Public Law 95-352
95th Congress

An Act

To authorize appropriations for activities and programs carried out by the Secretary of the Interior through the Bureau of Land Management.

Aug. 20, 1978
[H.R. 10787]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That pursuant to section 318(b) of the Federal Land Policy and Management Act of 1976 (31 U.S.C. 1301 note), there are hereby authorized to be appropriated the following sums for activities and programs administered through the Bureau of Land Management:

Bureau of Land Management.
Appropriation authorizations.
43 USC 1748.

(a) for management of lands and resources, excluding emergency firefighting and rehabilitation: $312,100,000 for fiscal year 1979, $329,300,000 for fiscal year 1980, $361,300,000 for fiscal year 1981, and $393,300,000 for fiscal year 1982;

(b) for land acquisition, construction, and maintenance: $22,600,000 for fiscal year 1979, $22,000,000 for fiscal year 1980, $25,000,000 for fiscal year 1981, and $27,000,000 for fiscal year 1982;

(c) for implementation of the Act of October 20, 1976 (31 U.S.C. 1601): $105,000,000 and such additional sums as are necessary for payments for fiscal year 1979, $108,000,000 and such additional sums as are necessary for payments for fiscal year 1980, $111,000,000 and such additional sums as are necessary for payments for fiscal year 1981, and $114,000,000 and such additional sums as are necessary for payments for fiscal year 1982;

(d) for implementation of section 317(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1747): $40,000,000 for loans for fiscal year 1979, $50,000,000 for loans for fiscal year 1980, $57,000,000 for loans for fiscal year 1981, and $65,000,000 for loans for fiscal year 1982; and

(e) such additional or supplemental amounts as may be necessary for increases in salary, pay, retirements and other employee benefits authorized by law, and for other nondiscretionary costs.

(f) Paragraph (c) of section 317 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2743, 2771; 43 U.S.C. 1701, 1747) is amended to read as follows:

"(c)(1) The Secretary is authorized to make loans to States and their political subdivisions in order to relieve social or economic impacts occasioned by the development of minerals leased in such States pursuant to the Act of February 25, 1920, as amended. Such loans shall be confined to the uses specified for the 50 per centum of mineral leasing revenues to be received by such States and subdivisions pursuant to section 35 of such Act.

30 USC 181.

30 USC 191.

"(2) The total amount of loans outstanding pursuant to this subsection for any State and political subdivisions thereof in any year shall be not more than the anticipated mineral leasing revenues to be received by that State pursuant to section 35 of the Act of February 25, 1920, as amended, for the ten years following.

"(3) The Secretary, after consultation with the Governors of the affected States, shall allocate such loans among the States and their political subdivisions in a fair and equitable manner, giving priority to those States and subdivisions suffering the most severe impacts.

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"(4) Loans made pursuant to this subsection shall be subject to such terms and conditions as the Secretary determines necessary to assure the achievement of the purpose of this subsection. The Secretary shall promulgate such regulations as may be necessary to carry out the provisions of this subsection no later than three months after the enactment of this paragraph.

Regulations.

"(5) Loans made pursuant to this subsection shall bear interest equivalent to the lowest interest rate paid on an issue of at least $1,000,000 of tax exempt bonds of such State or any agency thereof within the preceding calendar year.

"(6) Any loan made pursuant to this subsection shall be secured only by a pledge of the revenues received by the State or the political subdivision thereof pursuant to section 35 of the Act of February 25, 1920, as amended, and shall not constitute an obligation upon the general property or taxing authority of such unit of government.

30 USC 191.

"(7) Notwithstanding any other provision of law, loans made pursuant to this subsection may be used for the non-Federal share of the aggregate cost of any project or program otherwise funded by the Federal Government which requires a non-Federal share for such project or program and which provides planning or public facilities otherwise eligible for assistance under this subsection.

"(8) Nothing in this subsection shall be construed to preclude any forebearance for the benefit of the borrower including loan restructuring, which may be determined by the Secretary as justified by the failure of anticipated mineral development or related revenues to materialize as expected when the loan was made pursuant to this subsection.

"(9) Recipients of loans made pursuant to this subsection shall keep such records as the Secretary shall prescribe by regulation, including records which fully disclose the disposition of the proceeds of such assistance and such other records as the Secretary may require to facilitate an effective audit. The Secretary and the Comptroller General of the United States or their duly authorized representatives shall have access, for the purpose of audit, to such records.

"(10) No person in the United States shall, on the grounds of race, color, religion, national origin, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or part with funds made available under this subsection.

"(11) All amounts collected in connection with loans made pursuant to this subsection, including interest payments or repayments of principal on loans, fees, and other monevs, derived in connection with this subsection, shall be deposited in the Treasury as miscellaneous receipts.".

SEC. 2. The Act entitled "An Act to provide for the establishment of the King Range National Conservation Area in the State of California", approved October 21, 1970 (Public Law 91-476), is amended—

16 USC 460y-4.

(1) by adding at the end of subparagraph (B) of section 5(3) the following sentence: "Any such payment made to the Secretary shall be deposited in the Treasury as a miscellaneous receipt.";

16 USC 460y-9.

(2) by inserting "(a)" in section 10 after "SEC. 10."; and

(3) by adding at the end of section 10 the following new subsection:

"(b) In addition to any amounts authorized to be appropriated under subsection (a), there are authorized to be appropriated for fiscal years beginning on or after October 1, 1979, for the acquisition of lands and interests in lands under this Act—

"(1) from the Land and Water Conservation Fund (established under the Land and Water Conservation Fund Act of 1965) not to exceed $5,000,000, and 16 USC 460*l*–4 note.

"(2) from any other sources an amount not to exceed the sum of (A) $5,000,000, and (B) an amount equal to the amount deposited in the Treasury under section 5(3)(B) of this Act after the date of the enactment of this subsection, 16 USC 460*l*–7.

such sums to remain available until expended.".

Approved August 20, 1978.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95–1121 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 95–789 accompanying S. 2234 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 124 (1978):
July 11, considered and passed House.
July 27, considered and passed Senate, amended, in lieu of S. 2234.
Aug. 2, House concurred in Senate amendment with an amendment.
Aug. 8, Senate concurred in House amendment.