

shall be divided equally between the Secretary and Kern County.

(h) **TREATMENT OF EXISTING UTILITY LINES AT CAMP OWEN.**—Upon receipt of the Federal lands described in subsection (a)(1), Kern County shall grant an easement, and record the easement in the appropriate office, for permitted or licensed uses of those lands that are unrecorded as of the date of the conveyance.

(i) **APPLICABLE LAW.**—Except as otherwise provided in this section, any exchange of National Forest System land under this section shall be subject to the laws (including regulations) applicable to the conveyance and acquisition of land for the National Forest System.

SEC. 348. (a) ESTABLISHMENT.—Not later than March 1, 2001, the Secretary shall cause to be established an advisory group to provide continuing expert advice and counsel to the Director of the National Energy Technology Laboratory (NETL) with respect to the research and development activities NETL conducts and manages.

(b) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The advisory group shall be composed of—

(A) a balanced group of—

(i) representatives of academia;

(ii) representatives of industry;

(iii) representatives of non-governmental organizations; and

(iv) representatives of energy regulatory agencies;

(B) a representative of the DOE's Office of Fossil Energy;

(C) a representative of the DOE's Office of Energy Efficiency and Renewable Energy;

(D) a representative of the DOE's Office of Science; and

(E) others, as appropriate.

(c) **DUTIES.**—The advisory group shall provide advice, information, and recommendations to the Director—

(1) on management and strategic issues affecting the laboratory; and

(2) on the scientific and technical direction of the laboratory's R&D program;

(d) **COMPENSATION; SUPPORT; PROCEDURES.**—

(1) **COMPENSATION AND TRAVEL.**—Members of the advisory group who are not officers or employees of the United States, while attending conferences or meetings of the group or otherwise engaged in its business, or while serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(2) **ADMINISTRATIVE SUPPORT.**—The NETL shall furnish to the advisory group clerical and administrative support.

(3) **PROCEDURES AND REQUIREMENTS.**—In carrying out its functions, the advisory group shall comply with the procedures and requirements that apply to similar groups providing advice and counsel to entities operating other Department of Energy laboratories rather than the procedures and requirements that apply to such a group providing advice directly to a Federal entity.

SEC. 349. (a) In furtherance of the purposes of the Umpqua Land Exchange Project (ULEP) and previous Congressional appropriations therefor, there is hereby appropriated the sum of \$4,300,000 to be derived from the Land and Water Conservation Fund. Such amount shall be available to the Foundation for Voluntary Land Exchanges ("Foundation") working in conjunction with the Secretary of the Interior, and with the U.S. Bureau of Land Management as the lead Federal agency, to complete a Final Land Ownership Adjustment Plan ("Plan") for the area ("Basin"), comprising approximately 675,000 acres, as generally depicted on a map entitled "Coast Range-Umpqua River Basin," dated August 2000. No more than 15 percent of this appropriation shall be used by the agency for defraying administrative overhead.

(b) In preparing the Plan, the Secretary shall identify, no later than March 31, 2001, those lands or interests in land with willing sellers which merit emergency purchase by the United States due to critical environmental values or possibility of imminent development. For lands or interests in land so identified, the Secretary and the Foundation shall arrange with landowners to complete appraisals and purchase clearances required by law so that the Secretary may thereafter consummate purchases as soon as funds therefor are appropriated by the Congress.

(c) Pursuant to the funding and direction of subsection (a), the Secretary shall, in cooperation with the Foundation, no later than December 31, 2002, complete the Plan utilizing the Multi-Resource Land Allocation Model ("Model") developed for the ULEP. The Plan shall identify: (1) non-Federal Lands or interests in land in the Basin which, with the concurrence of willing non-Federal landowners, are recommended for acquisition or exchange by the United States; (2) Federal lands or interests in land in the Basin recommended for disposal into non-Federal ownership in exchange for the acquired lands of equal value; and (3) specific land exchanges or purchases to implement the Plan. In addition, no later than December 31, 2002, the Secretary, in cooperation with the Foundation, shall complete a draft Habitat Conservation Plan ("HCP") covering the lands to be disposed of by the United States and consistent with the Plan, a comprehensive Final Environmental Impact Statement covering the Plan, and a comprehensive Biological Opinion analyzing the net impacts of the Plan at Plan scale over time in 5 year increments, taking into consideration all expected benefits to be achieved by the Plan and HCP, and any consistency determinations or amendments to any applicable Federal land management plans. The HCP shall cover all species analyzed in the Model (including species under the jurisdiction of the Secretary of Commerce).

(d) No later than March 31, 2002, the Secretary and the Foundation shall submit to the Committee on Resources of the U.S. House of Representatives, Committee on Energy and Natural Resources of the United States Senate, and the House and Senate Committees on Appropriations, a joint report summarizing the Plan and the land exchanges or purchases identified to implement the Plan, and outlining: (1) any Fiscal Year 2003 funding needed for land purchases; (2) any recommendations for actions to expedite or facilitate the specific land exchanges or purchases identified to implement the Plan, or the HCP; and (3) an action Plan for making the Model publicly available for additional land exchanges or other purposes upon completion of the exchanges.

(e) No later than June 15, 2003: (1) the Secretary with the Foundation and the financial participation and commitment of willing private landowners shall complete appraisals and other land purchase or exchange clearances required by law, including those pertaining to cultural and historic resources and hazardous materials and (2) the Secretary shall consummate with willing non-Federal landowners the specific land exchanges previously identified in subsection (c) to implement the Plan, and together with the Secretary of Commerce, shall issue the HCP.

SEC. 350. Notwithstanding section 351 of section 101(e) of division A, Public Law 105-277, the Indian Health Service is authorized to provide additional contract health service funds to Ketchikan Indian Corporation's recurring budget for hospital-related services for patients of Ketchikan Indian Corporation and the Organized Village of Saxman.

SEC. 351. (a) SHORT TITLE.—This section may be cited as the "Boise Laboratory Replacement Act of 2000".

(b) **FINDINGS AND PURPOSE.**—

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

(A) the existing facilities of the Rocky Mountain Research Station Boise laboratory are outdated and no longer serve as a modern research facility;

(B) the Boise laboratory site is in the heart of a Boise city redevelopment zone, and the existing laboratory facilities detract from community improvement efforts;

(C) it is desirable to colocate the Boise laboratory with 1 of the State institutions of higher learning in the Boise metropolitan area—

(i) to facilitate communications and sharing of research data between the agency and the Idaho scientific community;

(ii) to facilitate development and maintenance of the Boise laboratory as a modern, high quality research facility; and

(iii) to reduce costs, better use assets, and better serve the public; and

(D) it is desirable to make the Boise laboratory site available for inclusion in a planned facility that is being developed on adjacent property by the University of Idaho or the University of Idaho Foundation, a not-for-profit corporation acting on behalf of the University of Idaho, as a multiagency research and education facility to serve various agencies and educational institutions of the United States and the State.

(2) **PURPOSE.**—The purpose of this section is to authorize the Secretary—

(A) to sell or exchange the land and improvements currently occupied by the Boise laboratory site; and

(B) to acquire land, facilities, or interests in land and facilities, including condominium interests, to colocate the Rocky Mountain Research Station Boise laboratory with 1 of the State institutions of higher learning in the Boise metropolitan area, using—

(i) funds derived from sale or exchange of the existing Boise laboratory site; and

(ii) to the extent the funds received are insufficient to carry out the acquisition of replacement research facilities, funds subsequently made available by appropriation for the acquisition, construction, or improvement of the Rocky Mountain Research Station Boise laboratory.

(c) **DEFINITIONS.**—In this section:

(1) **BOISE LABORATORY SITE.**—The term "Boise laboratory site" means the approximately 3.26 acres of land and all improvements in section 10, T. 3 N., R. 2 E., Boise Meridian, as depicted on that Plat of Park View Addition to Boise, Ada County, Idaho, labeled "Boise Lab Site—May 22, 2000", located at 316 East Myrtle Street, Boise, Idaho.

(2) **CONDOMINIUM INTEREST.**—The term "condominium interest" means an estate in land consisting of (in accordance with law of the State)—

(A) an undivided interest in common of a portion of a parcel of real property; and

(B) a separate fee simple interest in another portion of the parcel.

(3) **FAIR MARKET VALUE.**—The term "fair market value" means the cash value of land on a specific date, as determined by an appraisal acceptable to the Secretary and prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions.

(4) **SECRETARY.**—The term "Secretary" means the Secretary of Agriculture.

(5) **STATE.**—The term "State" means the State of Idaho.

(d) **SALE OR EXCHANGE OF BOISE LABORATORY SITE.**—

(1) **IN GENERAL.**—The Secretary may, under such terms and conditions as the Secretary may prescribe and subject to valid existing rights, sell or exchange any or all right, title, and interest of the United States in and to the Boise laboratory site.

(2) **RIGHT OF FIRST REFUSAL.**—

(A) **IN GENERAL.**—After a determination of fair market value of the Boise laboratory site is approved by the Secretary, the University of Idaho or the University of Idaho Foundation, a not-for-profit organization acting on behalf of the

University of Idaho, shall be allowed 210 days from the effective date of value to exercise a right of first refusal to purchase the Boise laboratory site at fair market value.

(B) COOPERATIVE DEVELOPMENT.—If the University of Idaho or the University of Idaho Foundation exercises the right of first refusal under paragraph (A), to accomplish the purpose described in section (b)(2)(B), the Secretary shall, to the maximum extent practicable, cooperate with the University of Idaho in the development of a multiagency research and education facility on the Boise laboratory site and adjacent property.

(3) SOLICITATION OF OFFERS.—If the right of first refusal described in subsection (d)(2) is not exercised, the Secretary may solicit offers for purchase through sale or competitive exchange of any and all right, title, and interest of the United States in and to the Boise laboratory site.

(4) CONSIDERATION.—Consideration for sale or exchange of land under this subsection—

(A) shall be at least equal to the fair market value of the Boise laboratory site; and

(B) may include land, existing improvements, or improvements to be constructed to the specifications of the Secretary, including condominium interests, and cash, notwithstanding section 206(b) of Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(5) REJECTION OF OFFERS.—The Secretary may reject any offer made under this subsection if the Secretary determines that the offer is not adequate or not in the public interest.

(e) DISPOSITION OF FUNDS.—

(1) DEPOSIT OF PROCEEDS.—The Secretary shall deposit the proceeds of a sale or exchange under subsection (d) in the fund established under Public Law 90-171 (16 U.S.C. 484a) (commonly known as the "Sisk Act").

(2) USE OF PROCEEDS.—Funds deposited under subsection (a) shall be available to the Secretary, without further Act of appropriation, for—

(A) the acquisition of or interest in land, or the acquisition of or construction of facilities, including condominium interests—

(i) to colocate the Boise laboratory with 1 of the State institutions of higher learning in the Boise metropolitan area; and

(ii) to replace other functions of the Boise laboratory; and

(B) to the extent the funds are not necessary to carry out paragraph (A), the acquisition of other land or interests in land in the State.

TITLE IV—WILDLAND FIRE EMERGENCY APPROPRIATIONS

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

For necessary expenses for fire suppression operations, burned areas rehabilitation, hazardous fuels reduction, and rural fire assistance by the Department of the Interior, \$353,740,000 to remain available until expended, of which \$21,829,000 is for hazardous fuels reduction, \$120,300,000 is for removal of hazardous fuels to alleviate immediate emergency threats to urban wildland interface areas as defined by the Secretary of Interior, \$116,611,000 is for wildfire suppression, \$85,000,000 is for burned areas rehabilitation, and \$10,000,000 is for rural fire assistance: Provided, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for hazardous fuels reduction activities, and for training and monitoring associated with such hazardous fuels reduction activities, on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That in enter-

ing into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships, or small or disadvantaged businesses: Provided further, That funds in this account are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That unobligated balances of amounts previously appropriated to the "Fire Protection" and "Emergency Department of the Interior Firefighting Fund" may be transferred and merged with this appropriation: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., Protection of United States Property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: Provided further, That the entire amount appropriated is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That this amount shall be made available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined by such Act, is transmitted by the President to the Congress.

RELATED AGENCY

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

For an additional amount to cover necessary expenses for emergency rehabilitation, hazard reduction activities in the urban-wildland interface, support to federal emergency response, repaying firefighting funds borrowed from programs, and wildfire suppression activities of the Forest Service, \$619,274,000, to remain available until expended, of which \$179,000,000 is for wildfire suppression, \$120,000,000 is for removal of hazardous fuels to alleviate immediate emergency threats to urban wildland interface areas as defined by the Secretary of Agriculture, \$142,000,000 is for emergency rehabilitation, \$44,000,000 is for capital improvement and maintenance of fire facilities, \$16,000,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, as amended (16 U.S.C. 1641 et seq.), \$50,494,000 is for state fire assistance, \$8,280,000 is for volunteer fire assistance, \$12,000,000 is for forest health activities on state, private, and federal lands, \$12,500,000 is for economic action programs, and \$35,000,000 is for assistance to non-federal entities most affected by fire using all existing authorities under the State and Private Forestry appropriation; and of which \$320,274,000 may be transferred to the "State and Private Forestry", "National Forest System", "Forest and Rangeland Research", and "Capital Improvement and Maintenance" accounts to fund state fire assistance, volunteer fire assistance, and forest health management, vegetation and watershed management, heritage site rehabilitation, wildlife and fish habitat management, trails and facilities maintenance and restoration: Provided, That transfers of any

amounts in excess of those authorized in this title, shall require approval of the House and Senate Committees on Appropriations in compliance with reprogramming procedures contained in House Report No. 105-163: Provided further, That the costs of implementing any cooperative agreement between the Federal government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That in entering into such grants or cooperative agreements, the Secretary may consider the enhancement of local and small business employment opportunities for rural communities, and that in entering into procurement contracts under this section on a best value basis, the Secretary may take into account the ability of an entity to enhance local and small business employment opportunities in rural communities, and that the Secretary may award procurement contracts, grants, or cooperative agreements under this section to entities that include local non-profit entities, Youth Conservation Corps or related partnerships with State, local or non-profit youth groups, or small or disadvantaged businesses: Provided further, That the entire amount appropriated is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: Provided further, That this amount shall be made available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount as an emergency requirement as defined by such Act, is transmitted by the President to the Congress: Provided further, That:

(1) In expending the funds provided with respect to this title for hazardous fuels reduction, the Secretary of the Interior and the Secretary of Agriculture may conduct fuel reduction treatments on Federal lands using all contracting and hiring authorities available to the Secretaries applicable to hazardous fuel reduction activities under the wildland fire management accounts. Notwithstanding Federal government procurement and contracting laws, the Secretaries may conduct fuel reduction treatments on Federal lands using grants and cooperative agreements. Notwithstanding Federal government procurement and contracting laws, in order to provide employment and training opportunities to people in rural communities, the Secretaries may award contracts, including contracts for monitoring activities, to—

(A) local private, nonprofit, or cooperative entities;

(B) Youth Conservation Corps crews or related partnerships, with State, local and nonprofit youth groups;

(C) small or micro-businesses; or

(D) other entities that will hire or train a significant percentage of local people to complete such contracts. The authorities described above relating to contracts, grants, and cooperative agreements are available until all funds provided in this title for hazardous fuels reduction activities in the urban wildland interface are obligated.

(2) Within 60 days after enactment, the Secretary of Agriculture and the Secretary of the Interior shall, after consultation with State and local fire-fighting agencies, jointly publish in the Federal Register a list of all urban wildland interface communities, as defined by the Secretaries, within the vicinity of Federal lands that are at high risk from wildfire, as defined by the Secretaries. This list shall include:

(A) an identification of communities around which hazardous fuel reduction treatments are ongoing; and

(B) an identification of communities around which the Secretaries are preparing to begin treatments in fiscal year 2001.

(3) Prior to May 1, 2001, the Secretary of Agriculture and the Secretary of the Interior shall jointly publish in the Federal Register a list of all urban wildland interface communities, as defined by the Secretaries, within the vicinity of