

ADMINISTRATIVE PROVISIONS

Appropriation Language

Appropriations for the National Park Service shall be available for the purchase of not to exceed 249 passenger motor vehicles, of which 202 shall be for replacement only, including not to exceed 193 for police-type use, 10 buses, and 8 ambulances: Provided, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided further, That none of the funds appropriated to the National Park Service may be used to implement an agreement for the redevelopment of the southern end of Ellis Island until such agreement has been submitted to the Congress and shall not be implemented prior to the expiration of 30 calendar days (not including any day in which either House of Congress is not in session because of adjournment of more than 3 calendar days to a day certain) from the receipt by the Speaker of the House of Representatives and the President of the Senate of a full and comprehensive report on the development of the southern end of Ellis Island, including the facts and circumstances relied upon in support of the proposed project: Provided further, That [the National Park Service may make a grant of not to exceed \$70,000 for the construction of a memorial in Cadillac, Michigan in honor of Kris Eggle] *appropriations available to the National Park Service may be used to maintain the following areas in Washington, District of Columbia: Jackson Place, Madison Place, and Pennsylvania Avenue between 15th and 17th Streets, Northwest.*

None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

Notwithstanding any other provision of law, in fiscal year [2004] 2005, with respect to the administration of the National Park Service park pass program by the National Park Foundation, the Secretary may [obligate] *pay* to the Foundation administrative funds expected to be received in that fiscal year before the revenues are collected, so long as total [obligations] *payments* in the administrative account do not exceed total revenue collected and deposited in that account by the end of the fiscal year. (*Department of the Interior and Related Agencies Appropriations Act, 2004.*)

Justification of Major Proposed Changes

1. Delete: "the National Park Service may make a grant of not to exceed \$70,000 for the construction of a memorial in Cadillac, Michigan in honor of Kris Eggle,"

This Language is proposed to be removed as it is no longer necessary.

2. Addition: "appropriations available to the National Park Service may be used to maintain the following areas in the Washington, District of Columbia: Jackson Place, Madison Place and Pennsylvania Avenue between 15th and 17th Streets, Northwest"

This language is proposed to establish funds be available to maintain National Park unit in the National Capital Region.

Appropriation Language Citations

1. Appropriations for the National Park Service shall be available for the purchase of not to exceed passenger motor vehicles, of which shall be for replacement only, including not to exceed for police-type use, buses, and ambulances:

31 U.S.C. 1343 provides that, "An appropriation may be expended to buy or lease passenger motor vehicles only ... as specifically provided by law."

2. *Provided*, That none of the funds appropriated to the National Park Service may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913.

18 U.S.C. 1913 provides that, "No part of the money appropriated by any enactment of Congress shall ... be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a member of Congress, to favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation"

3. None of the funds in this Act may be spent by the National Park Service for activities taken in direct response to the United Nations Biodiversity Convention.

No specific authority. This restrictive language was added by Congress in the appropriation language for FY 1996 and has been included for each year since then.

4. The National Park Service may distribute to operating units based on the safety record of each unit the costs of programs designed to improve workplace and employee safety, and to encourage employees receiving workers' compensation benefits pursuant to chapter 81 of title 5, United States Code, to return to appropriate positions for which they are medically able.

No specific authority. This language is to allow the National Park Service flexibility in the management of its program to improve workplace safety and reduce the costs of compensation claims to the Employee's Compensation Fund.