian:

- (i) Sec. 2 (Lots 1-12, S^{1/2}).
- (ii) Sec. 3 (Lots 1-12, S^{1/2}).
- (iii) Sec. 4 (Lots 1-12, S^{1/2}).
- (iv) Sec. 6 (Lots 1 and 2).
- (v) Sec. 9 (N^{1/2}, N^{1/2}S^{1/2}).
- (vi) Sec. 10 (N^{1/2}, N^{1/2}S^{1/2}).
- (vii) Sec. 11 (N^{1/2}, N^{1/2}S^{1/2}).

(C) In Township 2 North, Range 30 East, New Mexico Prime Meridian:

- (i) Sec. 20 (E^{1/2}S^{1/4}).
- (ii) Sec. 21 (SW^{1/4}, W^{1/2}SE^{1/4}).
- (iii) Sec. 28 (W^{1/2}E^{1/2}, W^{1/2}).
- (iv) Sec. 29 (E^{1/2}E^{1/2}).
- (v) Sec. 32 (E^{1/2}E^{1/2}).
- (vi) Sec. 33 (W^{1/2}E^{1/2}, NW^{1/4}, S^{1/2}SW^{1/4}).

(b) STATUS OF SURFACE ESTATE.—Upon transfer under subsection (a), the surface estate is deemed to be real property subject to the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).

(c) WITHDRAWAL OF MINERAL ESTATE.—Subject to valid existing rights, the mineral estate of the lands described in subsection (a) are withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral and geothermal leasing laws, but not the Act of July 31, 1947 (commonly known as the Materials Act of 1947; 30 U.S.C. 601 et seq.).

(d) USE OF MINERAL MATERIALS.—Notwithstanding subsection (c) or the Act of July 31, 1947, the Secretary of the Air Force may use, without application to the Secretary of the Interior, the sand, gravel, or similar mineral material resources on the lands described in subsection (a), of the type subject to disposition under the Act of July 31, 1947, when the use of such resources is required for construction needs on the Melrose Air Force Range, New Mexico.

SEC. 1003. TRANSFER OF JURISDICTION, YAKIMA TRAINING CENTER, WASHINGTON. (a) TRANSFER REQUIRED.—(1) The Secretary of the Interior shall transfer, without reimbursement, to the administrative jurisdiction of the Secretary of the Army the surface estate in the real property described in paragraph (2), which consists of 6,640.02 acres of public domain lands in Kittitas County, Washington.

(2) The transfer of administrative jurisdiction under paragraph (1) encompasses the following sections (or portions thereof):

(A) In Township 17 North, Range 20 East, Willamette Meridian:

- (i) Sec. 22 (S^{1/2}).
- (ii) Sec. 24 (S^{1/2}SW^{1/4} and that portion of the E^{1/2} lying south of the Interstate Highway 90 right-of-way).
- (iii) Sec. 26. All.

(B) In Township 16 North, Range 21 East, Willamette Meridian:

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- (i) Sec. 4 (SW¹/₄SW¹/₄).
- (ii) Sec. 12 (SE¹/₄).
- (iii) Sec. 18 (Lots 1, 2, 3, and 4, E¹/₂ and E¹/₂W¹/₂).
- (C) In Township 17 North, Range 21 East, Willamette Meridian:
 - (i) Sec. 30 (Lots 3 and 4).
 - (ii) Sec. 32 (NE¹/₄SE¹/₄).
- (D) In Township 16 North, Range 22 East, Willamette Meridian:
 - (i) Sec. 2 (Lots 1, 2, 3, and 4, S¹/₂N¹/₂ and S¹/₂).
 - (ii) Sec. 4 (Lots 1, 2, 3, and 4, S¹/₂N¹/₂ and S¹/₂).
 - (iii) Sec. 10. All.
 - (iv) Sec. 14. All.
 - (v) Sec. 20 (SE¹/₄SW¹/₄).
 - (vi) Sec. 22. All.
 - (vii) Sec. 26 (N¹/₂).
 - (viii) Sec. 28 (N¹/₂).
- (E) In Township 16 North, Range 23 East, Willamette Meridian:
 - (i) Sec. 18 (Lots 3 and 4, E¹/₂SW¹/₄, W¹/₂SE¹/₄, and that portion of the E¹/₂SE¹/₄ lying westerly of the westerly right-of-way line of Huntzinger Road).
 - (ii) Sec. 20 (That portion of the SW¹/₄ lying westerly of the easterly right-of-way line of the railroad).
 - (iii) Sec. 30 (Lots 1 and 2, NE¹/₄ and E¹/₂NW¹/₄).
- (b) STATUS OF SURFACE ESTATE.—Upon transfer under subsection (a), the surface estate is deemed to be real property subject to the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.).
- (c) WITHDRAWAL OF MINERAL ESTATE.—(1) Subject to valid existing rights, the mineral estate of the lands described in subsection (a), as well as the additional lands described in paragraph (2), are withdrawn from all forms of appropriation under the public land laws, including the mining laws and the geothermal leasing laws, but not the Act of July 31, 1947 (commonly known as the Materials Act of 1947; 30 U.S.C. 601, et seq.) and the Mineral Leasing Act (30 U.S.C. 181 et seq.).
- (2) The additional lands referred to in paragraph (1) consist of 3,090.80 acres in the following sections (or portions thereof):
 - (A) In Township 16 North, Range 20 East, Willamette Meridian:
 - (i) Sec. 12. All.
 - (ii) Sec. 18 (Lot 4 and SE¹/₄).
 - (iii) Sec. 20 (S¹/₂).
 - (B) In Township 16 North, Range 21 East, Willamette Meridian:
 - (i) Sec. 4 (Lots 1, 2, 3, and 4, S¹/₂NE¹/₄).
 - (ii) Sec. 8. All.
 - (C) In Township 16 North, Range 22 East, Willamette Meridian:
 - (i) Sec. 12. All.
 - (D) In Township 17 North, Range 21 East, Willamette Meridian:
 - (i) Sec. 32 (S¹/₂SE¹/₄).
 - (ii) Sec. 34 (W¹/₂).
- (d) USE OF MINERAL MATERIALS.—Notwithstanding subsection (c) or the Act of July 31, 1947, the Secretary of the Army may

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use, without application to the Secretary of the Interior, the sand, gravel, or similar mineral material resources on the lands described in subsections (a) and (c), of the type subject to disposition under the Act of July 31, 1947, when the use of such resources is required for construction needs on the Yakima Training Center, Washington. [Total, chapter 10, \$43,500,000.]

CHAPTER 11

DEPARTMENT OF TRANSPORTATION

GENERAL PROVISIONS—THIS CHAPTER

SEC. 1101. Section 5309(g)(4)(D)(2) of title 49, United States Code, is amended by striking “light”.

SEC. 1102. Item number 630 of the table contained in section 1602 of the Transportation Act for the 21st Century (112 Stat. 280), relating to Buffalo, New York, is amended by striking “Design and construct Outer Harbor Bridge in Buffalo” and inserting “Transportation infrastructure improvements, Inner Harbor/Redevelopment project, Buffalo”.

SEC. 1103. If the State of Arkansas incorporates into the relocation of U.S. Route 71 through Fort Chaffee, Arkansas, land obtained by the State from the Federal Government as a result of the closure of a military installation, the Secretary of Transportation shall credit to the State share of the cost of the relocation the fair market value of such land.

SEC. 1104. For an additional amount to enable the Secretary of Transportation to make a grant to the Huntsville International Airport, \$2,500,000, to be derived from the airport and airway trust fund, to remain available until expended.

\$2,500,000

SEC. 1105. Notwithstanding any other provision of law, for necessary expenses for the Southeast Light Rail Extension Project in Dallas, Texas, \$1,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended.

1,000,000

SEC. 1106. Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032-2033) is amended by striking paragraph (38) and replacing it with the following—

“(38) The Ports-to-Plains Corridor from Laredo, Texas, via I-27 to Denver, Colorado, shall include:

“(A) In the State of Texas the Ports-to-Plains Corridor shall generally follow—

“(i) I-35 from Laredo to United States Route 83 at Exit 18;

“(ii) United States Route 83 from Exit 18 to Carrizo Springs;

“(iii) United States Route 277 from Carrizo Springs to San Angelo;

“(iv) United States Route 87 from San Angelo to Sterling City;

“(v) From Sterling City to Lamesa, the Corridor shall follow United States Route 87 and, the Corridor shall also follow Texas Route 158 from Sterling City to I-20, then via I-20 West to Texas Route 349 and, Texas Route 349 from Midland to Lamesa;

“(vi) United States Route 87 from Lamesa to Lubbock;

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“(vii) I-27 from Lubbock to Amarillo; and

“(viii) United States Route 287 from Amarillo to Dumas.

“(B) The corridor designation contained in paragraph (A) shall take effect only if the Texas Transportation Commission has not designated the Ports-to-Plains Corridor in Texas by June 30, 2001.”

SEC. 1107. For an additional amount to enable the Secretary of Transportation to make a grant for the Newark-Elizabeth rail link project, New Jersey, \$3,000,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended.

SEC. 1108. Section 5309(m)(3)(C) of title 49 United States Code, shall not apply to the funds made available in the Department of Transportation and Related Agencies Appropriations Act, 2001: *Provided*, That notwithstanding any other provision of law, the 14th Street Bridge, Virginia; Chouteau Bridge, Jackson County, Missouri; Clement C. Clay Bridge replacement, Morgan/Madison counties, Alabama; Fairfield-Benton-Kennebec River Bridge, Maine; Florida Memorial Bridge, Florida; Historic Woodrow Wilson Bridge, Mississippi; Missisquoi Bay Bridge, Vermont; Oaklawn Bridge, South Pasadena, California; Pearl Harbor Memorial Bridge replacement, Connecticut; Powell County Bridge, Montana; Santa Clara Bridge, Oxnard, California; Star City Bridge, West Virginia; US 231 Bridge over Tennessee River, Alabama; US 54/US 69 Bridge, Kansas; Waimalu Bridge replacement on I-1, Hawaii; Washington Bridge, Rhode Island are eligible in fiscal year 2001 under section 144(g)(2) of title 23, United States Code: *Provided further*, That section 378 of Public Law 106-346 is amended by inserting after “US 101” the following: “and Interstate 5 Trade Corridor”.

SEC. 1109. Notwithstanding any other provision of law, in addition to funds otherwise appropriated in this or any other Act for fiscal year 2001, \$4,000,000 is hereby appropriated from the Highway Trust Fund for Commercial Remote Sensing Products and Spatial Information Technologies under section 5113 of Public Law 105-178, as amended: *Provided*, That such funds are used to study the creation of a new highway right-of-way south of I-10 along the Mississippi Gulf Coast by relocating the existing railroad right-of-way out of downtown areas.

SEC. 1110. Amtrak is authorized to obtain services from the Administrator of General Services, and the Administrator is authorized to provide services to Amtrak, under sections 201(b) and 211(b) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481(b) and 491(b)) for fiscal year 2001 and each fiscal year thereafter until the fiscal year that Amtrak operates without Federal operating grant funds appropriated for its benefit, as required by sections 24101(d) and 24104(a) of title 49, United States Code.

SEC. 1111. Of the funds made available in the “Alteration of bridges” account of the Department of Transportation and Related Agencies Appropriations Act, 2001 for the Fox River Bridge, \$575,000 shall be transferred by the Secretary of Transportation to the City of Oshkosh for removal of the bridge located at mile point 56.9 of the Fox River in Oshkosh, Wisconsin. The United States shall assume no responsibility for project management relating to removal of the bridge.

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SEC. 1112. Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), section 8 of the Act of June 19, 1886 (46 App. U.S.C. 289), and section 12106 of title 46, United States Code, the Secretary of Transportation may issue a certificate of documentation with appropriate endorsement for employment in the coastwise trade for the following vessels:

(1) M/V WELLS GRAY (State of Alaska registration number AK 9452 N; former Canadian registration number 154661); and

(2) ANNANDALE (United States official number 519434).

SEC. 1113. CONVEYANCE OF COAST GUARD PROPERTY IN MIDDLETOWN, CALIFORNIA. (a) AUTHORITY TO CONVEY.—

(1) IN GENERAL.—The Administrator of General Services (in this section referred to as the “Administrator”) may promptly convey to Lake County, California (in this section referred to as the “County”), without consideration, all right, title, and interest of the United States (subject to subsection (c)) in and to the property described in subsection (b).

(2) IDENTIFICATION OF PROPERTY.—The Administrator, in consultation with the Commandant of the Coast Guard, may identify, describe, and determine the property to be conveyed under this section.

(b) PROPERTY DESCRIBED.—

(1) IN GENERAL.—The property referred to in subsection (a) is such portion of the Coast Guard LORAN Station Middletown as has been reported to the General Services Administration to be excess property, consisting of approximately 733.43 acres, and is comprised of all or part of tracts A-101, A-102, A-104, A-105, A-106, A-107, A-108, and A-111.

(2) SURVEY.—The exact acreage and legal description of the property conveyed under subsection (a), and any easements or rights-of-way reserved by the United States under subsection (c)(1), shall be determined by a survey satisfactory to the Administrator. The cost of the survey shall be borne by the County.

(c) CONDITIONS.—

(1) IN GENERAL.—In making the conveyance under subsection (a), the Administrator shall—

(A) reserve for the United States such existing rights-of-way for access and such easements as are necessary for continued operation of the LORAN station;

(B) preserve other existing easements for public roads and highways, public utilities, irrigation ditches, railroads, and pipelines; and

(C) impose such other restrictions on use of the property conveyed as are necessary to protect the safety, security, and continued operation of the LORAN station.

(2) FIREBREAKS AND FENCE.—(A) The Administrator may not convey any property under this section unless the County and the Commandant of the Coast Guard enter into an agreement with the Administrator under which the County is required, in accordance with design specifications and maintenance standards established by the Commandant—

(i) to establish and construct within 6 months after the date of the conveyance, and thereafter to maintain, firebreaks on the property to be conveyed; and

(ii) construct within 6 months after the date of conveyance, and thereafter maintain, a fence approved by the Commandant along the property line between the property conveyed and adjoining Coast Guard property.

(B) The agreement shall require that—

(i) the County shall pay all costs of establishment, construction, and maintenance of firebreaks under subparagraph (A)(i); and

(ii) the Commandant shall provide all materials needed to construct a fence under subparagraph (A)(ii), and the County shall pay all other costs of construction and maintenance of the fence.

(3) COVENANTS APPURTENANT.—The Administrator shall take actions necessary to render the requirement to establish, construct, and maintain firebreaks and a fence under paragraph (2) and other requirements and conditions under paragraph (1), under the deed conveying the property to the County, covenants that run with the land for the benefit of land retained by the United States.

(d) REVERSIONARY INTEREST.—During the 5-year period beginning on the date the Administrator makes the conveyance authorized by subsection (a), the real property conveyed pursuant to this section, at the option of the Administrator, shall revert to the United States and be placed under the administrative control of the Administrator, if—

(1) the County sells, conveys, assigns, exchanges, or encumbers the property conveyed or any part thereof;

(2) the County fails to maintain the property conveyed in a manner consistent with the terms and conditions in subsection (c);

(3) the County conducts any commercial activities at the property conveyed, or any part thereof, without approval of the Secretary; or

(4) at least 30 days before the reversion, the Administrator provides written notice to the owner that the property or any part thereof is needed for national security purposes.

SEC. 1114. CONVEYANCE OF COAST GUARD PROPERTY TO TOWN OF NANTUCKET, MASSACHUSETTS. (a) AUTHORITY TO CONVEY.—

(1) IN GENERAL.—Notwithstanding any other law, the Administrator of the General Services Administration (Administrator) or the Commandant of the Coast Guard (Commandant), as appropriate, shall convey to the Town of Nantucket, Massachusetts (Town), without monetary consideration, all right, title, and interest of the United States of America (United States) in and to a certain parcel of land located in Nantucket, Massachusetts, and part of the United States Coast Guard LORAN Station Nantucket, together with any improvements thereon in their then current condition.

(2) IDENTIFICATION OF PROPERTY.—The Administrator or the Commandant, as appropriate, shall identify, describe, and determine the property to be conveyed under this section. The Town shall bear all monetary costs associated with any survey required to describe the property to be conveyed under this section and any easements reserved by the United States under subsection (b)(1).

(b) TERMS AND CONDITIONS OF CONVEYANCE.—

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(1) The conveyance of property under this section shall be made subject to any terms and conditions the Administrator or the Commandant, as appropriate, considers necessary, including the reservation of easements and other rights on behalf of the United States, to ensure that—

(A) there is reserved to the United States the right to remove, relocate, or replace any aid to navigation located upon, or install or construct any aid to navigation upon, property conveyed under this section as may be necessary for navigational purposes;

(B) the United States shall have the right to enter property conveyed under this section at any time, without notice, for purposes of operating, maintaining, and inspecting any aid to navigation and for the purposes of exercising any of the rights set forth in paragraph (1)(A) of this subsection; and

(C) the Town shall not interfere or allow interference, in any manner, with any aid to navigation, whether located upon the property conveyed under this section or upon any portion of LORAN Station Nantucket retained by the United States, nor hinder activities required for the inspection, operation, and maintenance of any such aid to navigation without the Commandant's express written permission.

(2) The Town shall not convey, assign, exchange, or in any way encumber the property conveyed under this section, unless approved by the Administrator.

(3) The Town shall not conduct any commercial activities at or upon the property conveyed under this section, unless approved by the Administrator.

(4) The Town shall not be required to maintain any active aid to navigation associated with the property conveyed under this section except for private aids to navigation permitted under 14 U.S.C. 83.

(5) The United States shall not convey any property under this section, nor grant any real property license under subsection (d), until the Town enters into an agreement with the United States to relocate the Coast Guard receiving antenna and associated equipment, as identified by the Commandant, at the Town's sole cost and expense, and subject to the Commandant's design specifications, project schedule, and final project approval.

(6) The United States shall not convey any property under this section, nor grant any real property license under subsection (d), until the Town enters into an agreement with the United States that provides that the Town will immediately cease construction or operation of the waste water treatment facility upon notification by the Commandant that the Town's construction or operation of the facility interferes with any Coast Guard aid to navigation. The agreement shall provide that construction or operation shall not be resumed until the conditions causing the interference are corrected, and the Commandant authorizes the construction or operation to resume.

(7) All conditions placed with the deed of title shall be construed as covenants running with the land.

(c) REVERSIONARY INTEREST.—In addition to any term or condition established pursuant to this section, the conveyance of property

under this section shall include a condition that the property conveyed, at the option of the Administrator, shall revert to the United States and be placed under the administrative control of the Administrator, if—

(1) the Town conveys, assigns, exchanges, or in any manner encumbers the property conveyed for consideration, unless otherwise approved by the Administrator;

(2) the Town conducts any commercial activities at or upon the property conveyed, unless otherwise approved by the Administrator;

(3) the Town interferes or allows interference, in any manner, with any aid to navigation, whether located upon the property conveyed under this section or upon any portion of LORAN Station Nantucket retained by the United States, nor hinder activities required for the inspection, operation, and maintenance of any such aid to navigation without the Commandant's express written permission; or

(4) at least 30 days before the reversion, the Administrator provides written notice to the grantee that property conveyed under this section, or any portion thereof, is needed for national security purposes.

(d) REAL PROPERTY LICENSE.—Prior to the conveyance of any property under this section, the Commandant may grant a real property license to the Town for the purpose of allowing the Town to enter upon LORAN Station Nantucket and commence construction of a waste water treatment facility and for other site preparation activities.

(e) DEFINITIONS.—For purposes of this section:

(1) AID TO NAVIGATION.—The term “aid to navigation” means equipment used for navigation purposes, including but not limited to, a light, antenna, sound signal, electronic and radio navigation equipment and signals, cameras, sensors, or other equipment operated or maintained by the United States.

(2) TOWN.—The term “Town” includes the successors and assigns of the Town of Nantucket, Massachusetts.

SEC. 1115. CONVEYANCE OF PLUM ISLAND LIGHTHOUSE, NEWBURYPORT, MASSACHUSETTS. (a) AUTHORITY TO CONVEY.—

(1) IN GENERAL.—Notwithstanding any other law, the Administrator of the General Services Administration (Administrator) or the Commandant of the Coast Guard (Commandant), as appropriate, shall convey to the City of Newburyport, Massachusetts (City), without monetary consideration, all right, title, and interest of the United States of America (United States) in and to two certain parcels of land upon which the Plum Island Boat House and the Plum Island Lighthouse (also known as the Newburyport Harbor Light), are situated, respectively, located in Essex County, Massachusetts, together with any improvements thereon in their then current condition.

(2) IDENTIFICATION OF PROPERTY.—The Administrator or the Commandant, as appropriate, shall identify, describe, and determine the property to be conveyed under this section, including the right to retain all right, title, and interest of the United States to any portion of either parcel described in paragraph (a)(1) of this section. The Administrator or Commandant, as appropriate, may retain all right, title, and interest of the United States in and to any historical artifact, including any lens or lantern, that is associated with and located at

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the property conveyed under this section at the time of conveyance. Artifacts associated with, but not located at, the property conveyed under this section at the time of conveyance, shall remain the personal property of the United States under the administrative control of the Commandant. No submerged lands shall be conveyed under this section.

(b) TERMS AND CONDITIONS OF CONVEYANCE.—

(1) The conveyance of property under this section shall be made subject to any terms and conditions the Administrator or the Commandant, as appropriate, considers necessary, including but not limited to, the reservation of easements and other rights on behalf of the United States, to ensure that—

(A) the aids to navigation located at property conveyed under this section shall remain the personal property of the United States and continue to be operated and maintained by the United States for as long as needed for navigational purposes;

(B) there is reserved to the United States the right to remove, relocate, or replace any aid to navigation located upon, or install or construct any aid to navigation upon, property conveyed under this section as may be necessary for navigational purposes;

(C) the United States shall have the right to enter property conveyed under this section at any time, without notice, for purposes of operating, maintaining, and inspecting any aid to navigation, for the purposes of exercising any of the rights set forth in paragraph (1)(B) of this subsection, and for the purposes of ingress and egress to any land retained by the United States; and

(D) the City shall not, without the Commandant's express written permission, interfere or allow interference, in any manner, with any aid to navigation, nor hinder activities required

(i) for the inspection, operation, and maintenance of any aid to navigation; or

(ii) for the exercise of any of the rights set forth in paragraph (1)(B) of this subsection.

(2) The City shall, at its own cost and expense, maintain the property conveyed under this section in a proper, substantial, and workmanlike manner.

(3) The City shall ensure that the property conveyed is available and accessible to the public, on a reasonable basis for educational, park, recreational, cultural, historic preservation or similar purposes.

(4) The City shall not be required to maintain any active aid to navigation associated with the property conveyed under this section except for private aids to navigation permitted under 14 U.S.C. 83.

(5) All conditions placed with the deed of title for property conveyed under this section shall be construed as covenants running with the land.

(6) The Administrator or the Commandant, as appropriate, may require such additional terms and conditions with respect to the conveyance of property under this section, as the Administrator or the Commandant considers appropriate to protect the interests of the United States.

(c) REVERSIONARY INTEREST.—In addition to any term or condition established pursuant to this section, any property conveyed under this section, at the option of the Administrator, shall revert to the United States and be placed under the administrative control of the Administrator, if—

(1) the property conveyed under this section, or any part thereof, ceases to be maintained in a manner that ensures its present or future use as a site for an aid to navigation as determined by the Commandant;

(2) the property conveyed under this section, or any part thereof, ceases to be available and accessible to the public, on a reasonable basis, for educational, park, recreational, cultural, historic preservation or similar purposes; or

(3) at least 30 days before the reversion, the Administrator provides written notice to the grantee that property conveyed under this section, or any portion thereof, is needed for national security purposes.

(d) DEFINITIONS.—For purposes of this section:

(1) AID TO NAVIGATION.—The term “aid to navigation” means equipment used for navigation purposes, including but not limited to, a light, antenna, sound signal, electronic and radio navigation equipment and signals, cameras, sensors, or other equipment operated or maintained by the United States.

(2) CITY.—The term “City” includes the successors and assigns of the City of Newburyport, Massachusetts.

SEC. 1116. TRANSFER OF COAST GUARD STATION SCITUATE TO THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION. (a) AUTHORITY TO TRANSFER.—

(1) IN GENERAL.—The Administrator of the General Services Administration, in consultation with the Commandant, United States Coast Guard, may transfer without consideration administrative jurisdiction, custody, and control over the Federal property known as Coast Guard Station Scituate to the National Oceanic and Atmospheric Administration (hereinafter referred to as “NOAA”).

(2) IDENTIFICATION OF PROPERTY.—The Administrator, in consultation with the Commandant, may identify, describe, and determine the property to be transferred under this section.

(b) TERMS OF TRANSFER.—

(1) The transfer of the property shall be made subject to any conditions and reservations the Commandant considers necessary to ensure that—

(A) the transfer of the property to NOAA is contingent upon the relocation of Coast Guard Station Scituate to a suitable site;

(B) there is reserved to the Coast Guard the right to remove, relocate, or replace any aid to navigation located upon, or install any aid to navigation upon, the property transferred under this section as may be necessary for navigational purposes; and

(C) the Coast Guard shall have the right to enter the property transferred under this section at any time, without notice, for purposes of operating, maintaining, and inspecting any aid to navigation.

(2) The transfer of the property shall be made subject to the review and acceptance of the property by NOAA.

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(c) RELOCATION OF STATION SCITUATE.—The Coast Guard may—

(1) lease land, including unimproved or vacant land, for a term not to exceed 20 years, for the purpose of relocating Coast Guard Station Scituate; and

(2) improve the land leased under this subsection.

SEC. 1117. EXTENSION OF INTERIM AUTHORITY FOR DRY BULK CARGO RESIDUE DISPOSAL. (a) Section 415(b)(2) of the Coast Guard Authorization Act of 1998 is amended by striking “2002” and inserting “2004”.

(b) The Secretary shall conduct a study of the effectiveness of the United States 1997 Enforcement Policy for Cargo Residues on the Great Lakes (“Policy”) by September 30, 2002.

(c) The Secretary is authorized to promulgate regulations to implement and enforce a program to regulate incidental discharges from vessels of residues of non-hazardous and non-toxic dry bulk cargo into the waters of the Great Lakes, which takes into account the finding in the study required under subsection (b). This program shall be consistent with the Policy.

SEC. 1118. GREAT LAKES PILOTAGE ADVISORY COMMITTEE. Section 9307 of title 46, United States Code, is amended—

(1) by amending subparagraph (A) of subsection (b)(2) to read as follows:

“(A) The President of each of the 3 Great Lakes pilotage districts, or the President’s representative;”;

(2) by amending subparagraph (E) of subsection (b)(2) to read as follows:

“(E) a member with a background in finance or accounting, who—

“(i) must have been recommended to the Secretary by a unanimous vote of the other members of the Committee, and

“(ii) may be appointed without regard to requirement in paragraph (1) that each member have 5 years of practical experience in maritime operations.”;

(3) in subsection (C)(2) by striking the second sentence;

(4) by adding at the end of subsection (d) the following new paragraph:

“(3) Any recommendations to the Secretary under subsection (a)(2) must have been approved by at least all but one of the members then serving on the committee.”; and

(5) in subsection (f)(1) by striking “September 30, 2003” and inserting “September 30, 2005”.

SEC. 1119. VESSEL ESCORT OPERATIONS AND TOWING ASSISTANCE. (a) IN GENERAL.—Except in the case of a vessel in distress, only a vessel of the United States (as that term is defined in section 2101 of title 46, United States Code) may perform the following vessel escort operations and vessel towing assistance within the navigable waters of the United States:

(1) Operations or assistance that commences or terminates at a port or place in the United States.

(2) Operations or assistance required by United States law or regulation.

(3) Operations provided in whole or in part for the purpose of escorting or assisting a vessel within or through navigation facilities owned, maintained, or operated by the United States Government or the approaches to such facilities, other than

facilities operated by the St. Lawrence Seaway Development Corporation on the St. Lawrence River portion of the Seaway.

(b) DEFINITIONS.—Unless otherwise defined by a provision of law or regulation requiring that towing assistance or escort be rendered to vessels transiting United States waters or navigation facilities, for purposes of this section—

(1) the term “towing assistance” means operations by an assisting vessel in direct contact with an assisted vessel (including hull-to-hull, by towline, including if only pre-tethered, or made fast to that vessel by one or more lines) for purposes of exerting force on the assisted vessel to control or to assist in controlling the movement of the assisted vessel; and

(2) the term “escort operations” means accompanying a vessel for the purpose of providing towing or towing assistance to the vessel.

SEC. 1120. Notwithstanding any other provision of law, the Commandant of the United States Coast Guard is hereby authorized to utilize \$100,000 of the amounts made available for fiscal year 2001 for environmental compliance and restoration of Coast Guard facilities to reimburse the owner of the former Coast Guard lighthouse facility at Cape May, New Jersey, for costs incurred for clean-up of lead contaminated soil at that facility.

\$2,400,000 SEC. 1121. Notwithstanding any other provision of law, \$2,400,000, to be derived from the Highway Trust Fund, shall be available for planning, development and construction of rural farm-to-market roads in Tulare County, California: *Provided*, That the non-Federal share of such improvements shall be 20 percent.

SEC. 1122. Notwithstanding any other provision of law, and subject to the availability of funds appropriated specifically for the project, the Coast Guard is authorized to transfer funds in an amount not to exceed \$200,000 and project management authority to the Traverse City Area Public School District for the purposes of demolition and removal of the structure commonly known as “Building 402” at former Coast Guard property located in Traverse City, Michigan, and associated site work. No such funds shall be transferred until the Coast Guard receives a detailed, fixed price estimate from the School District describing the nature and cost of the work to be performed, and the Coast Guard shall transfer only that amount of funds it and the School District consider necessary to complete the project.

500,000 SEC. 1123. Notwithstanding any other provision of law, for necessary expenses for Alabama A&M University buses and bus facilities, \$500,000, to be derived from the Mass Transit Account of the Highway Trust Fund and to remain available until expended.

SEC. 1124. Notwithstanding any other provision of law, prior to the fiscal year 2002 apportionment of “Fixed Guideway Modernization” funds authorized under section 5309(a)(1)(E) of title 49, United States Code, \$7,047,502 of funds made available in fiscal year 2002 by section 5338(b) of title 49, United States Code, for the “Fixed Guideway Modernization” program shall be distributed by the Federal Transit Administration to an urbanized area over 200,000 that did not receive amounts of fixed guideway modernization formula grants to which such area was lawfully entitled for fiscal years 1999–2001 in view of eligibility determinations made under chapter 53 of title 49, United States Code, during the 6 months prior to the effective date of this Act: *Provided*,

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That such sums shall not reduce a grantee's fiscal year 2002 apportionment level of "Fixed Guideway Modernization" funds: *Provided further*, That such sum remain available until expended.

SEC. 1125. Notwithstanding any other provision of law, Airport Improvement Program Formula Changes provided in Public Law 106-181 and defined in section 104 of that Act shall be applied regardless of funding levels made available under section 48103 of title 49, United States Code.

SEC. 1126. Item number 473 contained in section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 274), relating to Minnesota, is amended by striking "between I-35W and 24th Avenue to four lanes in Richfield" and inserting "reconstruction project from Penn Avenue to 24th Avenue, including the Penn Avenue Bridge over I-494".

SEC. 1127. The Secretary of Transportation shall not issue final regulations under section 20153 of title 49, United States Code, before July 1, 2001.

SEC. 1128. 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):

\$1,700,000 for transportation and community preservation projects along the Main Street Corridor in Houston, Texas;

\$5,000,000 for rehabilitation, repair, and restoration of the historic Stillwater Lift Bridge between Stillwater, Minnesota and Houlton, Wisconsin;

\$1,000,000 for improvements to McClung Road, Boston Street, Larson Street and Whirlpool Drive in the City of LaPorte, Indiana; and

\$1,000,000 for design, environmental mitigation, engineering, and construction of, and improvements to, the US 36/Wadsworth interchange (Broomfield interchange) in Broomfield County, Colorado:

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 or any other Act.

[Total, chapter 11, \$22,100,000.]

CHAPTER 12

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

For an additional amount to be deposited in, and to be used for the purposes of, the Federal Buildings Fund of the General Services Administration, \$2,070,000: *Provided*, That this amount shall be available for the purpose of renovating and redeveloping portions of the historic Federal building located at 30 North Seventh Street in Terre Haute, Indiana, to accommodate the needs of Federal tenants: *Provided further*, That use of these funds is subject to authorization including the preparation and approval of a prospectus as required by the Public Buildings Act of 1959, as amended.

\$2,070,000

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DEPARTMENT OF THE TREASURY

UNITED STATES CUSTOMS SERVICE

OPERATIONS, MAINTENANCE AND PROCUREMENT, AIR AND MARINE
INTERDICTION PROGRAMS

\$7,000,000 For an additional amount of \$7,000,000, to remain available until expended, for necessary expenses associated with procurement of two aircraft and related equipment expenses associated with aviation standardization and training at the Customs National Aviation Center in Oklahoma City, Oklahoma: *Provided*, That none of the funds provided shall be available for obligation until an expenditure plan is submitted for approval to the Committees on Appropriations.

[*Total, chapter 12, \$9,070,000.*]

CHAPTER 13

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MINOR PROJECTS

8,840,000 For an additional amount for “Construction, minor projects”, \$8,840,000, to remain available until expended.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

110,000,000 For an additional amount for “Empowerment zones and enterprise communities”, \$110,000,000, to remain available until expended: *Provided*, That \$185,000,000 shall be available for urban empowerment zones, as authorized by the Taxpayer Relief Act of 1997, including \$12,333,333 for each empowerment zone.

COMMUNITY DEVELOPMENT FUND

66,128,000 For an additional amount for “Community development fund”, \$66,128,000 to remain available until September 30, 2003.

The referenced statement of the managers in the seventh undesignated paragraph under this heading in title II of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001 (Public Law 106-377) is deemed to be amended by striking “West Dallas neighborhoods” in reference to improvement efforts by the Pleasant Wood/Pleasant Grove Community Development Corporation, and inserting “the Pleasant Grove area” in lieu thereof.

The unobligated amount appropriated in the third paragraph under the heading “Community development block grants” in chapter 8 of title II of the Emergency Supplemental Act, 2000 (Public Law 106-246) for a grant to the City of Hamlet, North Carolina, for demolition and removal of buildings and equipment destroyed by fire shall remain available until September 30, 2002, for a grant for such purpose to the County of Richmond, North Carolina.

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The seventh paragraph under this heading in title II of Public Law 106-377 is amended by striking “\$292,000,000” and inserting in lieu thereof “\$358,128,000”: *Provided*, That such funds shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments in accordance with the terms and conditions specified in the statement of managers accompanying this conference report.

[*Total, Department of Housing and Urban Development, \$176,128,000.*]

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

FUND PROGRAM ACCOUNT

Under this heading in Public Law 106-377, strike “\$8,750,000 may be used for administrative expenses,” and insert “\$9,750,000 may be used for administrative expenses, including administration of the New Markets Tax Credit and Individual Development Accounts,”.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For an additional amount for “Science and technology”, \$1,000,000 for continuation of the South Bronx Air Pollution Study being conducted by New York University.

\$1,000,000

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

The statement of the managers under this heading in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2001 (Public Law 106-377) is deemed to be amended by inserting the word “Valley” after the words “San Bernardino” in reference to a project identified as number 104 in such statement of the managers.

STATE AND TRIBAL ASSISTANCE GRANTS

Grants appropriated under this heading in Public Law 106-74 and Public Law 106-377 for drinking water infrastructure needs in the New York City watershed shall be awarded under section 1443(d) of the Safe Drinking Water Act, as amended.

The referenced statement of the managers under this heading in Public Law 106-377 is deemed to be amended by striking all after the words “City of Liberty” in reference to item number 78, and inserting the words “Town of Versailles, Indiana for wastewater infrastructure improvements”.

Under this heading in title III of Public Law 106-377, strike “\$335,740,000” and insert “\$356,370,000”: *Provided*, That such funds shall be for making grants for the construction of wastewater and water treatment facilities and groundwater protection infrastructure in accordance with the terms and conditions specified for such grants in the statement of managers accompanying Public Law 106-377 and this conference report.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

\$100,000,000 For an additional amount for “Emergency management planning and assistance”, \$100,000,000, to remain available through September 30, 2001, for programs as authorized by section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), as amended.
 [Total, chapter 13, \$285,968,000.]

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)).

(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.

¹ - 1,013,000,000

² - 13,000,000

(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.

¹ CBO estimate of rescissions from appropriations.

² CBO estimate of rescissions from emergency appropriations.

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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.

[CLERK’S NOTE.—*The text is for Division A of the Miscellaneous Appropriations Act, 2001, as enacted into law by Public Law 106-554 (114 STAT. 2763). Such Act enacted by reference the text of H.R. 5666. Division B of the Miscellaneous Appropriations Act, 2001, contains non-appropriations matters and is not reprinted.***]**

H.R. 4577

[CLERK’S NOTE.—*The Miscellaneous Appropriations Act, 2001 was added to H.R. 4577 at conference. The conference report on H.R. 4577 enacted by reference H.R. 5666 as introduced on December 15, 2000, and printed as Appendix D of the slip copy of Public Law 106-554.***]**

[In thousands of dollars]

Net grand total, Miscellaneous Appropriations, 2001 ¹ ...	\$15,225
Appropriations	(1,041,225)
Rescissions	(- 1,026,000)
Consisting of:	
Department of Agriculture	95,700
Department of Commerce	61,450
Department of Defense—Military	301,000
Department of Defense—Civil	7,150
Department of Energy	2,100
Environmental Protection Agency	1,000
Federal Emergency Management Agency	100,000
General Government—Independent Agencies	34,400
General Services Administration	2,070
Department of Health and Human Services	55,400
Department of Housing and Urban Development	176,128
Department of the Interior	16,050
Department of Justice	30,380
Legislative Branch	117,957
Small Business Administration	2,000
Department of State	500
Department of Transportation	22,100
Department of the Treasury	7,000
Department of Veterans Affairs	8,840
Government-wide (rescission of 0.22%)	- 1,026,000

¹ Includes Division A.

NOTE.—Refer to Tables 4 and 5 for totals by Agency.