

Union Calendar No. 595

115TH CONGRESS
2^D SESSION

H. R. 6147

[Report No. 115-765]

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2018

Mr. CALVERT, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

1 U.S.C. 191), except that amounts from permit processing
2 fees may be used for any bureau-related expenses associ-
3 ated with the processing of oil and gas applications for
4 permits to drill and related use of authorizations.

5 In addition, \$39,696,000 is for Mining Law Adminis-
6 tration program operations, including the cost of admin-
7 istering the mining claim fee program, to remain available
8 until expended, to be reduced by amounts collected by the
9 Bureau and credited to this appropriation from mining
10 claim maintenance fees and location fees that are hereby
11 authorized for fiscal year 2019, so as to result in a final
12 appropriation estimated at not more than \$1,247,883,000,
13 and \$2,000,000, to remain available until expended, from
14 communication site rental fees established by the Bureau
15 for the cost of administering communication site activities.

16 LAND ACQUISITION

17 For expenses necessary to carry out sections 205,
18 206, and 318(d) of Public Law 94–579, including admin-
19 istrative expenses and acquisition of lands or waters, or
20 interests therein, \$17,392,000, to be derived from the
21 Land and Water Conservation Fund and to remain avail-
22 able until expended.

23 OREGON AND CALIFORNIA GRANT LANDS

24 For expenses necessary for management, protection,
25 and development of resources and for construction, oper-

1 ation, and maintenance of access roads, reforestation, and
2 other improvements on the revested Oregon and California
3 Railroad grant lands, on other Federal lands in the Or-
4 egon and California land-grant counties of Oregon, and
5 on adjacent rights-of-way; and acquisition of lands or in-
6 terests therein, including existing connecting roads on or
7 adjacent to such grant lands; \$106,985,000, to remain
8 available until expended: *Provided*, That 25 percent of the
9 aggregate of all receipts during the current fiscal year
10 from the revested Oregon and California Railroad grant
11 lands is hereby made a charge against the Oregon and
12 California land-grant fund and shall be transferred to the
13 General Fund in the Treasury in accordance with the sec-
14 ond paragraph of subsection (b) of title II of the Act of
15 August 28, 1937 (43 U.S.C. 2605).

16 RANGE IMPROVEMENTS

17 For rehabilitation, protection, and acquisition of
18 lands and interests therein, and improvement of Federal
19 rangelands pursuant to section 401 of the Federal Land
20 Policy and Management Act of 1976 (43 U.S.C. 1751),
21 notwithstanding any other Act, sums equal to 50 percent
22 of all moneys received during the prior fiscal year under
23 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
24 315b, 315m) and the amount designated for range im-
25 provements from grazing fees and mineral leasing receipts

1 from Bankhead-Jones lands transferred to the Depart-
2 ment of the Interior pursuant to law, but not less than
3 \$10,000,000, to remain available until expended: *Pro-*
4 *vided*, That not to exceed \$600,000 shall be available for
5 administrative expenses.

6 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

7 For administrative expenses and other costs related
8 to processing application documents and other authoriza-
9 tions for use and disposal of public lands and resources,
10 for costs of providing copies of official public land docu-
11 ments, for monitoring construction, operation, and termi-
12 nation of facilities in conjunction with use authorizations,
13 and for rehabilitation of damaged property, such amounts
14 as may be collected under Public Law 94–579 (43 U.S.C.
15 1701 et seq.), and under section 28 of the Mineral Leasing
16 Act (30 U.S.C. 185), to remain available until expended:
17 *Provided*, That notwithstanding any provision to the con-
18 trary of section 305(a) of Public Law 94–579 (43 U.S.C.
19 1735(a)), any moneys that have been or will be received
20 pursuant to that section, whether as a result of forfeiture,
21 compromise, or settlement, if not appropriate for refund
22 pursuant to section 305(c) of that Act (43 U.S.C.
23 1735(c)), shall be available and may be expended under
24 the authority of this Act by the Secretary to improve, pro-
25 tect, or rehabilitate any public lands administered through

1 the Bureau of Land Management which have been dam-
2 aged by the action of a resource developer, purchaser, per-
3 mittee, or any unauthorized person, without regard to
4 whether all moneys collected from each such action are
5 used on the exact lands damaged which led to the action:
6 *Provided further*, That any such moneys that are in excess
7 of amounts needed to repair damage to the exact land for
8 which funds were collected may be used to repair other
9 damaged public lands.

10 MISCELLANEOUS TRUST FUNDS

11 In addition to amounts authorized to be expended
12 under existing laws, there is hereby appropriated such
13 amounts as may be contributed under section 307 of Pub-
14 lic Law 94-579 (43 U.S.C. 1737), and such amounts as
15 may be advanced for administrative costs, surveys, ap-
16 praisals, and costs of making conveyances of omitted lands
17 under section 211(b) of that Act (43 U.S.C. 1721(b)), to
18 remain available until expended.

19 ADMINISTRATIVE PROVISIONS

20 The Bureau of Land Management may carry out the
21 operations funded under this Act by direct expenditure,
22 contracts, grants, cooperative agreements and reimburs-
23 able agreements with public and private entities, including
24 with States. Appropriations for the Bureau shall be avail-
25 able for purchase, erection, and dismantlement of tem-

1 porary structures, and alteration and maintenance of nec-
2 essary buildings and appurtenant facilities to which the
3 United States has title; up to \$100,000 for payments, at
4 the discretion of the Secretary, for information or evidence
5 concerning violations of laws administered by the Bureau;
6 miscellaneous and emergency expenses of enforcement ac-
7 tivities authorized or approved by the Secretary and to be
8 accounted for solely on the Secretary's certificate, not to
9 exceed \$10,000: *Provided*, That notwithstanding Public
10 Law 90-620 (44 U.S.C. 501), the Bureau may, under co-
11 operative cost-sharing and partnership arrangements au-
12 thorized by law, procure printing services from cooperators
13 in connection with jointly produced publications for which
14 the cooperators share the cost of printing either in cash
15 or in services, and the Bureau determines the cooperator
16 is capable of meeting accepted quality standards: *Provided*
17 *further*, That projects to be funded pursuant to a written
18 commitment by a State government to provide an identi-
19 fied amount of money in support of the project may be
20 carried out by the Bureau on a reimbursable basis. Appro-
21 priations herein made shall not be available for the de-
22 struction of healthy, unadopted, wild horses and burros
23 in the care of the Bureau or its contractors or for the
24 sale of wild horses and burros that results in their destruc-
25 tion for processing into commercial products.

1 UNITED STATES FISH AND WILDLIFE SERVICE
2 RESOURCE MANAGEMENT

3 For necessary expenses of the United States Fish and
4 Wildlife Service, as authorized by law, and for scientific
5 and economic studies, general administration, and for the
6 performance of other authorized functions related to such
7 resources, \$1,288,808,000, to remain available until Sep-
8 tember 30, 2020: *Provided*, That not to exceed
9 \$10,941,000 shall be used for implementing subsections
10 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
11 cies Act of 1973 (16 U.S.C. 1533) (except for processing
12 petitions, developing and issuing proposed and final regu-
13 lations, and taking any other steps to implement actions
14 described in subsection (c)(2)(A), (c)(2)(B)(i), or
15 (c)(2)(B)(ii)): *Provided further*, That \$12,022,000 shall be
16 provided to the National Fish and Wildlife Foundation
17 pursuant to section 3709 of title 16, United States Code,
18 for the benefit of, and in connection with, the activities
19 and services of the United States Fish and Wildlife Serv-
20 ice.

21 CONSTRUCTION

22 For construction, improvement, acquisition, or re-
23 moval of buildings and other facilities required in the con-
24 servation, management, investigation, protection, and uti-
25 lization of fish and wildlife resources, and the acquisition

1 of lands and interests therein; \$59,734,000, to remain
2 available until expended.

3 LAND ACQUISITION

4 For expenses necessary to carry out chapter 2003 of
5 title 54, United States Code, including administrative ex-
6 penses, and for acquisition of land or waters, or interest
7 therein, in accordance with statutory authority applicable
8 to the United States Fish and Wildlife Service,
9 \$47,438,000, to be derived from the Land and Water Con-
10 servation Fund and to remain available until expended,
11 of which, notwithstanding section 200306 of title 54,
12 United States Code, not more than \$10,000,000 shall be
13 for land conservation partnerships authorized by the
14 Highlands Conservation Act of 2004, including not to ex-
15 ceed \$320,000 for administrative expenses: *Provided*, That
16 none of the funds appropriated for specific land acqui-
17 sition projects may be used to pay for any administrative
18 overhead, planning or other management costs.

19 COOPERATIVE ENDANGERED SPECIES CONSERVATION

20 FUND

21 For expenses necessary to carry out section 6 of the
22 Endangered Species Act of 1973 (16 U.S.C. 1535),
23 \$53,495,000, to remain available until expended, of which
24 \$22,695,000 is to be derived from the Cooperative Endan-
25 gered Species Conservation Fund; and of which

1 \$30,800,000 is to be derived from the Land and Water
2 Conservation Fund.

3 NATIONAL WILDLIFE REFUGE FUND

4 For expenses necessary to implement the Act of Octo-
5 ber 17, 1978 (16 U.S.C. 715s), \$13,228,000.

6 NORTH AMERICAN WETLANDS CONSERVATION FUND

7 For expenses necessary to carry out the provisions
8 of the North American Wetlands Conservation Act (16
9 U.S.C. 4401 et seq.), \$42,000,000, to remain available
10 until expended.

11 NEOTROPICAL MIGRATORY BIRD CONSERVATION

12 For expenses necessary to carry out the Neotropical
13 Migratory Bird Conservation Act (16 U.S.C. 6101 et
14 seq.), \$3,910,000, to remain available until expended.

15 MULTINATIONAL SPECIES CONSERVATION FUND

16 For expenses necessary to carry out the African Ele-
17 phant Conservation Act (16 U.S.C. 4201 et seq.), the
18 Asian Elephant Conservation Act of 1997 (16 U.S.C.
19 4261 et seq.), the Rhinoceros and Tiger Conservation Act
20 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-
21 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
22 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
23 et seq.), \$11,061,000, to remain available until expended.

1 STATE AND TRIBAL WILDLIFE GRANTS

2 For wildlife conservation grants to States and to the
3 District of Columbia, Puerto Rico, Guam, the United
4 States Virgin Islands, the Northern Mariana Islands,
5 American Samoa, and Indian tribes under the provisions
6 of the Fish and Wildlife Act of 1956 and the Fish and
7 Wildlife Coordination Act, for the development and imple-
8 mentation of programs for the benefit of wildlife and their
9 habitat, including species that are not hunted or fished,
10 \$63,571,000, to remain available until expended: *Pro-*
11 *vided*, That of the amount provided herein, \$4,209,000 is
12 for a competitive grant program for Indian tribes not sub-
13 ject to the remaining provisions of this appropriation: *Pro-*
14 *vided further*, That \$6,362,000 is for a competitive grant
15 program to implement approved plans for States, terri-
16 tories, and other jurisdictions and at the discretion of af-
17 fected States, the regional Associations of fish and wildlife
18 agencies, not subject to the remaining provisions of this
19 appropriation: *Provided further*, That the Secretary shall,
20 after deducting \$10,571,000 and administrative expenses,
21 apportion the amount provided herein in the following
22 manner: (1) to the District of Columbia and to the Com-
23 monwealth of Puerto Rico, each a sum equal to not more
24 than one-half of 1 percent thereof; and (2) to Guam,
25 American Samoa, the United States Virgin Islands, and

1 the Commonwealth of the Northern Mariana Islands, each
2 a sum equal to not more than one-fourth of 1 percent
3 thereof: *Provided further*, That the Secretary shall appor-
4 tion the remaining amount in the following manner: (1)
5 one-third of which is based on the ratio to which the land
6 area of such State bears to the total land area of all such
7 States; and (2) two-thirds of which is based on the ratio
8 to which the population of such State bears to the total
9 population of all such States: *Provided further*, That the
10 amounts apportioned under this paragraph shall be ad-
11 justed equitably so that no State shall be apportioned a
12 sum which is less than 1 percent of the amount available
13 for apportionment under this paragraph for any fiscal year
14 or more than 5 percent of such amount: *Provided further*,
15 That the Federal share of planning grants shall not exceed
16 75 percent of the total costs of such projects and the Fed-
17 eral share of implementation grants shall not exceed 65
18 percent of the total costs of such projects: *Provided fur-*
19 *ther*, That the non-Federal share of such projects may not
20 be derived from Federal grant programs: *Provided further*,
21 That any amount apportioned in 2019 to any State, terri-
22 tory, or other jurisdiction that remains unobligated as of
23 September 30, 2020, shall be reapportioned, together with
24 funds appropriated in 2021, in the manner provided here-
25 in.

1 ADMINISTRATIVE PROVISIONS

2 The United States Fish and Wildlife Service may
3 carry out the operations of Service programs by direct ex-
4 penditure, contracts, grants, cooperative agreements and
5 reimbursable agreements with public and private entities.
6 Appropriations and funds available to the United States
7 Fish and Wildlife Service shall be available for repair of
8 damage to public roads within and adjacent to reservation
9 areas caused by operations of the Service; options for the
10 purchase of land at not to exceed \$1 for each option; facili-
11 ties incident to such public recreational uses on conserva-
12 tion areas as are consistent with their primary purpose;
13 and the maintenance and improvement of aquaria, build-
14 ings, and other facilities under the jurisdiction of the Serv-
15 ice and to which the United States has title, and which
16 are used pursuant to law in connection with management,
17 and investigation of fish and wildlife resources: *Provided*,
18 That notwithstanding 44 U.S.C. 501, the Service may,
19 under cooperative cost sharing and partnership arrange-
20 ments authorized by law, procure printing services from
21 cooperators in connection with jointly produced publica-
22 tions for which the cooperators share at least one-half the
23 cost of printing either in cash or services and the Service
24 determines the cooperator is capable of meeting accepted
25 quality standards: *Provided further*, That the Service may

1 accept donated aircraft as replacements for existing air-
2 craft: *Provided further*, That notwithstanding 31 U.S.C.
3 3302, all fees collected for non-toxic shot review and ap-
4 proval shall be deposited under the heading “United
5 States Fish and Wildlife Service—Resource Management”
6 and shall be available to the Secretary, without further
7 appropriation, to be used for expenses of processing of
8 such non-toxic shot type or coating applications and revis-
9 ing regulations as necessary, and shall remain available
10 until expended.

11 NATIONAL PARK SERVICE

12 OPERATION OF THE NATIONAL PARK SYSTEM

13 For expenses necessary for the management, oper-
14 ation, and maintenance of areas and facilities adminis-
15 tered by the National Park Service and for the general
16 administration of the National Park Service,
17 \$2,527,810,000, of which \$10,032,000 for planning and
18 interagency coordination in support of Everglades restora-
19 tion and \$149,461,000 for maintenance, repair, or reha-
20 bilitation projects for constructed assets and
21 \$166,575,000 for cyclic maintenance projects for con-
22 structed assets and cultural resources shall remain avail-
23 able until September 30, 2020: *Provided*, That funds ap-
24 propriated under this heading in this Act are available for
25 the purposes of section 5 of Public Law 95–348.

1 NATIONAL RECREATION AND PRESERVATION

2 For expenses necessary to carry out recreation pro-
3 grams, natural programs, cultural programs, heritage
4 partnership programs, environmental compliance, inter-
5 national park affairs, and grant administration, not other-
6 wise provided for, \$63,638,000.

7 HISTORIC PRESERVATION FUND

8 For expenses necessary in carrying out the National
9 Historic Preservation Act (division A of subtitle III of title
10 54, United States Code), \$91,910,000, to be derived from
11 the Historic Preservation Fund and to remain available
12 until September 30, 2020, of which \$13,000,000 shall be
13 for Save America's Treasures grants for preservation of
14 national significant sites, structures and artifacts as au-
15 thorized by section 7303 of the Omnibus Public Land
16 Management Act of 2009 (54 U.S.C. 3089): *Provided*,
17 That an individual Save America's Treasures grant shall
18 be matched by non-Federal funds: *Provided further*, That
19 individual projects shall only be eligible for one grant: *Pro-*
20 *vided further*, That all projects to be funded shall be ap-
21 proved by the Secretary of the Interior in consultation
22 with the House and Senate Committees on Appropria-
23 tions: *Provided further*, That of the funds provided for the
24 Historic Preservation Fund, \$500,000 is for competitive
25 grants for the survey and nomination of properties to the

1 National Register of Historic Places and as National His-
2 toric Landmarks associated with communities currently
3 under-represented, as determined by the Secretary,
4 \$13,000,000 is for competitive grants to preserve the sites
5 and stories of the Civil Rights movement, and \$5,000,000
6 is for grants to Historically Black Colleges and Univer-
7 sities: *Provided further*, That such competitive grants shall
8 be made without imposing the matching requirements in
9 section 302902(b)(3) of title 54, United States Code, to
10 States and Indian tribes as defined in chapter 3003 of
11 such title, Native Hawaiian organizations, local govern-
12 ments, including Certified Local Governments, and non-
13 profit organizations.

14 CONSTRUCTION

15 For construction, improvements, repair, or replace-
16 ment of physical facilities, and compliance and planning
17 for programs and areas administered by the National
18 Park Service, \$366,333,000, to remain available until ex-
19 pended: *Provided*, That notwithstanding any other provi-
20 sion of law, for any project initially funded in fiscal year
21 2019 with a future phase indicated in the National Park
22 Service 5-Year Line Item Construction Plan, a single pro-
23 curement may be issued which includes the full scope of
24 the project: *Provided further*, That the solicitation and
25 contract shall contain the clause availability of funds

1 found at 48 CFR 52.232–18: *Provided further*, That Na-
2 tional Park Service Donations, Park Concessions Fran-
3 chise Fees, and Recreation Fees may be made available
4 for the cost of adjustments and changes within the origi-
5 nal scope of effort for projects funded by the National
6 Park Service Construction appropriation: *Provided further*,
7 That the Secretary of the Interior shall consult with the
8 Committees on Appropriations, in accordance with current
9 reprogramming thresholds, prior to making any charges
10 authorized by this section.

11 LAND ACQUISITION AND STATE ASSISTANCE

12 For expenses necessary to carry out chapter 2003 of
13 title 54, United States Code, including administrative ex-
14 penses, and for acquisition of lands or waters, or interest
15 therein, in accordance with the statutory authority appli-
16 cable to the National Park Service, \$172,363,000, to be
17 derived from the Land and Water Conservation Fund and
18 to remain available until expended, of which \$124,006,000
19 is for the State assistance program and of which
20 \$10,000,000 shall be for the American Battlefield Protec-
21 tion Program grants as authorized by chapter 3081 of title
22 54, United States Code.

23 CENTENNIAL CHALLENGE

24 For expenses necessary to carry out the provisions
25 of section 101701 of title 54, United States Code, relating

1 to challenge cost share agreements, \$30,000,000, to re-
2 main available until expended, for Centennial Challenge
3 projects and programs: *Provided*, That not less than 50
4 percent of the total cost of each project or program shall
5 be derived from non-Federal sources in the form of do-
6 nated cash, assets, or a pledge of donation guaranteed by
7 an irrevocable letter of credit.

8 ADMINISTRATIVE PROVISIONS
9 (INCLUDING TRANSFER OF FUNDS)

10 In addition to other uses set forth in section
11 101917(c)(2) of title 54, United States Code, franchise
12 fees credited to a sub-account shall be available for ex-
13 penditure by the Secretary, without further appropriation,
14 for use at any unit within the National Park System to
15 extinguish or reduce liability for Possessory Interest or
16 leasehold surrender interest. Such funds may only be used
17 for this purpose to the extent that the benefitting unit an-
18 ticipated franchise fee receipts over the term of the con-
19 tract at that unit exceed the amount of funds used to ex-
20 tinguish or reduce liability. Franchise fees at the benefit-
21 ting unit shall be credited to the sub-account of the origi-
22 nating unit over a period not to exceed the term of a single
23 contract at the benefitting unit, in the amount of funds
24 so expended to extinguish or reduce liability.

1 For the costs of administration of the Land and
2 Water Conservation Fund grants authorized by section
3 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
4 of 2006 (Public Law 109–432), the National Park Service
5 may retain up to 3 percent of the amounts which are au-
6 thorized to be disbursed under such section, such retained
7 amounts to remain available until expended.

8 National Park Service funds may be transferred to
9 the Federal Highway Administration (FHWA), Depart-
10 ment of Transportation, for purposes authorized under 23
11 U.S.C. 204. Transfers may include a reasonable amount
12 for FHWA administrative support costs.

13 UNITED STATES GEOLOGICAL SURVEY

14 SURVEYS, INVESTIGATIONS, AND RESEARCH

15 For expenses necessary for the United States Geo-
16 logical Survey to perform surveys, investigations, and re-
17 search covering topography, geology, hydrology, biology,
18 and the mineral and water resources of the United States,
19 its territories and possessions, and other areas as author-
20 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
21 to their mineral and water resources; give engineering su-
22 pervision to power permittees and Federal Energy Regu-
23 latory Commission licensees; administer the minerals ex-
24 ploration program (30 U.S.C. 641); conduct inquiries into
25 the economic conditions affecting mining and materials

1 processing industries (30 U.S.C. 3, 21a, and 1603; 50
2 U.S.C. 98g(1)) and related purposes as authorized by law;
3 and to publish and disseminate data relative to the fore-
4 going activities; \$1,167,291,000, to remain available until
5 September 30, 2020; of which \$84,337,000 shall remain
6 available until expended for satellite operations; and of
7 which \$15,164,000 shall be available until expended for
8 deferred maintenance and capital improvement projects
9 that exceed \$100,000 in cost: *Provided*, That none of the
10 funds provided for the ecosystem research activity shall
11 be used to conduct new surveys on private property, unless
12 specifically authorized in writing by the property owner:
13 *Provided further*, That no part of this appropriation shall
14 be used to pay more than one-half the cost of topographic
15 mapping or water resources data collection and investiga-
16 tions carried on in cooperation with States and municipali-
17 ties.

18 ADMINISTRATIVE PROVISIONS

19 From within the amount appropriated for activities
20 of the United States Geological Survey such sums as are
21 necessary shall be available for contracting for the fur-
22 nishing of topographic maps and for the making of geo-
23 physical or other specialized surveys when it is administra-
24 tively determined that such procedures are in the public
25 interest; construction and maintenance of necessary build-

1 ings and appurtenant facilities; acquisition of lands for
2 gauging stations, observation wells, and seismic equip-
3 ment; expenses of the United States National Committee
4 for Geological Sciences; and payment of compensation and
5 expenses of persons employed by the Survey duly ap-
6 pointed to represent the United States in the negotiation
7 and administration of interstate compacts: *Provided*, That
8 activities funded by appropriations herein made may be
9 accomplished through the use of contracts, grants, or co-
10 operative agreements as defined in section 6302 of title
11 31, United States Code: *Provided further*, That the United
12 States Geological Survey may enter into contracts or coop-
13 erative agreements directly with individuals or indirectly
14 with institutions or nonprofit organizations, without re-
15 gard to 41 U.S.C. 6101, for the temporary or intermittent
16 services of students or recent graduates, who shall be con-
17 sidered employees for the purpose of chapters 57 and 81
18 of title 5, United States Code, relating to compensation
19 for travel and work injuries, and chapter 171 of title 28,
20 United States Code, relating to tort claims, but shall not
21 be considered to be Federal employees for any other pur-
22 poses.

1 BUREAU OF OCEAN ENERGY MANAGEMENT

2 OCEAN ENERGY MANAGEMENT

3 For expenses necessary for granting and admin-
4 istering leases, easements, rights-of-way and agreements
5 for use for oil and gas, other minerals, energy, and ma-
6 rine-related purposes on the Outer Continental Shelf and
7 approving operations related thereto, as authorized by law;
8 for environmental studies, as authorized by law; for imple-
9 menting other laws and to the extent provided by Presi-
10 dential or Secretarial delegation; and for matching grants
11 or cooperative agreements, \$180,222,000, of which
12 \$130,406,000 is to remain available until September 30,
13 2020, and of which \$49,816,000 is to remain available
14 until expended: *Provided*, That this total appropriation
15 shall be reduced by amounts collected by the Secretary
16 and credited to this appropriation from additions to re-
17 ceipts resulting from increases to lease rental rates in ef-
18 fect on August 5, 1993, and from cost recovery fees from
19 activities conducted by the Bureau of Ocean Energy Man-
20 agement pursuant to the Outer Continental Shelf Lands
21 Act, including studies, assessments, analysis, and miscella-
22 neous administrative activities: *Provided further*, That the
23 sum herein appropriated shall be reduced as such collec-
24 tions are received during the fiscal year, so as to result
25 in a final fiscal year 2019 appropriation estimated at not

1 more than \$130,406,000: *Provided further*, That not to
2 exceed \$3,000 shall be available for reasonable expenses
3 related to promoting volunteer beach and marine cleanup
4 activities.

5 BUREAU OF SAFETY AND ENVIRONMENTAL
6 ENFORCEMENT

7 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

8 For expenses necessary for the regulation of oper-
9 ations related to leases, easements, rights-of-way and
10 agreements for use for oil and gas, other minerals, energy,
11 and marine-related purposes on the Outer Continental
12 Shelf, as authorized by law; for enforcing and imple-
13 menting laws and regulations as authorized by law and
14 to the extent provided by Presidential or Secretarial dele-
15 gation; and for matching grants or cooperative agree-
16 ments, \$144,867,000, of which \$120,743,000 is to remain
17 available until September 30, 2020, and of which
18 \$24,124,000 is to remain available until expended: *Pro-*
19 *vided*, That this total appropriation shall be reduced by
20 amounts collected by the Secretary and credited to this
21 appropriation from additions to receipts resulting from in-
22 creases to lease rental rates in effect on August 5, 1993,
23 and from cost recovery fees from activities conducted by
24 the Bureau of Safety and Environmental Enforcement
25 pursuant to the Outer Continental Shelf Lands Act, in-

1 cluding studies, assessments, analysis, and miscellaneous
2 administrative activities: *Provided further*, That the sum
3 herein appropriated shall be reduced as such collections
4 are received during the fiscal year, so as to result in a
5 final fiscal year 2019 appropriation estimated at not more
6 than \$120,743,000.

7 For an additional amount, \$41,765,000, to remain
8 available until expended, to be reduced by amounts col-
9 lected by the Secretary and credited to this appropriation,
10 which shall be derived from non-refundable inspection fees
11 collected in fiscal year 2019, as provided in this Act: *Pro-*
12 *vided*, That to the extent that amounts realized from such
13 inspection fees exceed \$41,765,000, the amounts realized
14 in excess of \$41,765,000 shall be credited to this appro-
15 priation and remain available until expended: *Provided*
16 *further*, That for fiscal year 2019, not less than 50 percent
17 of the inspection fees expended by the Bureau of Safety
18 and Environmental Enforcement will be used to fund per-
19 sonnel and mission-related costs to expand capacity and
20 expedite the orderly development, subject to environmental
21 safeguards, of the Outer Continental Shelf pursuant to the
22 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
23 seq.), including the review of applications for permits to
24 drill.

1 OIL SPILL RESEARCH

2 For necessary expenses to carry out title I, section
3 1016, title IV, sections 4202 and 4303, title VII, and title
4 VIII, section 8201 of the Oil Pollution Act of 1990,
5 \$14,899,000, which shall be derived from the Oil Spill Li-
6 ability Trust Fund, to remain available until expended.

7 OFFICE OF SURFACE MINING RECLAMATION AND

8 ENFORCEMENT

9 REGULATION AND TECHNOLOGY

10 For necessary expenses to carry out the provisions
11 of the Surface Mining Control and Reclamation Act of
12 1977, Public Law 95–87, \$113,969,000, to remain avail-
13 able until September 30, 2020: *Provided*, That appropria-
14 tions for the Office of Surface Mining Reclamation and
15 Enforcement may provide for the travel and per diem ex-
16 penses of State and tribal personnel attending Office of
17 Surface Mining Reclamation and Enforcement sponsored
18 training: *Provided further*, That of the amounts made
19 available under this heading and notwithstanding the Fed-
20 eral share limits contained in section 705 of the Surface
21 Mining Control and Reclamation Act of 1977 (30 U.S.C.
22 1295), not to exceed \$2,300,000 shall be for the Secretary
23 of the Interior to make grants to any State with active
24 coal mine operations within its borders that does not have
25 an approved State regulatory program under section 503

1 of the Surface Mining Control and Reclamation Act of
2 1977 (30 U.S.C. 1253) for the purpose of developing a
3 State program under such Act.

4 In addition, for costs to review, administer, and en-
5 force permits issued by the Office pursuant to section 507
6 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
7 main available until expended: *Provided*, That fees as-
8 sessed and collected by the Office pursuant to such section
9 507 shall be credited to this account as discretionary off-
10 setting collections, to remain available until expended:
11 *Provided further*, That the sum herein appropriated from
12 the general fund shall be reduced as collections are re-
13 ceived during the fiscal year, so as to result in a fiscal
14 year 2019 appropriation estimated at not more than
15 \$113,969,000.

16 ABANDONED MINE RECLAMATION FUND

17 For necessary expenses to carry out title IV of the
18 Surface Mining Control and Reclamation Act of 1977,
19 Public Law 95–87, \$24,546,000, to be derived from re-
20 ceipts of the Abandoned Mine Reclamation Fund and to
21 remain available until expended: *Provided*, That pursuant
22 to Public Law 97–365, the Department of the Interior is
23 authorized to use up to 20 percent from the recovery of
24 the delinquent debt owed to the United States Government
25 to pay for contracts to collect these debts: *Provided fur-*

1 *ther*, That funds made available under title IV of Public
2 Law 95–87 may be used for any required non-Federal
3 share of the cost of projects funded by the Federal Gov-
4 ernment for the purpose of environmental restoration re-
5 lated to treatment or abatement of acid mine drainage
6 from abandoned mines: *Provided further*, That such
7 projects must be consistent with the purposes and prior-
8 ities of the Surface Mining Control and Reclamation Act:
9 *Provided further*, That amounts provided under this head-
10 ing may be used for the travel and per diem expenses of
11 State and tribal personnel attending Office of Surface
12 Mining Reclamation and Enforcement sponsored training.

13 In addition, \$90,000,000, to remain available until
14 expended, for grants to States for reclamation of aban-
15 doned mine lands and other related activities in accord-
16 ance with the terms and conditions in the report accom-
17 panying this Act: *Provided*, That such additional amount
18 shall be used for economic and community development
19 in conjunction with the priorities in section 403(a) of the
20 Surface Mining Control and Reclamation Act of 1977 (30
21 U.S.C. 1233(a)): *Provided further*, That such additional
22 amount shall be distributed in equal amounts to the 3 Ap-
23 palachian States with the greatest amount of unfunded
24 needs to meet the priorities described in paragraphs (1)
25 and (2) of such section: *Provided further*, That such addi-

1 tional amount shall be allocated to States within 60 days
2 after the date of enactment of this Act.

3 BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN
4 EDUCATION
5 OPERATION OF INDIAN PROGRAMS
6 (INCLUDING TRANSFER OF FUNDS)

7 For expenses necessary for the operation of Indian
8 programs, as authorized by law, including the Snyder Act
9 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
10 termination and Education Assistance Act of 1975 (25
11 U.S.C. 5301 et seq.), the Education Amendments of 1978
12 (25 U.S.C. 2001–2019), and the Tribally Controlled
13 Schools Act of 1988 (25 U.S.C. 2501 et seq.),
14 \$2,436,821,000, to remain available until September 30,
15 2020, except as otherwise provided herein; of which not
16 to exceed \$8,500 may be for official reception and rep-
17 resentation expenses; of which not to exceed \$76,000,000
18 shall be for welfare assistance payments: *Provided*, That
19 in cases of designated Federal disasters, the Secretary
20 may exceed such cap, from the amounts provided herein,
21 to provide for disaster relief to Indian communities af-
22 fected by the disaster: *Provided further*, That federally rec-
23 ognized Indian tribes and tribal organizations of federally
24 recognized Indian tribes may use their tribal priority allo-
25 cations for unmet welfare assistance costs: *Provided fur-*

1 *ther*, That not to exceed \$689,558,000 for school oper-
2 ations costs of Bureau-funded schools and other education
3 programs shall become available on July 1, 2019, and
4 shall remain available until September 30, 2020: *Provided*
5 *further*, That not to exceed \$54,174,000 shall remain
6 available until expended for housing improvement, road
7 maintenance, attorney fees, litigation support, land
8 records improvement, and the Navajo-Hopi Settlement
9 Program: *Provided further*, That notwithstanding any
10 other provision of law, including but not limited to the
11 Indian Self-Determination Act of 1975 (25 U.S.C. 5301
12 et seq.) and section 1128 of the Education Amendments
13 of 1978 (25 U.S.C. 2008), not to exceed \$82,223,000
14 within and only from such amounts made available for
15 school operations shall be available for administrative cost
16 grants associated with grants approved prior to July 1,
17 2019: *Provided further*, That any forestry funds allocated
18 to a federally recognized tribe which remain unobligated
19 as of September 30, 2020, may be transferred during fis-
20 cal year 2021 to an Indian forest land assistance account
21 established for the benefit of the holder of the funds within
22 the holder's trust fund account: *Provided further*, That
23 any such unobligated balances not so transferred shall ex-
24 pire on September 30, 2021: *Provided further*, That in
25 order to enhance the safety of Bureau field employees, the

1 Bureau may use funds to purchase uniforms or other iden-
2 tifying articles of clothing for personnel: *Provided further*,
3 That the Bureau of Indian Affairs may accept transfers
4 of funds from U.S. Customs and Border Protection to
5 supplement any other funding available for reconstruction
6 or repair of roads owned by the Bureau of Indian Affairs
7 as identified on the National Tribal Transportation Facil-
8 ity Inventory, 23 U.S.C. 202(b)(1): *Provided further*, That
9 of the funds provided, not to exceed \$2,000,000 is author-
10 ized for a demonstration project to pilot a lease agreement
11 with a federally recognized Indian tribe agreeing to replace
12 and own a Bureau of Indian Education funded school fa-
13 cility operated under Public Law 93–638 or Public Law
14 100–297: *Provided further*, That of the funds provided,
15 \$2,000,000 shall be to implement section 7(b) of Public
16 Law 102–495 (106 Stat. 3173).

17 CONTRACT SUPPORT COSTS

18 For payments to tribes and tribal organizations for
19 contract support costs associated with Indian Self-Deter-
20 mination and Education Assistance Act agreements with
21 the Bureau of Indian Affairs for fiscal year 2019, such
22 sums as may be necessary, which shall be available for
23 obligation through September 30, 2020: *Provided*, That
24 notwithstanding any other provision of law, no amounts

1 made available under this heading shall be available for
2 transfer to another budget account.

3 CONSTRUCTION

4 (INCLUDING TRANSFER OF FUNDS)

5 For construction, repair, improvement, and mainte-
6 nance of irrigation and power systems, buildings, utilities,
7 and other facilities, including architectural and engineer-
8 ing services by contract; acquisition of lands, and interests
9 in lands; and preparation of lands for farming, and for
10 construction of the Navajo Indian Irrigation Project pur-
11 suant to Public Law 87-483; \$354,485,000, to remain
12 available until expended: *Provided*, That such amounts as
13 may be available for the construction of the Navajo Indian
14 Irrigation Project may be transferred to the Bureau of
15 Reclamation: *Provided further*, That not to exceed 6 per-
16 cent of contract authority available to the Bureau of In-
17 dian Affairs from the Federal Highway Trust Fund may
18 be used to cover the road program management costs of
19 the Bureau: *Provided further*, That any funds provided for
20 the Safety of Dams program pursuant to the Act of No-
21 vember 2, 1921 (25 U.S.C. 13), shall be made available
22 on a nonreimbursable basis: *Provided further*, That for fis-
23 cal year 2019, in implementing new construction, replace-
24 ment facilities construction, or facilities improvement and
25 repair project grants in excess of \$100,000 that are pro-

1 vided to grant schools under Public Law 100–297, the
2 Secretary of the Interior shall use the Administrative and
3 Audit Requirements and Cost Principles for Assistance
4 Programs contained in part 12 of title 43, Code of Federal
5 Regulations, as the regulatory requirements: *Provided fur-*
6 *ther*, That such grants shall not be subject to section
7 12.61 of title 43, Code of Federal Regulations; the Sec-
8 retary and the grantee shall negotiate and determine a
9 schedule of payments for the work to be performed: *Pro-*
10 *vided further*, That in considering grant applications, the
11 Secretary shall consider whether such grantee would be
12 deficient in assuring that the construction projects con-
13 form to applicable building standards and codes and Fed-
14 eral, tribal, or State health and safety standards as re-
15 quired by section 1125(b) of title XI of Public Law 95–
16 561 (25 U.S.C. 2005(b)), with respect to organizational
17 and financial management capabilities: *Provided further*,
18 That if the Secretary declines a grant application, the Sec-
19 retary shall follow the requirements contained in section
20 5206(f) of Public Law 100–297 (25 U.S.C. 2504(f)): *Pro-*
21 *vided further*, That any disputes between the Secretary
22 and any grantee concerning a grant shall be subject to
23 the disputes provision in section 5208(e) of Public Law
24 107–110 (25 U.S.C. 2507(e)): *Provided further*, That in
25 order to ensure timely completion of construction projects,

1 the Secretary may assume control of a project and all
2 funds related to the project, if, within 18 months of the
3 date of enactment of this Act, any grantee receiving funds
4 appropriated in this Act or in any prior Act, has not com-
5 pleted the planning and design phase of the project and
6 commenced construction: *Provided further*, That this ap-
7 propriation may be reimbursed from the Office of the Spe-
8 cial Trustee for American Indians appropriation for the
9 appropriate share of construction costs for space expan-
10 sion needed in agency offices to meet trust reform imple-
11 mentation.

12 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
13 MISCELLANEOUS PAYMENTS TO INDIANS

14 For payments and necessary administrative expenses
15 for implementation of Indian land and water claim settle-
16 ments pursuant to Public Laws 99–264, 100–580, 101–
17 618, 111–11, 111–291, and 114–322, and for implemen-
18 tation of other land and water rights settlements,
19 \$50,057,000, to remain available until expended.

20 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

21 For the cost of guaranteed loans and insured loans,
22 \$19,279,000, to remain available until September 30,
23 2020, of which \$1,702,000 is for administrative expenses,
24 as authorized by the Indian Financing Act of 1974: *Pro-*
25 *vided*, That such costs, including the cost of modifying

1 such loans, shall be as defined in section 502 of the Con-
2 gressional Budget Act of 1974: *Provided further*, That
3 these funds are available to subsidize total loan principal,
4 any part of which is to be guaranteed or insured, not to
5 exceed \$329,260,000.

6 ADMINISTRATIVE PROVISIONS

7 (INCLUDING RESCISSION OF FUNDS)

8 The Bureau of Indian Affairs may carry out the oper-
9 ation of Indian programs by direct expenditure, contracts,
10 cooperative agreements, compacts, and grants, either di-
11 rectly or in cooperation with States and other organiza-
12 tions.

13 Notwithstanding Public Law 87-279 (25 U.S.C. 15),
14 the Bureau of Indian Affairs may contract for services in
15 support of the management, operation, and maintenance
16 of the Power Division of the San Carlos Irrigation Project.

17 Notwithstanding any other provision of law, no funds
18 available to the Bureau of Indian Affairs for central office
19 oversight and Executive Direction and Administrative
20 Services (except executive direction and administrative
21 services funding for Tribal Priority Allocations, regional
22 offices, and facilities operations and maintenance) shall be
23 available for contracts, grants, compacts, or cooperative
24 agreements with the Bureau of Indian Affairs under the
25 provisions of the Indian Self-Determination Act or the

1 Tribal Self-Governance Act of 1994 (Public Law 103–
2 413).

3 In the event any tribe returns appropriations made
4 available by this Act to the Bureau of Indian Affairs, this
5 action shall not diminish the Federal Government’s trust
6 responsibility to that tribe, or the government-to-govern-
7 ment relationship between the United States and that
8 tribe, or that tribe’s ability to access future appropria-
9 tions.

10 Notwithstanding any other provision of law, no funds
11 available to the Bureau of Indian Education, other than
12 the amounts provided herein for assistance to public
13 schools under 25 U.S.C. 452 et seq., shall be available to
14 support the operation of any elementary or secondary
15 school in the State of Alaska.

16 No funds available to the Bureau of Indian Edu-
17 cation shall be used to support expanded grades for any
18 school or dormitory beyond the grade structure in place
19 or approved by the Secretary of the Interior at each school
20 in the Bureau of Indian Education school system as of
21 October 1, 1995, except that the Secretary of the Interior
22 may waive this prohibition to support expansion of up to
23 one additional grade when the Secretary determines such
24 waiver is needed to support accomplishment of the mission
25 of the Bureau of Indian Education, or more than one

1 grade to expand the elementary grade structure for Bureau-funded schools with a K-2 grade structure on October 1, 1996. Appropriations made available in this or any prior Act for schools funded by the Bureau shall be available, in accordance with the Bureau's funding formula, only to the schools in the Bureau school system as of September 1, 1996, and to any school or school program that was reinstated in fiscal year 2012. Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school's operation

1 and employees of a charter school shall not be treated as
2 Federal employees for purposes of chapter 171 of title 28,
3 United States Code.

4 Notwithstanding any other provision of law, including
5 section 113 of title I of appendix C of Public Law 106–
6 113, if in fiscal year 2003 or 2004 a grantee received indi-
7 rect and administrative costs pursuant to a distribution
8 formula based on section 5(f) of Public Law 101–301, the
9 Secretary shall continue to distribute indirect and admin-
10 istrative cost funds to such grantee using the section 5(f)
11 distribution formula.

12 Funds available under this Act may not be used to
13 establish satellite locations of schools in the Bureau school
14 system as of September 1, 1996, except that the Secretary
15 may waive this prohibition in order for an Indian tribe
16 to provide language and cultural immersion educational
17 programs for non-public schools located within the juris-
18 dictional area of the tribal government which exclusively
19 serve tribal members, do not include grades beyond those
20 currently served at the existing Bureau-funded school,
21 provide an educational environment with educator pres-
22 ence and academic facilities comparable to the Bureau-
23 funded school, comply with all applicable Tribal, Federal,
24 or State health and safety standards, and the Americans
25 with Disabilities Act, and demonstrate the benefits of es-

1 tablishing operations at a satellite location in lieu of incur-
2 ring extraordinary costs, such as for transportation or
3 other impacts to students such as those caused by busing
4 students extended distances: *Provided*, That no funds
5 available under this Act may be used to fund operations,
6 maintenance, rehabilitation, construction or other facili-
7 ties-related costs for such assets that are not owned by
8 the Bureau: *Provided further*, That the term “satellite
9 school” means a school location physically separated from
10 the existing Bureau school by more than 50 miles but that
11 forms part of the existing school in all other respects.

12 Of the unobligated balances available from appropria-
13 tions made under the heading “Bureau of Indian Affairs
14 and Bureau of Indian Education” prior to fiscal year
15 2014, \$4,000,000 are permanently rescinded.

16 DEPARTMENTAL OFFICES

17 OFFICE OF THE SECRETARY

18 DEPARTMENTAL OPERATIONS

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses for management of the De-
21 partment of the Interior and for grants and cooperative
22 agreements, as authorized by law, \$134,673,000, to re-
23 main available until September 30, 2020; of which not to
24 exceed \$15,000 may be for official reception and represen-
25 tation expenses; and of which up to \$1,000,000 shall be

1 available for workers compensation payments and unem-
2 ployment compensation payments associated with the or-
3 derly closure of the United States Bureau of Mines; and
4 of which \$9,000,000 for the Appraisal and Valuation Serv-
5 ices Office is to be derived from the Land and Water Con-
6 servation Fund and shall remain available until expended;
7 and of which \$9,704,000 for Indian land, mineral, and
8 resource valuation activities shall remain available until
9 expended: *Provided further*, That funds for Indian land,
10 mineral, and resource valuation activities may, as needed,
11 be transferred to and merged with the Bureau of Indian
12 Affairs and Bureau of Indian Education “Operation of In-
13 dian Programs” account and the Office of the Special
14 Trustee for American Indians “Federal Trust Programs”
15 account: *Provided further*, That funds made available
16 through contracts or grants obligated during fiscal year
17 2019, as authorized by the Indian Self-Determination Act
18 of 1975 (25 U.S.C. 5301 et seq.), shall remain available
19 until expended by the contractor or grantee.

20 ADMINISTRATIVE PROVISIONS

21 For fiscal year 2019, up to \$400,000 of the payments
22 authorized by chapter 69 of title 31, United States Code,
23 may be retained for administrative expenses of the Pay-
24 ments in Lieu of Taxes Program: *Provided*, That the
25 amounts provided under this Act specifically for the Pay-

1 ments in Lieu of Taxes program are the only amounts
2 available for payments authorized under chapter 69 of
3 title 31, United States Code: *Provided further*, That in the
4 event the sums appropriated for any fiscal year for pay-
5 ments pursuant to this chapter are insufficient to make
6 the full payments authorized by that chapter to all units
7 of local government, then the payment to each local gov-
8 ernment shall be made proportionally: *Provided further*,
9 That the Secretary may make adjustments to payment to
10 individual units of local government to correct for prior
11 overpayments or underpayments: *Provided further*, That
12 no payment shall be made pursuant to that chapter to oth-
13 erwise eligible units of local government if the computed
14 amount of the payment is less than \$100.

15 INSULAR AFFAIRS

16 ASSISTANCE TO TERRITORIES

17 For expenses necessary for assistance to territories
18 under the jurisdiction of the Department of the Interior
19 and other jurisdictions identified in section 104(e) of Pub-
20 lic Law 108–188, \$96,870,000, of which: (1) \$87,440,000
21 shall remain available until expended for territorial assist-
22 ance, including general technical assistance, maintenance
23 assistance, disaster assistance, coral reef initiative activi-
24 ties, and brown tree snake control and research; grants
25 to the judiciary in American Samoa for compensation and

1 expenses, as authorized by law (48 U.S.C. 1661(c));
2 grants to the Government of American Samoa, in addition
3 to current local revenues, for construction and support of
4 governmental functions; grants to the Government of the
5 Virgin Islands, as authorized by law; grants to the Govern-
6 ment of Guam, as authorized by law; and grants to the
7 Government of the Northern Mariana Islands , as author-
8 ized by law (Public Law 94–241; 90 Stat. 272); and (2)
9 \$9,430,000 shall be available until September 30, 2020,
10 for salaries and expenses of the Office of Insular Affairs:
11 *Provided*, That all financial transactions of the territorial
12 and local governments herein provided for, including such
13 transactions of all agencies or instrumentalities estab-
14 lished or used by such governments, may be audited by
15 the Government Accountability Office, at its discretion, in
16 accordance with chapter 35 of title 31, United States
17 Code: *Provided further*, That Northern Mariana Islands
18 Covenant grant funding shall be provided according to
19 those terms of the Agreement of the Special Representa-
20 tives on Future United States Financial Assistance for the
21 Northern Mariana Islands approved by Public Law 104–
22 134: *Provided further*, That the funds for the program of
23 operations and maintenance improvement are appro-
24 priated to institutionalize routine operations and mainte-
25 nance improvement of capital infrastructure with terri-

1 torial participation and cost sharing to be determined by
2 the Secretary based on the grantee's commitment to time-
3 ly maintenance of its capital assets: *Provided further*, That
4 any appropriation for disaster assistance under this head-
5 ing in this Act or previous appropriations Acts may be
6 used as non-Federal matching funds for the purpose of
7 hazard mitigation grants provided pursuant to section 404
8 of the Robert T. Stafford Disaster Relief and Emergency
9 Assistance Act (42 U.S.C. 5170c).

10 COMPACT OF FREE ASSOCIATION

11 For grants and necessary expenses, \$3,363,000, to
12 remain available until expended, as provided for in sec-
13 tions 221(a)(2) and 233 of the Compact of Free Associa-
14 tion for the Republic of Palau; and section 221(a)(2) of
15 the Compacts of Free Association for the Government of
16 the Republic of the Marshall Islands and the Federated
17 States of Micronesia, as authorized by Public Law 99-
18 658 and Public Law 108-188.

19 ADMINISTRATIVE PROVISIONS

20 (INCLUDING TRANSFER OF FUNDS)

21 At the request of the Governor of Guam, the Sec-
22 retary may transfer discretionary funds or mandatory
23 funds provided under section 104(e) of Public Law 108-
24 188 and Public Law 104-134, that are allocated for
25 Guam, to the Secretary of Agriculture for the subsidy cost

1 of direct or guaranteed loans, plus not to exceed three per-
2 cent of the amount of the subsidy transferred for the cost
3 of loan administration, for the purposes authorized by the
4 Rural Electrification Act of 1936 and section 306(a)(1)
5 of the Consolidated Farm and Rural Development Act for
6 construction and repair projects in Guam, and such funds
7 shall remain available until expended: *Provided*, That such
8 costs, including the cost of modifying such loans, shall be
9 as defined in section 502 of the Congressional Budget Act
10 of 1974: *Provided further*, That such loans or loan guaran-
11 tees may be made without regard to the population of the
12 area, credit elsewhere requirements, and restrictions on
13 the types of eligible entities under the Rural Electrifica-
14 tion Act of 1936 and section 306(a)(1) of the Consolidated
15 Farm and Rural Development Act: *Provided further*, That
16 any funds transferred to the Secretary of Agriculture shall
17 be in addition to funds otherwise made available to make
18 or guarantee loans under such authorities.

19 OFFICE OF THE SOLICITOR

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of the Solicitor,
22 \$65,674,000.

1 OFFICE OF INSPECTOR GENERAL

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Inspector
4 General, \$52,486,000.

5 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN

6 INDIANS

7 FEDERAL TRUST PROGRAMS

8 (INCLUDING TRANSFER OF FUNDS)

9 For the operation of trust programs for Indians by
10 direct expenditure, contracts, cooperative agreements,
11 compacts, and grants, \$110,692,000, to remain available
12 until expended, of which not to exceed \$19,016,000 from
13 this or any other Act, may be available for historical ac-
14 counting: *Provided*, That funds for trust management im-
15 provements and litigation support may, as needed, be
16 transferred to or merged with the Bureau of Indian Af-
17 fairs and Bureau of Indian Education, “Operation of In-
18 dian Programs” account; the Office of the Solicitor, “Sala-
19 ries and Expenses” account; and the Office of the Sec-
20 retary, “Departmental Operations” account: *Provided fur-*
21 *ther*, That funds made available through contracts or
22 grants obligated during fiscal year 2019, as authorized by
23 the Indian Self-Determination Act of 1975 (25 U.S.C.
24 5301 et seq.), shall remain available until expended by the
25 contractor or grantee: *Provided further*, That notwith-

1 standing any other provision of law, the Secretary shall
2 not be required to provide a quarterly statement of per-
3 formance for any Indian trust account that has not had
4 activity for at least 15 months and has a balance of \$15
5 or less: *Provided further*, That the Secretary shall issue
6 an annual account statement and maintain a record of any
7 such accounts and shall permit the balance in each such
8 account to be withdrawn upon the express written request
9 of the account holder: *Provided further*, That not to exceed
10 \$50,000 is available for the Secretary to make payments
11 to correct administrative errors of either disbursements
12 from or deposits to Individual Indian Money or Tribal ac-
13 counts after September 30, 2002: *Provided further*, That
14 erroneous payments that are recovered shall be credited
15 to and remain available in this account for this purpose:
16 *Provided further*, That the Secretary shall not be required
17 to reconcile Special Deposit Accounts with a balance of
18 less than \$500 unless the Office of the Special Trustee
19 receives proof of ownership from a Special Deposit Ac-
20 counts claimant: *Provided further*, That notwithstanding
21 section 102 of the American Indian Trust Fund Manage-
22 ment Reform Act of 1994 (Public Law 103–412) or any
23 other provision of law, the Secretary may aggregate the
24 trust accounts of individuals whose whereabouts are un-
25 known for a continuous period of at least five years and

1 shall not be required to generate periodic statements of
2 performance for the individual accounts: *Provided further*,
3 That with respect to the eighth proviso, the Secretary shall
4 continue to maintain sufficient records to determine the
5 balance of the individual accounts, including any accrued
6 interest and income, and such funds shall remain available
7 to the individual account holders.

8 NAVAJO AND HOPI INDIAN RELOCATION

9 For necessary expenses of the Office of the Special
10 Trustee for American Indians to carry out the activities
11 authorized by subsection 11(h) of Public Law 93–531, as
12 most recently amended by Public Law 104–301, through
13 direct expenditure, contracts, cooperative agreements,
14 compacts, and grants, \$3,000,000, to remain available
15 until expended: *Provided*, That the Office of the Special
16 Trustee is further authorized to expend funds provided
17 under this heading for the purpose of planning for an or-
18 derly closeout of the Office of Navajo and Hopi Indian
19 Relocation.

20 DEPARTMENT-WIDE PROGRAMS

21 WILDLAND FIRE MANAGEMENT

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses for fire preparedness, fire
24 suppression operations, fire science and research, emer-
25 gency rehabilitation, fuels management activities, and

1 rural fire assistance by the Department of the Interior,
2 \$939,660,000, to remain available until expended: *Pro-*
3 *vided*, That such funds are also available for repayment
4 of advances to other appropriation accounts from which
5 funds were previously transferred for such purposes: *Pro-*
6 *vided further*, That of the funds provided \$194,000,000
7 is for fuels management activities: *Provided further*, That
8 of the funds provided \$20,470,000 is for burned area re-
9 habilitation: *Provided further*, That persons hired pursu-
10 ant to 43 U.S.C. 1469 may be furnished subsistence and
11 lodging without cost from funds available from this appro-
12 priation: *Provided further*, That notwithstanding 42
13 U.S.C. 1856d, sums received by a bureau or office of the
14 Department of the Interior for fire protection rendered
15 pursuant to 42 U.S.C. 1856 et seq., protection of United
16 States property, may be credited to the appropriation from
17 which funds were expended to provide that protection, and
18 are available without fiscal year limitation: *Provided fur-*
19 *ther*, That using the amounts designated under this title
20 of this Act, the Secretary of the Interior may enter into
21 procurement contracts, grants, or cooperative agreements,
22 for fuels management activities, and for training and mon-
23 itoring associated with such fuels management activities
24 on Federal land, or on adjacent non-Federal land for ac-
25 tivities that benefit resources on Federal land: *Provided*

1 *further*, That the costs of implementing any cooperative
2 agreement between the Federal Government and any non-
3 Federal entity may be shared, as mutually agreed on by
4 the affected parties: *Provided further*, That notwith-
5 standing requirements of the Competition in Contracting
6 Act, the Secretary, for purposes of fuels management ac-
7 tivities, may obtain maximum practicable competition
8 among: (1) local private, nonprofit, or cooperative entities;
9 (2) Youth Conservation Corps crews, Public Lands Corps
10 (Public Law 109–154), or related partnerships with State,
11 local, or nonprofit youth groups; (3) small or micro-busi-
12 nesses; or (4) other entities that will hire or train locally
13 a significant percentage, defined as 50 percent or more,
14 of the project workforce to complete such contracts: *Pro-*
15 *vided further*, That in implementing this section, the Sec-
16 retary shall develop written guidance to field units to en-
17 sure accountability and consistent application of the au-
18 thorities provided herein: *Provided further*, That funds ap-
19 propriated under this heading may be used to reimburse
20 the United States Fish and Wildlife Service and the Na-
21 tional Marine Fisheries Service for the costs of carrying
22 out their responsibilities under the Endangered Species
23 Act of 1973 (16 U.S.C. 1531 et seq.) to consult and con-
24 ference, as required by section 7 of such Act, in connection
25 with wildland fire management activities: *Provided further*,

1 That the Secretary of the Interior may use wildland fire
2 appropriations to enter into leases of real property with
3 local governments, at or below fair market value, to con-
4 struct capitalized improvements for fire facilities on such
5 leased properties, including but not limited to fire guard
6 stations, retardant stations, and other initial attack and
7 fire support facilities, and to make advance payments for
8 any such lease or for construction activity associated with
9 the lease: *Provided further*, That the Secretary of the Inte-
10 rior and the Secretary of Agriculture may authorize the
11 transfer of funds appropriated for wildland fire manage-
12 ment, in an aggregate amount not to exceed \$50,000,000,
13 between the Departments when such transfers would fa-
14 cilitate and expedite wildland fire management programs
15 and projects: *Provided further*, That funds provided for
16 wildfire suppression shall be available for support of Fed-
17 eral emergency response actions: *Provided further*, That
18 funds appropriated under this heading shall be available
19 for assistance to or through the Department of State in
20 connection with forest and rangeland research, technical
21 information, and assistance in foreign countries, and, with
22 the concurrence of the Secretary of State, shall be avail-
23 able to support forestry, wildland fire management, and
24 related natural resource activities outside the United
25 States and its territories and possessions, including tech-

1 ment, cybersecurity, and the consolidation of facilities and
2 operations throughout the Department, \$58,778,000, to
3 remain available until expended: *Provided*, That none of
4 the funds appropriated in this Act or any other Act may
5 be used to establish reserves in the Working Capital Fund
6 account other than for accrued annual leave and deprecia-
7 tion of equipment without prior approval of the Commit-
8 tees on Appropriations of the House of Representatives
9 and the Senate: *Provided further*, That the Secretary may
10 assess reasonable charges to State, local and tribal govern-
11 ment employees for training services provided by the Na-
12 tional Indian Program Training Center, other than train-
13 ing related to Public Law 93–638: *Provided further*, That
14 the Secretary may lease or otherwise provide space and
15 related facilities, equipment or professional services of the
16 National Indian Program Training Center to State, local
17 and tribal government employees or persons or organiza-
18 tions engaged in cultural, educational, or recreational ac-
19 tivities (as defined in section 3306(a) of title 40, United
20 States Code) at the prevailing rate for similar space, facili-
21 ties, equipment, or services in the vicinity of the National
22 Indian Program Training Center: *Provided further*, That
23 all funds received pursuant to the two preceding provisos
24 shall be credited to this account, shall be available until
25 expended, and shall be used by the Secretary for necessary

1 expenses of the National Indian Program Training Center:
2 *Provided further*, That the Secretary may enter into grants
3 and cooperative agreements to support the Office of Nat-
4 ural Resource Revenue's collection and disbursement of
5 royalties, fees, and other mineral revenue proceeds, as au-
6 thorized by law.

7 ADMINISTRATIVE PROVISION

8 There is hereby authorized for acquisition from avail-
9 able resources within the Working Capital Fund, aircraft
10 which may be obtained by donation, purchase or through
11 available excess surplus property: *Provided*, That existing
12 aircraft being replaced may be sold, with proceeds derived
13 or trade-in value used to offset the purchase price for the
14 replacement aircraft.

15 OFFICE OF NATURAL RESOURCES REVENUE

16 For necessary expenses for management of the collec-
17 tion and disbursement of royalties, fees, and other mineral
18 revenue proceeds, and for grants and cooperative agree-
19 ments, as authorized by law, \$137,505,000, to remain
20 available until September 30, 2020; of which \$41,727,000
21 shall remain available until expended for the purpose of
22 mineral revenue management activities: *Provided*, That
23 notwithstanding any other provision of law, \$15,000 shall
24 be available for refunds of overpayments in connection
25 with certain Indian leases in which the Secretary con-

1 curred with the claimed refund due, to pay amounts owed
2 to Indian allottees or tribes, or to correct prior unrecover-
3 able erroneous payments.

4 PAYMENTS IN LIEU OF TAXES

5 For necessary expenses for payments authorized by
6 chapter 69 of title 31, United States Code, \$500,000,000
7 shall be available for fiscal year 2019.

8 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR
9 (INCLUDING TRANSFERS OF FUNDS)

10 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

11 SEC. 101. Appropriations made in this title shall be
12 available for expenditure or transfer (within each bureau
13 or office), with the approval of the Secretary, for the emer-
14 gency reconstruction, replacement, or repair of aircraft,
15 buildings, utilities, or other facilities or equipment dam-
16 aged or destroyed by fire, flood, storm, or other unavoid-
17 able causes: *Provided*, That no funds shall be made avail-
18 able under this authority until funds specifically made
19 available to the Department of the Interior for emer-
20 gencies shall have been exhausted: *Provided further*, That
21 all funds used pursuant to this section must be replenished
22 by a supplemental appropriation, which must be requested
23 as promptly as possible.

1 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

2 SEC. 102. The Secretary may authorize the expendi-
3 ture or transfer of any no year appropriation in this title,
4 in addition to the amounts included in the budget pro-
5 grams of the several agencies, for the suppression or emer-
6 gency prevention of wildland fires on or threatening lands
7 under the jurisdiction of the Department of the Interior;
8 for the emergency rehabilitation of burned-over lands
9 under its jurisdiction; for emergency actions related to po-
10 tential or actual earthquakes, floods, volcanoes, storms, or
11 other unavoidable causes; for contingency planning subse-
12 quent to actual oil spills; for response and natural resource
13 damage assessment activities related to actual oil spills or
14 releases of hazardous substances into the environment; for
15 the prevention, suppression, and control of actual or po-
16 tential grasshopper and Mormon cricket outbreaks on
17 lands under the jurisdiction of the Secretary, pursuant to
18 the authority in section 417(b) of Public Law 106–224
19 (7 U.S.C. 7717(b)); for emergency reclamation projects
20 under section 410 of Public Law 95–87; and shall trans-
21 fer, from any no year funds available to the Office of Sur-
22 face Mining Reclamation and Enforcement, such funds as
23 may be necessary to permit assumption of regulatory au-
24 thority in the event a primacy State is not carrying out
25 the regulatory provisions of the Surface Mining Act: *Pro-*

1 *vided*, That appropriations made in this title for wildland
2 fire operations shall be available for the payment of obliga-
3 tions incurred during the preceding fiscal year, and for
4 reimbursement to other Federal agencies for destruction
5 of vehicles, aircraft, or other equipment in connection with
6 their use for wildland fire operations, with such reimburse-
7 ment to be credited to appropriations currently available
8 at the time of receipt thereof: *Provided further*, That for
9 wildland fire operations, no funds shall be made available
10 under this authority until the Secretary determines that
11 funds appropriated for “wildland fire suppression” shall
12 be exhausted within 30 days: *Provided further*, That all
13 funds used pursuant to this section must be replenished
14 by a supplemental appropriation, which must be requested
15 as promptly as possible: *Provided further*, That such re-
16 plenishment funds shall be used to reimburse, on a pro
17 rata basis, accounts from which emergency funds were
18 transferred.

19 AUTHORIZED USE OF FUNDS

20 SEC. 103. Appropriations made to the Department
21 of the Interior in this title shall be available for services
22 as authorized by section 3109 of title 5, United States
23 Code, when authorized by the Secretary, in total amount
24 not to exceed \$500,000; purchase and replacement of
25 motor vehicles, including specially equipped law enforce-

1 tribal base funds, to alleviate tribal funding inequities by
2 transferring funds to address identified, unmet needs,
3 dual enrollment, overlapping service areas or inaccurate
4 distribution methodologies. No tribe shall receive a reduc-
5 tion in Tribal Priority Allocation funds of more than 10
6 percent in fiscal year 2019. Under circumstances of dual
7 enrollment, overlapping service areas or inaccurate dis-
8 tribution methodologies, the 10 percent limitation does not
9 apply.

10 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

11 SEC. 106. Notwithstanding any other provision of
12 law, the Secretary of the Interior is authorized to acquire
13 lands, waters, or interests therein including the use of all
14 or part of any pier, dock, or landing within the State of
15 New York and the State of New Jersey, for the purpose
16 of operating and maintaining facilities in the support of
17 transportation and accommodation of visitors to Ellis,
18 Governors, and Liberty Islands, and of other program and
19 administrative activities, by donation or with appropriated
20 funds, including franchise fees (and other monetary con-
21 sideration), or by exchange; and the Secretary is author-
22 ized to negotiate and enter into leases, subleases, conces-
23 sion contracts or other agreements for the use of such fa-
24 cilities on such terms and conditions as the Secretary may
25 determine reasonable.

1 OUTER CONTINENTAL SHELF INSPECTION FEES

2 SEC. 107. (a) In fiscal year 2019, the Secretary shall
3 collect a nonrefundable inspection fee, which shall be de-
4 posited in the “Offshore Safety and Environmental En-
5 forcement” account, from the designated operator for fa-
6 cilities subject to inspection under 43 U.S.C. 1348(c).

7 (b) Annual fees shall be collected for facilities that
8 are above the waterline, excluding drilling rigs, and are
9 in place at the start of the fiscal year. Fees for fiscal year
10 2019 shall be:

11 (1) \$10,500 for facilities with no wells, but with
12 processing equipment or gathering lines;

13 (2) \$17,000 for facilities with 1 to 10 wells,
14 with any combination of active or inactive wells; and

15 (3) \$31,500 for facilities with more than 10
16 wells, with any combination of active or inactive
17 wells.

18 (c) Fees for drilling rigs shall be assessed for all in-
19 spections completed in fiscal year 2019. Fees for fiscal
20 year 2019 shall be:

21 (1) \$30,500 per inspection for rigs operating in
22 water depths of 500 feet or more; and

23 (2) \$16,700 per inspection for rigs operating in
24 water depths of less than 500 feet.

1 (d) The Secretary shall bill designated operators
2 under subsection (b) within 60 days, with payment re-
3 quired within 30 days of billing. The Secretary shall bill
4 designated operators under subsection (c) within 30 days
5 of the end of the month in which the inspection occurred,
6 with payment required within 30 days of billing.

7 BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION
8 AND ENFORCEMENT REORGANIZATION

9 SEC. 108. The Secretary of the Interior, in order to
10 implement a reorganization of the Bureau of Ocean En-
11 ergy Management, Regulation and Enforcement, may
12 transfer funds among and between the successor offices
13 and bureaus affected by the reorganization only in con-
14 formance with the reprogramming guidelines described in
15 the report accompanying this Act.

16 CONTRACTS AND AGREEMENTS FOR WILD HORSE AND
17 BURRO HOLDING FACILITIES

18 SEC. 109. Notwithstanding any other provision of
19 this Act, the Secretary of the Interior may enter into
20 multiyear cooperative agreements with nonprofit organiza-
21 tions and other appropriate entities, and may enter into
22 multiyear contracts in accordance with the provisions of
23 section 3903 of title 41, United States Code (except that
24 the 5-year term restriction in subsection (a) shall not
25 apply), for the long-term care and maintenance of excess

1 wild free roaming horses and burros by such organizations
2 or entities on private land. Such cooperative agreements
3 and contracts may not exceed 10 years, subject to renewal
4 at the discretion of the Secretary.

5 MASS MARKING OF SALMONIDS

6 SEC. 110. The United States Fish and Wildlife Serv-
7 ice shall, in carrying out its responsibilities to protect
8 threatened and endangered species of salmon, implement
9 a system of mass marking of salmonid stocks, intended
10 for harvest, that are released from federally operated or
11 federally financed hatcheries including but not limited to
12 fish releases of coho, chinook, and steelhead species.
13 Marked fish must have a visible mark that can be readily
14 identified by commercial and recreational fishers.

15 EXHAUSTION OF ADMINISTRATIVE REVIEW

16 SEC. 111. Paragraph (1) of section 122(a) of division
17 E of Public Law 112–74 (125 Stat. 1013) is amended
18 by striking “fiscal years 2012 through 2022,” in the first
19 sentence and inserting “fiscal year 2012 and each fiscal
20 year thereafter,”.

21 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

22 SEC. 112. Notwithstanding any other provision of
23 law, during fiscal year 2019, in carrying out work involv-
24 ing cooperation with State, local, and tribal governments
25 or any political subdivision thereof, Indian Affairs may

1 record obligations against accounts receivable from any
2 such entities, except that total obligations at the end of
3 the fiscal year shall not exceed total budgetary resources
4 available at the end of the fiscal year.

5 HUMANE TRANSFER OF EXCESS ANIMALS

6 SEC. 113. Notwithstanding any other provision of
7 law, the Secretary of the Interior may transfer excess wild
8 horses or burros that have been removed from the public
9 lands to other Federal, State, and local government agen-
10 cies for use as work animals: *Provided*, That the Secretary
11 may make any such transfer immediately upon request of
12 such Federal, State, or local government agency: *Provided*
13 *further*, That any excess animal transferred under this
14 provision shall lose its status as a wild free-roaming horse
15 or burro as defined in the Wild Free-Roaming Horses and
16 Burros Act: *Provided further*, That any Federal, State, or
17 local government agency receiving excess wild horses or
18 burros as authorized in this section shall not: destroy the
19 horses or burros in a way that results in their destruction
20 into commercial products; sell or otherwise transfer the
21 horses or burros in a way that results in their destruction
22 for processing into commercial products; or euthanize the
23 horses or burros except upon the recommendation of a li-
24 censed veterinarian, in cases of severe injury, illness, or
25 advanced age.

1 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES
2 PROGRAM

3 SEC. 114. (a) Notwithstanding any other provision
4 of law relating to Federal grants and cooperative agree-
5 ments, the Secretary of the Interior is authorized to make
6 grants to, or enter into cooperative agreements with, pri-
7 vate nonprofit organizations designated by the Secretary
8 of Labor under title V of the Older Americans Act of 1965
9 to utilize the talents of older Americans in programs au-
10 thorized by other provisions of law administered by the
11 Secretary and consistent with such provisions of law.

12 (b) Prior to awarding any grant or agreement under
13 subsection (a), the Secretary shall ensure that the agree-
14 ment would not—

15 (1) result in the displacement of individuals
16 currently employed by the Department, including
17 partial displacement through reduction of non-over-
18 time hours, wages, or employment benefits;

19 (2) result in the use of an individual under the
20 Department of the Interior Experienced Services
21 Program for a job or function in a case in which a
22 Federal employee is in a layoff status from the same
23 or substantially equivalent job within the Depart-
24 ment; or

25 (3) affect existing contracts for services.

SAGE-GROUSE

1
2 SEC. 115. None of the funds made available by this
3 or any other Act may be used by the Secretary of the Inte-
4 rior to write or issue pursuant to section 4 of the Endan-
5 gered Species Act of 1973 (16 U.S.C. 1533)—

6 (1) a proposed rule for greater sage-grouse
7 (*Centrocercus urophasianus*);

8 (2) a proposed rule for the Columbia basin dis-
9 tinct population segment of greater sage-grouse; or

10 (3) a final rule for the Bi-State distinct popu-
11 lation segment of greater sage-grouse.

REISSUANCE OF FINAL RULES

12
13 SEC. 116. (a) The final rule published on September
14 10, 2012 (77 Fed. Reg. 55530) that was reinstated on
15 March 3, 2017, by the decision of the U.S. Court of Ap-
16 peals for the District of Columbia (No. 14-5300) and fur-
17 ther republished on May 1, 2017 (82 Fed. Reg. 20284)
18 that reinstates the removal of Federal protections for the
19 gray wolf in Wyoming under the Endangered Species Act
20 of 1973 (16 U.S.C. 1531 et seq.), and this subsection,
21 shall not be subject to judicial review.

22 (b) Before the end of the 60-day period beginning on
23 the date of enactment of this Act, the Secretary of the
24 Interior shall reissue the final rule published on December
25 28, 2011 (76 Fed. Reg. 81666), without regard to any

1 other provision of statute or regulation that applies to
2 issuance of such rule. Such reissuance (including this sub-
3 section) shall not be subject to judicial review.

4 GRAY WOLVES RANGE-WIDE

5 SEC. 117. (a) Not later than the end of fiscal year
6 2019, and except as provided in subsection (b), the Sec-
7 retary of the Interior shall issue a rule to remove the gray
8 wolf (*Canis lupus*) in each of the 48 contiguous States
9 of the United States and the District of Columbia from
10 the List of Endangered and Threatened Wildlife in section
11 17.11 of title 50, Code of Federal Regulations, without
12 regard to any other provision of statute or regulation that
13 applies to issuance of such rule.

14 (b) Such issuance (including this section)—

15 (1) shall not be subject to judicial review; and

16 (2) shall not affect the inclusion of the sub-
17 species classified as the Mexican gray wolf (*Canis*
18 *lupus baileyi*) of the species gray wolf (*Canis lupus*)
19 in such list.

20 TRIBAL SOVEREIGNTY

21 SEC. 118. None of the funds made available by this
22 or any other Act may be used to enforce, refer for enforce-
23 ment, or to assist any other agency in enforcing section
24 251 of title 25, United States Code.

1 CONTRIBUTION AUTHORITY

2 SEC. 119. Section 113 of Division G of Public Law
3 113–76 is amended by striking “2019,” and inserting
4 “2024,”.

5 PROHIBITION ON USE OF FUNDS FOR CERTAIN HISTORIC
6 DESIGNATION

7 SEC. 120. None of the funds made available by this
8 Act may be used to make a determination of eligibility
9 or to list the Trestles Historic District, San Diego County,
10 California, on the National Register of Historic Places.

11 INDIANA DUNES NATIONAL LAKESHORE RETITLED; PAUL

12 H. DOUGLAS TRAIL REDESIGNATION

13 SEC. 121. (a) INDIANA DUNES NATIONAL LAKE
14 SHORE RETITLED.—

15 (1) IN GENERAL.—Public Law 89–761 (16
16 U.S.C. 460u et seq.) is amended—

17 (A) by striking “National Lakeshore” and
18 “national lakeshore” each place it appears and
19 inserting “National Park”; and

20 (B) by striking “lakeshore” each place it
21 appears and inserting “Park”.

22 (2) NONAPPLICATION.—The amendment made
23 by subsection (a)(1) shall not apply to—

1 (A) the title of the map referred to in the
2 first section of Public Law 89–761 (16 U.S.C.
3 460u); and

4 (B) the title of the maps referred to in sec-
5 tion 4 of Public Law 89–761 (16 U.S.C. 460u–
6 3).

7 (b) PAUL H. DOUGLAS TRAIL REDESIGNATION.—
8 The 1.6 mile trail within the Indiana Dunes National Park
9 designated the “Miller-Woods Trail” is hereby redesi-
10 gnated as the “Paul H. Douglas Trail”.

11 RESTRICTION ON USE OF FUNDS RELATED TO WATER

12 RIGHTS

13 SEC. 122. None of the funds made available in this
14 or any other Act may be used—

15 (1) to condition the issuance, renewal, amend-
16 ment, or extension of any permit, approval, license,
17 lease, allotment, easement, right-of-way, or other
18 land use or occupancy agreement on the transfer of
19 any water right, including sole and joint ownership,
20 directly to the United States, or any impairment of
21 title, in whole or in part, granted or otherwise recog-
22 nized under State law, by Federal or State adjudica-
23 tion, decree, or other judgment, or pursuant to any
24 interstate water compact; or

1 ENVIRONMENTAL PROGRAMS AND MANAGEMENT
2 (INCLUDING RESCISSION OF FUNDS)

3 For environmental programs and management, in-
4 cluding necessary expenses, not otherwise provided for, for
5 personnel and related costs and travel expenses; hire of
6 passenger motor vehicles; hire, maintenance, and oper-
7 ation of aircraft; purchase of reprints; library member-
8 ships in societies or associations which issue publications
9 to members only or at a price to members lower than to
10 subscribers who are not members; administrative costs of
11 the brownfields program under the Small Business Liabil-
12 ity Relief and Brownfields Revitalization Act of 2002; im-
13 plementation of a coal combustion residual permit pro-
14 gram under section 2301 of the Water and Waste Act of
15 2016; and not to exceed \$19,000 for official reception and
16 representation expenses, \$2,473,282,000, to remain avail-
17 able until September 30, 2020: *Provided*, That of the
18 amounts provided under this heading, the Chemical Risk
19 Review and Reduction program project shall be allocated
20 for this fiscal year, excluding the amount of any fees made
21 available, not less than the amount of appropriations for
22 that program project for fiscal year 2014: *Provided fur-*
23 *ther*, That of the funds included under this heading,
24 \$12,700,000 shall be for Environmental Protection: Na-
25 tional Priorities as specified in the report accompanying

1 this Act: *Provided further*, That of the funds included
2 under this heading, \$434,857,000 shall be for Geographic
3 Programs specified in the report accompanying this Act:
4 *Provided further*, That of the unobligated balances from
5 appropriations made available under this heading,
6 \$40,000,000 are permanently rescinded.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
9 General in carrying out the provisions of the Inspector
10 General Act of 1978, \$41,489,000, to remain available
11 until September 30, 2020.

12 BUILDINGS AND FACILITIES

13 For construction, repair, improvement, extension, al-
14 teration, and purchase of fixed equipment or facilities of,
15 or for use by, the Environmental Protection Agency,
16 \$39,553,000, to remain available until expended.

17 HAZARDOUS SUBSTANCE SUPERFUND

18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses to carry out the Comprehen-
20 sive Environmental Response, Compensation, and Liabil-
21 ity Act of 1980 (CERCLA), including sections 111(c)(3),
22 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611)
23 \$1,127,090,000, to remain available until expended, con-
24 sisting of such sums as are available in the Trust Fund
25 on September 30, 2018, as authorized by section 517(a)

1 of the Superfund Amendments and Reauthorization Act
2 of 1986 (SARA) and up to \$1,127,090,000 as a payment
3 from general revenues to the Hazardous Substance Super-
4 fund for purposes as authorized by section 517(b) of
5 SARA: *Provided*, That funds appropriated under this
6 heading may be allocated to other Federal agencies in ac-
7 cordance with section 111(a) of CERCLA: *Provided fur-*
8 *ther*, That of the funds appropriated under this heading,
9 \$8,778,000 shall be paid to the “Office of Inspector Gen-
10 eral” appropriation to remain available until September
11 30, 2020, and \$15,496,000 shall be paid to the “Science
12 and Technology” appropriation to remain available until
13 September 30, 2020.

14 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
15 PROGRAM

16 For necessary expenses to carry out leaking under-
17 ground storage tank cleanup activities authorized by sub-
18 title I of the Solid Waste Disposal Act, \$91,941,000, to
19 remain available until expended, of which \$66,572,000
20 shall be for carrying out leaking underground storage tank
21 cleanup activities authorized by section 9003(h) of the
22 Solid Waste Disposal Act; \$25,369,000 shall be for car-
23 rying out the other provisions of the Solid Waste Disposal
24 Act specified in section 9508(c) of the Internal Revenue
25 Code: *Provided*, That the Administrator is authorized to

1 use appropriations made available under this heading to
2 implement section 9013 of the Solid Waste Disposal Act
3 to provide financial assistance to federally recognized In-
4 dian tribes for the development and implementation of
5 programs to manage underground storage tanks.

6 INLAND OIL SPILL PROGRAMS

7 For expenses necessary to carry out the Environ-
8 mental Protection Agency's responsibilities under the Oil
9 Pollution Act of 1990, \$18,209,000, to be derived from
10 the Oil Spill Liability trust fund, to remain available until
11 expended.

12 STATE AND TRIBAL ASSISTANCE GRANTS

13 For environmental programs and infrastructure as-
14 sistance, including capitalization grants for State revolv-
15 ing funds and performance partnership grants,
16 \$3,588,161,000, to remain available until expended, of
17 which—

18 (1) \$1,393,887,000 shall be for making capital-
19 ization grants for the Clean Water State Revolving
20 Funds under title VI of the Federal Water Pollution
21 Control Act; and of which \$863,233,000 shall be for
22 making capitalization grants for the Drinking Water
23 State Revolving Funds under section 1452 of the
24 Safe Drinking Water Act: *Provided*, That for fiscal
25 year 2019, funds made available under this title to

1 each State for Clean Water State Revolving Fund
2 capitalization grants and for Drinking Water State
3 Revolving Fund capitalization grants may, at the
4 discretion of each State, be used for projects to ad-
5 dress green infrastructure, water or energy efficiency
6 improvements, or other environmentally innovative
7 activities: *Provided further*, That notwithstanding
8 section 603(d)(7) of the Federal Water Pollution
9 Control Act, the limitation on the amounts in a
10 State water pollution control revolving fund that
11 may be used by a State to administer the fund shall
12 not apply to amounts included as principal in loans
13 made by such fund in fiscal year 2019 and prior
14 years where such amounts represent costs of admin-
15 istering the fund to the extent that such amounts
16 are or were deemed reasonable by the Administrator,
17 accounted for separately from other assets in the
18 fund, and used for eligible purposes of the fund, in-
19 cluding administration: *Provided further*, That for
20 fiscal year 2019, notwithstanding the provisions of
21 subsections (g)(1), (h), and (l) of section 201 of the
22 Federal Water Pollution Control Act, grants made
23 under title II of such Act for American Samoa,
24 Guam, the commonwealth of the Northern Marianas,
25 the United States Virgin Islands, and the District of

1 Columbia may also be made for the purpose of pro-
2 viding assistance: (1) solely for facility plans, design
3 activities, or plans, specifications, and estimates for
4 any proposed project for the construction of treat-
5 ment works; and (2) for the construction, repair, or
6 replacement of privately owned treatment works
7 serving one or more principal residences or small
8 commercial establishments: *Provided further*, That
9 for fiscal year 2019, notwithstanding the provisions
10 of such subsections (g)(1), (h), and (l) of section
11 201 and section 518(c) of the Federal Water Pollu-
12 tion Control Act, funds reserved by the Adminis-
13 trator for grants under section 518(c) of the Federal
14 Water Pollution Control Act may also be used to
15 provide assistance: (1) solely for facility plans, de-
16 sign activities, or plans, specifications, and estimates
17 for any proposed project for the construction of
18 treatment works; and (2) for the construction, re-
19 pair, or replacement of privately owned treatment
20 works serving one or more principal residences or
21 small commercial establishments: *Provided further*,
22 That for fiscal year 2019, notwithstanding any pro-
23 vision of the Federal Water Pollution Control Act
24 and regulations issued pursuant thereof, up to a
25 total of \$2,000,000 of the funds reserved by the Ad-

1 administrator for grants under section 518(c) of such
2 Act may also be used for grants for training, tech-
3 nical assistance, and educational programs relating
4 to the operation and management of the treatment
5 works specified in section 518(c) of such Act: *Pro-*
6 *vided further*, That for fiscal year 2019, funds re-
7 served under section 518(e) of such Act shall be
8 available for grants only to Indian tribes, as defined
9 in section 518(h) of such Act and former Indian res-
10 ervations in Oklahoma (as determined by the Sec-
11 retary of the Interior) and Native Villages as defined
12 in Public Law 92–203: *Provided further*, That for
13 fiscal year 2019, notwithstanding the limitation on
14 amounts in section 518(c) of the Federal Water Pol-
15 lution Control Act, up to a total of 2 percent of the
16 funds appropriated, or \$30,000,000, whichever is
17 greater, and notwithstanding the limitation on
18 amounts in section 1452(i) of the Safe Drinking
19 Water Act, up to a total of 2 percent of the funds
20 appropriated, or \$20,000,000, whichever is greater,
21 for State Revolving Funds under such Acts may be
22 reserved by the Administrator for grants under sec-
23 tion 518(c) and section 1452(i) of such Acts: *Pro-*
24 *vided further*, That for fiscal year 2019, notwith-
25 standing the amounts specified in section 205(e) of

1 the Federal Water Pollution Control Act, up to 1.5
2 percent of the aggregate funds appropriated for the
3 Clean Water State Revolving Fund program under
4 the Act less any sums reserved under section 518(c)
5 of the Act, may be reserved by the Administrator for
6 grants made under title II of the Federal Water Pol-
7 lution Control Act for American Samoa, Guam, the
8 Commonwealth of the Northern Marianas, and
9 United States Virgin Islands: *Provided further*, That
10 for fiscal year 2019, notwithstanding the limitations
11 on amounts specified in section 1452(j) of the Safe
12 Drinking Water Act, up to 1.5 percent of the funds
13 appropriated for the Drinking Water State Revolv-
14 ing Fund programs under the Safe Drinking Water
15 Act may be reserved by the Administrator for grants
16 made under section 1452(j) of the Safe Drinking
17 Water Act: *Provided further*, That 10 percent of the
18 funds made available under this title to each State
19 for Clean Water State Revolving Fund capitalization
20 grants and 20 percent of the funds made available
21 under this title to each State for Drinking Water
22 State Revolving Fund capitalization grants shall be
23 used by the State to provide additional subsidy to el-
24 igible recipients in the form of forgiveness of prin-
25 cipal, negative interest loans, or grants (or any com-

1 bination of these), and shall be so used by the State
2 only where such funds are provided as initial financ-
3 ing for an eligible recipient or to buy, refinance, or
4 restructure the debt obligations of eligible recipients
5 only where such debt was incurred on or after the
6 date of enactment of this Act;

7 (2) \$10,000,000 shall be for architectural, engi-
8 neering, planning, design, construction and related
9 activities in connection with the construction of high
10 priority water and wastewater facilities in the area
11 of the United States-Mexico Border, after consulta-
12 tion with the appropriate border commission: *Pro-*
13 *vided*, That no funds provided by this appropriations
14 Act to address the water, wastewater and other crit-
15 ical infrastructure needs of the colonias in the
16 United States along the United States-Mexico bor-
17 der shall be made available to a county or municipal
18 government unless that government has established
19 an enforceable local ordinance, or other zoning rule,
20 which prevents in that jurisdiction the development
21 or construction of any additional colonia areas, or
22 the development within an existing colonia the con-
23 struction of any new home, business, or other struc-
24 ture which lacks water, wastewater, or other nec-
25 essary infrastructure;

1 (3) \$20,000,000 shall be for grants to the State
2 of Alaska to address drinking water and wastewater
3 infrastructure needs of rural and Alaska Native Vil-
4 lages: *Provided*, That of these funds: (A) the State
5 of Alaska shall provide a match of 25 percent; (B)
6 no more than 5 percent of the funds may be used
7 for administrative and overhead expenses; and (C)
8 the State of Alaska shall make awards consistent
9 with the Statewide priority list established in con-
10 junction with the Agency and the U.S. Department
11 of Agriculture for all water, sewer, waste disposal,
12 and similar projects carried out by the State of Alas-
13 ka that are funded under section 221 of the Federal
14 Water Pollution Control Act (33 U.S.C. 1301) or
15 the Consolidated Farm and Rural Development Act
16 (7 U.S.C. 1921 et seq.) which shall allocate not less
17 than 25 percent of the funds provided for projects
18 in regional hub communities;

19 (4) \$80,000,000 shall be to carry out section
20 104(k) of the Comprehensive Environmental Re-
21 sponse, Compensation, and Liability Act of 1980
22 (CERCLA), including grants, interagency agree-
23 ments, and associated program support costs: *Pro-*
24 *vided*, That not more than 25 percent of the amount
25 appropriated to carry out section 104(k) of

1 CERCLA shall be used for site characterization, as-
2 sessment, and remediation of facilities described in
3 section 101(39)(D)(ii)(II) of CERCLA: *Provided*
4 *further*, That at least 10 percent shall be allocated
5 for assistance in persistent poverty counties: *Pro-*
6 *vided further* That for purposes of this section, the
7 term “persistent poverty counties” means any coun-
8 ty that has had 20 percent or more of its population
9 living in poverty over the past 30 years, as measured
10 by the 1990 and 2000 decennial censuses and the
11 most recent Small Area Income and Poverty Esti-
12 mates;

13 (5) \$100,000,000 shall be for grants under title
14 VII, subtitle G of the Energy Policy Act of 2005;

15 (6) \$55,000,000 shall be for targeted airshed
16 grants in accordance with the terms and conditions
17 in the explanatory statement described in section 4
18 (in the matter preceding division A of this consoli-
19 dated Act);

20 (7) \$1,066,041,000 shall be for grants, includ-
21 ing associated program support costs, to States, fed-
22 erally recognized tribes, interstate agencies, tribal
23 consortia, and air pollution control agencies for
24 multi-media or single media pollution prevention,
25 control and abatement and related activities, includ-

1 ing activities pursuant to the provisions set forth
2 under this heading in Public Law 104–134, and for
3 making grants under section 103 of the Clean Air
4 Act for particulate matter monitoring and data col-
5 lection activities subject to terms and conditions
6 specified by the Administrator, of which:
7 \$47,745,000 shall be for carrying out section 128 of
8 CERCLA; \$9,646,000 shall be for Environmental
9 Information Exchange Network grants, including as-
10 sociated program support costs; \$1,498,000 shall be
11 for grants to States under section 2007(f)(2) of the
12 Solid Waste Disposal Act, which shall be in addition
13 to funds appropriated under the heading “Leaking
14 Underground Storage Tank Trust Fund Program”
15 to carry out the provisions of the Solid Waste Dis-
16 posal Act specified in section 9508(c) of the Internal
17 Revenue Code other than section 9003(h) of the
18 Solid Waste Disposal Act; \$17,848,000 of the funds
19 available for grants under section 106 of the Federal
20 Water Pollution Control Act shall be for State par-
21 ticipation in national- and State-level statistical sur-
22 veys of water resources and enhancements to State
23 monitoring programs.

1 WATER INFRASTRUCTURE FINANCE AND INNOVATION
2 PROGRAM ACCOUNT

3 For the cost of direct loans and for the cost of guar-
4 anteed loans, as authorized by the Water Infrastructure
5 Finance and Innovation Act of 2014, \$45,000,000, to re-
6 main available until expended: *Provided*, That such costs,
7 including the cost of modifying such loans, shall be as de-
8 fined in section 502 of the Congressional Budget Act of
9 1974: *Provided further*, That these funds are available to
10 subsidize gross obligations for the principal amount of di-
11 rect loans, including capitalized interest, and total loan
12 principal, including capitalized interest, any part of which
13 is to be guaranteed, not to exceed \$5,488,000,000.

14 In addition, fees authorized to be collected pursuant
15 to sections 5029 and 5030 of the Water Infrastructure
16 Finance and Innovation Act of 2014 shall be deposited
17 in this account, to remain available until expended, for the
18 purposes provided in such sections.

19 In addition, for administrative expenses to carry out
20 the direct and guaranteed loan programs, notwithstanding
21 section 5033 of the Water Infrastructure Finance and In-
22 novation Act of 2014, \$5,000,000, to remain available
23 until September 30, 2020.

1 mental Protection Agency may assess fees under section
2 33 of FIFRA (7 U.S.C. 136w-8) for fiscal year 2019.

3 Notwithstanding any other provision of law, in addi-
4 tion to the activities specified in section 33 of the Federal
5 Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7
6 U.S.C. 136w-8), fees collected in this and prior fiscal
7 years under such section shall be available for the fol-
8 lowing activities as they relate to pesticide licensing: proc-
9 essing and review of data submitted in association with
10 a registration, information submitted pursuant to section
11 6(a)(2) of FIFRA, supplemental distributor labels, trans-
12 fers of registrations and data compensation rights, addi-
13 tional uses registered by States under section 24(c) of
14 FIFRA, data compensation petitions, review of minor
15 amendments, and notifications; laboratory support and
16 audits; administrative support; development of policy and
17 guidance; rulemaking support; information collection ac-
18 tivities; and the portions of salaries related to work in
19 these areas.

20 The Administrator is authorized to transfer up to
21 \$300,000,000 of the funds appropriated for the Great
22 Lakes Restoration Initiative under the heading “Environ-
23 mental Programs and Management” to the head of any
24 Federal department or agency, with the concurrence of
25 such head, to carry out activities that would support the

1 Great Lakes Restoration Initiative and Great Lakes
2 Water Quality Agreement programs, projects, or activities;
3 to enter into an interagency agreement with the head of
4 such Federal department or agency to carry out these ac-
5 tivities; and to make grants to governmental entities, non-
6 profit organizations, institutions, and individuals for plan-
7 ning, research, monitoring, outreach, and implementation
8 in furtherance of the Great Lakes Restoration Initiative
9 and the Great Lakes Water Quality Agreement.

10 The Administrator of the Environmental Protection
11 Agency is authorized to collect and obligate fees in accord-
12 ance with section 26(b) of the Toxic Substances Control
13 Act (15 U.S.C. 2625(b)) for fiscal year 2019.

14 The Administrator of the Environmental Protection
15 Agency is authorized to collect and obligate fees in accord-
16 ance with section 3204 of the Solid Waste Disposal Act
17 (42 U.S.C. 6939g) for fiscal year 2019.

18 The Science and Technology, Environmental Pro-
19 grams and Management, Office of Inspector General, Haz-
20 ardous Substance Superfund, and Leaking Underground
21 Storage Tank Trust Fund Program Accounts, are avail-
22 able for the construction, alteration, repair, rehabilitation,
23 and renovation of facilities, provided that the cost does
24 not exceed \$150,000 per project.

1 For fiscal year 2019, and notwithstanding section
2 518(f) of the Federal Water Pollution Control Act (33
3 U.S.C. 1377(f)), the Administrator is authorized to use
4 the amounts appropriated for any fiscal year under section
5 319 of the Act to make grants to Indian tribes pursuant
6 to sections 319(h) and 518(e) of that Act.

7 Of the unobligated balances available for the “State
8 and Tribal Assistance Grants” account, \$75,000,000 are
9 hereby permanently rescinded: *Provided*, That no amounts
10 may be rescinded from amounts that were designated by
11 the Congress as an emergency requirement pursuant to
12 the Concurrent Resolution on the Budget or the Balanced
13 Budget and Emergency Deficit Control Act of 1985.

14 Notwithstanding the limitations on amounts in sec-
15 tion 320(i)(2)(B) of the Federal Water Pollution Control
16 Act, not less than \$1,500,000 of the funds made available
17 under this title for the National Estuary Program shall
18 be for making competitive awards described in section
19 320(g)(4).

20 The Administrator of the Environmental Protection
21 Agency is not authorized to obligate or expend more than
22 \$50 of the funds made available under this title for the
23 purchase of any individual fountain pen.

1 TITLE III
2 RELATED AGENCIES
3 DEPARTMENT OF AGRICULTURE
4 OFFICE OF THE UNDER SECRETARY FOR NATURAL
5 RESOURCES AND ENVIRONMENT

6 For necessary expenses of the Office of the Under
7 Secretary for Natural Resources and Environment,
8 \$875,000: *Provided*, That funds made available by this
9 Act to any agency in the Natural Resources and Environ-
10 ment mission area for salaries and expenses are available
11 to fund up to one administrative support staff for the of-
12 fice.

13 FOREST SERVICE
14 FOREST AND RANGELAND RESEARCH

15 For necessary expenses of forest and rangeland re-
16 search as authorized by law, \$297,000,000, to remain
17 available through September 30, 2020: *Provided*, That of
18 the funds provided, \$77,000,000 is for the forest inventory
19 and analysis program.

20 STATE AND PRIVATE FORESTRY

21 For necessary expenses of cooperating with and pro-
22 viding technical and financial assistance to States, terri-
23 tories, possessions, and others, and for forest health man-
24 agement, and conducting an international program as au-
25 thorized, \$334,945,000, to remain available through Sep-

1 tember 30, 2020, as authorized by law; of which
2 \$48,445,000 is to be derived from the Land and Water
3 Conservation Fund to be used for the Forest Legacy Pro-
4 gram, to remain available until expended.

5 NATIONAL FOREST SYSTEM

6 For necessary expenses of the Forest Service, not
7 otherwise provided for, for management, protection, im-
8 provement, and utilization of the National Forest System,
9 and for hazardous fuels management on or adjacent to
10 such lands, \$1,972,000,000, to remain available through
11 September 30, 2020: *Provided*, That of the funds pro-
12 vided, \$40,000,000 shall be deposited in the Collaborative
13 Forest Landscape Restoration Fund for ecological restora-
14 tion treatments as authorized by 16 U.S.C. 7303(f): *Pro-*
15 *vided further*, That of the funds provided, \$380,000,000
16 shall be for forest products: *Provided further*, That of the
17 funds provided, \$450,000,000 shall be for hazardous fuels
18 management activities, of which not to exceed
19 \$15,000,000 may be used to make grants, using any au-
20 thorities available to the Forest Service under the “State
21 and Private Forestry” appropriation, for the purpose of
22 creating incentives for increased use of biomass from Na-
23 tional Forest System lands: *Provided further*, That
24 \$15,000,000 may be used by the Secretary of Agriculture
25 to enter into procurement contracts or cooperative agree-

1 ments or to issue grants for hazardous fuels management
2 activities, and for training or monitoring associated with
3 such hazardous fuels management activities on Federal
4 land, or on non-Federal land if the Secretary determines
5 such activities benefit resources on Federal land: *Provided*
6 *further*, That funds made available to implement the Com-
7 munity Forestry Restoration Act, Public Law 106–393,
8 title VI, shall be available for use on non-Federal lands
9 in accordance with authorities made available to the For-
10 est Service under the “State and Private Forestry” appro-
11 priations.

12 CAPITAL IMPROVEMENT AND MAINTENANCE

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses of the Forest Service, not
15 otherwise provided for, \$499,000,000, to remain available
16 through September 30, 2020, for construction, capital im-
17 provement, maintenance and acquisition of buildings and
18 other facilities and infrastructure; and for construction,
19 reconstruction, decommissioning of roads that are no
20 longer needed, including unauthorized roads that are not
21 part of the transportation system, and maintenance of for-
22 est roads and trails by the Forest Service as authorized
23 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*
24 *vided*, That funds becoming available in fiscal year 2019
25 under the Act of March 4, 1913 (16 U.S.C. 501) shall

1 be transferred to the General Fund of the Treasury and
2 shall not be available for transfer or obligation for any
3 other purpose unless the funds are appropriated.

4 LAND ACQUISITION

5 For expenses necessary to carry out the provisions
6 of chapter 2003 of title 54, United States Code, including
7 administrative expenses, and for acquisition of land or
8 waters, or interest therein, in accordance with statutory
9 authority applicable to the Forest Service, \$34,761,000,
10 to be derived from the Land and Water Conservation
11 Fund and to remain available until expended.

12 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
13 ACTS

14 For acquisition of lands within the exterior bound-
15 aries of the Cache, Uinta, and Wasatch National Forests,
16 Utah; the Toiyabe National Forest, Nevada; and the An-
17 geles, San Bernardino, Sequoia, and Cleveland National
18 Forests, California; and the Ozark-St. Francis and
19 Ouachita National Forests, Arkansas; as authorized by
20 law, \$700,000, to be derived from forest receipts.

21 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

22 For acquisition of lands, such sums, to be derived
23 from funds deposited by State, county, or municipal gov-
24 ernments, public school districts, or other public school au-
25 thorities, and for authorized expenditures from funds de-

1 posited by non-Federal parties pursuant to Land Sale and
2 Exchange Acts, pursuant to the Act of December 4, 1967
3 (16 U.S.C. 484a), to remain available through September
4 30, 2020, (16 U.S.C. 516–617a, 555a; Public Law 96–
5 586; Public Law 76–589, 76–591; and Public Law 78–
6 310).

7 RANGE BETTERMENT FUND

8 For necessary expenses of range rehabilitation, pro-
9 tection, and improvement, 50 percent of all moneys re-
10 ceived during the prior fiscal year, as fees for grazing do-
11 mestic livestock on lands in National Forests in the 16
12 Western States, pursuant to section 401(b)(1) of Public
13 Law 94–579, to remain available through September 30,
14 2020, of which not to exceed 6 percent shall be available
15 for administrative expenses associated with on-the-ground
16 range rehabilitation, protection, and improvements.

17 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
18 RANGELAND RESEARCH

19 For expenses authorized by 16 U.S.C. 1643(b),
20 \$45,000, to remain available through September 30, 2020,
21 to be derived from the fund established pursuant to the
22 above Act.

1 MANAGEMENT OF NATIONAL FOREST LANDS FOR
2 SUBSISTENCE USES

3 For necessary expenses of the Forest Service to man-
4 age Federal lands in Alaska for subsistence uses under
5 title VIII of the Alaska National Interest Lands Conserva-
6 tion Act (16 U.S.C. 3111 et seq.), \$1,850,000, to remain
7 available through September 30, 2020.

8 WILDLAND FIRE MANAGEMENT
9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses for forest fire presuppression
11 activities on National Forest System lands, for emergency
12 wildland fire suppression on or adjacent to such lands or
13 other lands under fire protection agreement, and for emer-
14 gency rehabilitation of burned-over National Forest Sys-
15 tem lands and water, \$3,004,986,000, to remain available
16 through September 30, 2020: *Provided*, That such funds
17 including unobligated balances under this heading, are
18 available for repayment of advances from other appropria-
19 tions accounts previously transferred for such purposes:
20 *Provided further*, That any unobligated funds appropriated
21 in a previous fiscal year for hazardous fuels management
22 may be transferred to the “National Forest System” ac-
23 count: *Provided further*, That such funds shall be available
24 to reimburse State and other cooperating entities for serv-
25 ices provided in response to wildfire and other emergencies

1 or disasters to the extent such reimbursements by the For-
2 est Service for non-fire emergencies are fully repaid by the
3 responsible emergency management agency: *Provided fur-*
4 *ther*, That funds provided shall be available for support
5 to Federal emergency response: *Provided further*, That the
6 costs of implementing any cooperative agreement between
7 the Federal Government and any non-Federal entity may
8 be shared, as mutually agreed on by the affected parties:
9 *Provided further*, That funds designated for wildfire sup-
10 pression shall be assessed for cost pools on the same basis
11 as such assessments are calculated against other agency
12 programs.

13 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

14 (INCLUDING TRANSFERS OF FUNDS)

15 Appropriations to the Forest Service for the current
16 fiscal year shall be available for: (1) purchase of passenger
17 motor vehicles; acquisition of passenger motor vehicles
18 from excess sources, and hire of such vehicles; purchase,
19 lease, operation, maintenance, and acquisition of aircraft
20 to maintain the operable fleet for use in Forest Service
21 wildland fire programs and other Forest Service programs;
22 notwithstanding other provisions of law, existing aircraft
23 being replaced may be sold, with proceeds derived or
24 trade-in value used to offset the purchase price for the
25 replacement aircraft; (2) services pursuant to 7 U.S.C.

1 2225, and not to exceed \$100,000 for employment under
2 5 U.S.C. 3109; (3) purchase, erection, and alteration of
3 buildings and other public improvements (7 U.S.C. 2250);
4 (4) acquisition of land, waters, and interests therein pur-
5 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
6 Volunteers in the National Forest Act of 1972 (16 U.S.C.
7 558a, 558d, and 558a note); (6) the cost of uniforms as
8 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-
9 lection contracts in accordance with 31 U.S.C. 3718(e).

10 Any appropriations or funds available to the Forest
11 Service may be transferred to the Wildland Fire Manage-
12 ment appropriation for forest firefighting, emergency re-
13 habilitation of burned-over or damaged lands or waters
14 under its jurisdiction, and fire preparedness due to severe
15 burning conditions upon the Secretary’s notification of the
16 House and Senate Committees on Appropriations that all
17 fire suppression funds appropriated under the heading
18 “Wildland Fire Management” will be obligated within 30
19 days: *Provided*, That all funds used pursuant to this para-
20 graph must be replenished by a supplemental appropria-
21 tion which must be requested as promptly as possible.

22 Not more than \$50,000,000 of funds appropriated to
23 the Forest Service shall be available for expenditure or
24 transfer to the Department of the Interior for wildland
25 fire management, hazardous fuels management, and State

1 fire assistance when such transfers would facilitate and
2 expedite wildland fire management programs and projects.

3 Notwithstanding any other provision of this Act, the
4 Forest Service may transfer unobligated balances of dis-
5 cretionary funds appropriated to the Forest Service by
6 this Act to or within the National Forest System Account,
7 or reprogram funds to be used for the purposes of haz-
8 ardous fuels management and urgent rehabilitation of
9 burned-over National Forest System lands and water,
10 such transferred funds shall remain available through Sep-
11 tember 30, 2020: *Provided*, That none of the funds trans-
12 ferred pursuant to this section shall be available for obli-
13 gation without written notification to and the prior ap-
14 proval of the Committees on Appropriations of both
15 Houses of Congress: *Provided further*, That this section
16 does not apply to funds derived from the Land and Water
17 Conservation Fund.

18 Funds appropriated to the Forest Service shall be
19 available for assistance to or through the Agency for Inter-
20 national Development in connection with forest and range-
21 land research, technical information, and assistance in for-
22 eign countries, and shall be available to support forestry
23 and related natural resource activities outside the United
24 States and its territories and possessions, including tech-
25 nical assistance, education and training, and cooperation

1 with U.S., private, and international organizations. The
2 Forest Service, acting for the International Program, may
3 sign direct funding agreements with foreign governments
4 and institutions as well as other domestic agencies (includ-
5 ing the U.S. Agency for International Development, the
6 Department of State, and the Millennium Challenge Cor-
7 poration), U.S. private sector firms, institutions and orga-
8 nizations to provide technical assistance and training pro-
9 grams overseas on forestry and rangeland management.

10 Funds appropriated to the Forest Service shall be
11 available for expenditure or transfer to the Department
12 of the Interior, Bureau of Land Management, for removal,
13 preparation, and adoption of excess wild horses and burros
14 from National Forest System lands, and for the perform-
15 ance of cadastral surveys to designate the boundaries of
16 such lands.

17 None of the funds made available to the Forest Serv-
18 ice in this Act or any other Act with respect to any fiscal
19 year shall be subject to transfer under the provisions of
20 section 702(b) of the Department of Agriculture Organic
21 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
22 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
23 Law 107–171 (7 U.S.C. 8316(b)).

24 None of the funds available to the Forest Service may
25 be reprogrammed without the advance approval of the

1 House and Senate Committees on Appropriations in ac-
2 cordance with the reprogramming procedures contained in
3 the report accompanying this Act.

4 Not more than \$82,000,000 of funds available to the
5 Forest Service shall be transferred to the Working Capital
6 Fund of the Department of Agriculture and not more than
7 \$14,500,000 of funds available to the Forest Service shall
8 be transferred to the Department of Agriculture for De-
9 partment Reimbursable Programs, commonly referred to
10 as Greenbook charges. Nothing in this paragraph shall
11 prohibit or limit the use of reimbursable agreements re-
12 quested by the Forest Service in order to obtain services
13 from the Department of Agriculture's National Informa-
14 tion Technology Center and the Department of Agri-
15 culture's International Technology Service.

16 Of the funds available to the Forest Service, up to
17 \$5,000,000 shall be available for priority projects within
18 the scope of the approved budget, which shall be carried
19 out by the Youth Conservation Corps and shall be carried
20 out under the authority of the Public Lands Corps Act
21 of 1993 (16 U.S.C. 1721 et seq.).

22 Of the funds available to the Forest Service, \$4,000
23 is available to the Chief of the Forest Service for official
24 reception and representation expenses.

1 Pursuant to sections 405(b) and 410(b) of Public
2 Law 101–593, of the funds available to the Forest Service,
3 up to \$3,000,000 may be advanced in a lump sum to the
4 National Forest Foundation to aid conservation partner-
5 ship projects in support of the Forest Service mission,
6 without regard to when the Foundation incurs expenses,
7 for projects on or benefitting National Forest System
8 lands or related to Forest Service programs: *Provided*,
9 That of the Federal funds made available to the Founda-
10 tion, no more than \$300,000 shall be available for admin-
11 istrative expenses: *Provided further*, That the Foundation
12 shall obtain, by the end of the period of Federal financial
13 assistance, private contributions to match funds made
14 available by the Forest Service on at least a one-for-one
15 basis: *Provided further*, That the Foundation may transfer
16 Federal funds to a Federal or a non-Federal recipient for
17 a project at the same rate that the recipient has obtained
18 the non-Federal matching funds.

19 Funds appropriated to the Forest Service shall be
20 available for interactions with and providing technical as-
21 sistance to rural communities and natural resource-based
22 businesses for sustainable rural development purposes.

23 Funds appropriated to the Forest Service shall be
24 available for payments to counties within the Columbia
25 River Gorge National Scenic Area, pursuant to section

1 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–
2 663.

3 Any funds appropriated to the Forest Service may
4 be used to meet the non-Federal share requirement in sec-
5 tion 502(c) of the Older Americans Act of 1965 (42
6 U.S.C. 3056(c)(2)).

7 The Forest Service shall not assess funds for the pur-
8 pose of performing fire, administrative, and other facilities
9 maintenance and decommissioning.

10 Notwithstanding any other provision of law, of any
11 appropriations or funds available to the Forest Service,
12 not to exceed \$500,000 may be used to reimburse the Of-
13 fice of the General Counsel (OGC), Department of Agri-
14 culture, for travel and related expenses incurred as a re-
15 sult of OGC assistance or participation requested by the
16 Forest Service at meetings, training sessions, management
17 reviews, land purchase negotiations and similar matters
18 unrelated to civil litigation. Future budget justifications
19 for both the Forest Service and the Department of Agri-
20 culture should clearly display the sums previously trans-
21 ferred and the sums requested for transfer.

22 An eligible individual who is employed in any project
23 funded under title V of the Older Americans Act of 1965
24 (42 U.S.C. 3056 et seq.) and administered by the Forest

1 Service shall be considered to be a Federal employee for
2 purposes of chapter 171 of title 28, United States Code.

3 Notwithstanding any other provision of this Act,
4 through the Office of Budget and Program Analysis, the
5 Forest Service shall report no later than 30 business days
6 following the close of each fiscal quarter all current and
7 prior year unobligated balances, by fiscal year, budget line
8 item and account, to the House and Senate Committees
9 on Appropriations.

10 DEPARTMENT OF HEALTH AND HUMAN
11 SERVICES

12 INDIAN HEALTH SERVICE

13 INDIAN HEALTH SERVICES

14 For expenses necessary to carry out the Act of Au-
15 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
16 tion and Education Assistance Act, the Indian Health
17 Care Improvement Act, and titles II and III of the Public
18 Health Service Act with respect to the Indian Health Serv-
19 ice, \$4,202,639,000, to remain available until September
20 30, 2020, except as otherwise provided herein, together
21 with payments received during the fiscal year pursuant to
22 sections 231(b) and 233 of the Public Health Service Act
23 (42 U.S.C. 238(b), 238b), for services furnished by the
24 Indian Health Service: *Provided*, That funds made avail-
25 able to tribes and tribal organizations through contracts,

1 grant agreements, or any other agreements or compacts
2 authorized by the Indian Self-Determination and Edu-
3 cation Assistance Act of 1975 (25 U.S.C. 450), shall be
4 deemed to be obligated at the time of the grant or contract
5 award and thereafter shall remain available to the tribe
6 or tribal organization without fiscal year limitation: *Pro-*
7 *vided further*, That \$2,000,000 shall be available for
8 grants or contracts with public or private institutions to
9 provide alcohol or drug treatment services to Indians, in-
10 cluding alcohol detoxification services: *Provided further*,
11 That \$964,819,000 for Purchased/Referred Care, includ-
12 ing \$53,000,000 for the Indian Catastrophic Health
13 Emergency Fund, shall remain available until expended:
14 *Provided further*, That of the funds provided, up to
15 \$55,700,000 shall remain available until expended for im-
16 plementation of the loan repayment program under section
17 108 of the Indian Health Care Improvement Act: *Provided*
18 *further*, That of the funds provided, \$18,000,000 shall re-
19 main available until expended to supplement funds avail-
20 able for operational costs at tribal clinics operated under
21 an Indian Self-Determination and Education Assistance
22 Act compact or contract where health care is delivered in
23 space acquired through a full service lease, which is not
24 eligible for maintenance and improvement and equipment
25 funds from the Indian Health Service, and \$58,000,000

1 shall be for costs related to or resulting from accreditation
2 emergencies, of which up to \$4,000,000 may be used to
3 supplement amounts otherwise available for Purchased/
4 Referred Care: *Provided further*, That the amounts col-
5 lected by the Federal Government as authorized by sec-
6 tions 104 and 108 of the Indian Health Care Improvement
7 Act (25 U.S.C. 1613a and 1616a) during the preceding
8 fiscal year for breach of contracts shall be deposited to
9 the Fund authorized by section 108A of that Act (25
10 U.S.C. 1616a-1) and shall remain available until ex-
11 pended and, notwithstanding section 108A(c) of that Act
12 (25 U.S.C. 1616a-1(c)), funds shall be available to make
13 new awards under the loan repayment and scholarship
14 programs under sections 104 and 108 of that Act (25
15 U.S.C. 1613a and 1616a): *Provided further*, That the
16 amounts made available within this account for the Sub-
17 stance Abuse and Suicide Prevention Program, for the
18 Domestic Violence Prevention Program, for the Zero Sui-
19 cide Initiative, for the housing subsidy authority for civil-
20 ian employees, for aftercare pilot programs at Youth Re-
21 gional Treatment Centers, to improve collections from
22 public and private insurance at Indian Health Service and
23 tribally operated facilities, and for accreditation emer-
24 gencies shall be allocated at the discretion of the Director
25 of the Indian Health Service and shall remain available

1 until expended: *Provided further*, That funds provided in
2 this Act may be used for annual contracts and grants for
3 which the performance period falls within 2 fiscal years,
4 provided the total obligation is recorded in the year the
5 funds are appropriated: *Provided further*, That the
6 amounts collected by the Secretary of Health and Human
7 Services under the authority of title IV of the Indian
8 Health Care Improvement Act shall remain available until
9 expended for the purpose of achieving compliance with the
10 applicable conditions and requirements of titles XVIII and
11 XIX of the Social Security Act, except for those related
12 to the planning, design, or construction of new facilities:
13 *Provided further*, That funding contained herein for schol-
14 arship programs under the Indian Health Care Improve-
15 ment Act shall remain available until expended: *Provided*
16 *further*, That amounts received by tribes and tribal organi-
17 zations under title IV of the Indian Health Care Improve-
18 ment Act shall be reported and accounted for and available
19 to the receiving tribes and tribal organizations until ex-
20 pended: *Provided further*, That the Bureau of Indian Af-
21 fairs may collect from the Indian Health Service, and from
22 tribes and tribal organizations operating health facilities
23 pursuant to Public Law 93–638, such individually identifi-
24 able health information relating to disabled children as
25 may be necessary for the purpose of carrying out its func-

1 tions under the Individuals with Disabilities Education
2 Act (20 U.S.C. 1400 et seq.): *Provided further*, That of
3 the funds provided, \$125,666,000 is for the Indian Health
4 Care Improvement Fund and may be used, as needed, to
5 carry out activities typically funded under the Indian
6 Health Facilities account: *Provided further*, That the ac-
7 creditation emergency funds may be used, as needed, to
8 carry out activities typically funded under the Indian
9 Health Facilities account.

10 CONTRACT SUPPORT COSTS

11 For payments to tribes and tribal organizations for
12 contract support costs associated with Indian Self-Deter-
13 mination and Education Assistance Act agreements with
14 the Indian Health Service for fiscal year 2019, such sums
15 as may be necessary, which shall be available for obliga-
16 tion through September 30, 2020: *Provided*, That notwith-
17 standing any other provision of law, no amounts made
18 available under this heading shall be available for transfer
19 to another budget account.

20 INDIAN HEALTH FACILITIES

21 For construction, repair, maintenance, improvement,
22 and equipment of health and related auxiliary facilities,
23 including quarters for personnel; preparation of plans,
24 specifications, and drawings; acquisition of sites, purchase
25 and erection of modular buildings, and purchases of trail-

1 ers; and for provision of domestic and community sanita-
2 tion facilities for Indians, as authorized by section 7 of
3 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
4 Self-Determination Act, and the Indian Health Care Im-
5 provement Act, and for expenses necessary to carry out
6 such Acts and titles II and III of the Public Health Serv-
7 ice Act with respect to environmental health and facilities
8 support activities of the Indian Health Service,
9 \$882,748,000, to remain available until expended: *Pro-*
10 *vided*, That notwithstanding any other provision of law,
11 funds appropriated for the planning, design, construction,
12 renovation or expansion of health facilities for the benefit
13 of an Indian tribe or tribes may be used to purchase land
14 on which such facilities will be located: *Provided further*,
15 That not to exceed \$500,000 may be used by the Indian
16 Health Service to purchase TRANSAM equipment from
17 the Department of Defense for distribution to the Indian
18 Health Service and tribal facilities: *Provided further*, That
19 none of the funds appropriated to the Indian Health Serv-
20 ice may be used for sanitation facilities construction for
21 new homes funded with grants by the housing programs
22 of the United States Department of Housing and Urban
23 Development: *Provided further*, That not to exceed
24 \$2,700,000 from this account and the “Indian Health
25 Services” account may be used by the Indian Health Serv-

1 ice to obtain ambulances for the Indian Health Service
2 and tribal facilities in conjunction with an existing inter-
3 agency agreement between the Indian Health Service and
4 the General Services Administration: *Provided further*,
5 That not to exceed \$500,000 may be placed in a Demoli-
6 tion Fund, to remain available until expended, and be used
7 by the Indian Health Service for the demolition of Federal
8 buildings.

9 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

10 Appropriations provided in this Act to the Indian
11 Health Service shall be available for services as authorized
12 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
13 equivalent to the maximum rate payable for senior-level
14 positions under 5 U.S.C. 5376; hire of passenger motor
15 vehicles and aircraft; purchase of medical equipment; pur-
16 chase of reprints; purchase, renovation and erection of
17 modular buildings and renovation of existing facilities;
18 payments for telephone service in private residences in the
19 field, when authorized under regulations approved by the
20 Secretary of Health and Human Services; uniforms or al-
21 lowances therefor as authorized by 5 U.S.C. 5901–5902;
22 and for expenses of attendance at meetings that relate to
23 the functions or activities of the Indian Health Service:
24 *Provided*, That in accordance with the provisions of the
25 Indian Health Care Improvement Act, non-Indian patients

1 may be extended health care at all tribally administered
2 or Indian Health Service facilities, subject to charges, and
3 the proceeds along with funds recovered under the Federal
4 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
5 be credited to the account of the facility providing the
6 service and shall be available without fiscal year limitation:
7 *Provided further*, That notwithstanding any other law or
8 regulation, funds transferred from the Department of
9 Housing and Urban Development to the Indian Health
10 Service shall be administered under Public Law 86–121,
11 the Indian Sanitation Facilities Act and Public Law 93–
12 638: *Provided further*, That funds appropriated to the In-
13 dian Health Service in this Act, except those used for ad-
14 ministrative and program direction purposes, shall not be
15 subject to limitations directed at curtailing Federal travel
16 and transportation: *Provided further*, That none of the
17 funds made available to the Indian Health Service in this
18 Act shall be used for any assessments or charges by the
19 Department of Health and Human Services unless identi-
20 fied in the budget justification and provided in this Act,
21 or approved by the House and Senate Committees on Ap-
22 propriations through the reprogramming process: *Pro-*
23 *vided further*, That notwithstanding any other provision
24 of law, funds previously or herein made available to a tribe
25 or tribal organization through a contract, grant, or agree-

1 ment authorized by title I or title V of the Indian Self-
2 Determination and Education Assistance Act of 1975 (25
3 U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may
4 be deobligated and reobligated to a self-determination con-
5 tract under title I, or a self-governance agreement under
6 title V of such Act and thereafter shall remain available
7 to the tribe or tribal organization without fiscal year limi-
8 tation: *Provided further*, That none of the funds made
9 available to the Indian Health Service in this Act shall
10 be used to implement the final rule published in the Fed-
11 eral Register on September 16, 1987, by the Department
12 of Health and Human Services, relating to the eligibility
13 for the health care services of the Indian Health Service
14 until the Indian Health Service has submitted a budget
15 request reflecting the increased costs associated with the
16 proposed final rule, and such request has been included
17 in an appropriations Act and enacted into law: *Provided*
18 *further*, That with respect to functions transferred by the
19 Indian Health Service to tribes or tribal organizations, the
20 Indian Health Service is authorized to provide goods and
21 services to those entities on a reimbursable basis, includ-
22 ing payments in advance with subsequent adjustment, and
23 the reimbursements received therefrom, along with the
24 funds received from those entities pursuant to the Indian
25 Self-Determination Act, may be credited to the same or

1 subsequent appropriation account from which the funds
2 were originally derived, with such amounts to remain
3 available until expended: *Provided further*, That reim-
4 bursements for training, technical assistance, or services
5 provided by the Indian Health Service will contain total
6 costs, including direct, administrative, and overhead costs
7 associated with the provision of goods, services, or tech-
8 nical assistance: *Provided further*, That the Indian Health
9 Service may provide to civilian medical personnel serving
10 in hospitals operated by the Indian Health Service housing
11 allowances equivalent to those that would be provided to
12 members of the Commissioned Corps of the United States
13 Public Health Service serving in similar positions at such
14 hospitals: *Provided further*, That the appropriation struc-
15 ture for the Indian Health Service may not be altered
16 without advance notification to the House and Senate
17 Committees on Appropriations.

18 NATIONAL INSTITUTES OF HEALTH

19 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

20 SCIENCES

21 For necessary expenses for the National Institute of
22 Environmental Health Sciences in carrying out activities
23 set forth in section 311(a) of the Comprehensive Environ-
24 mental Response, Compensation, and Liability Act of
25 1980 (42 U.S.C. 9660(a)) and section 126(g) of the

1 Superfund Amendments and Reauthorization Act of 1986,
2 \$80,000,000.

3 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

4 REGISTRY

5 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

6 HEALTH

7 For necessary expenses for the Agency for Toxic Sub-
8 stances and Disease Registry (ATSDR) in carrying out
9 activities set forth in sections 104(i) and 111(c)(4) of the
10 Comprehensive Environmental Response, Compensation,
11 and Liability Act of 1980 (CERCLA) and section 3019
12 of the Solid Waste Disposal Act, \$62,000,000: *Provided*,
13 That notwithstanding any other provision of law, in lieu
14 of performing a health assessment under section 104(i)(6)
15 of CERCLA, the Administrator of ATSDR may conduct
16 other appropriate health studies, evaluations, or activities,
17 including, without limitation, biomedical testing, clinical
18 evaluations, medical monitoring, and referral to accredited
19 healthcare providers: *Provided further*, That in performing
20 any such health assessment or health study, evaluation,
21 or activity, the Administrator of ATSDR shall not be
22 bound by the deadlines in section 104(i)(6)(A) of
23 CERCLA: *Provided further*, That none of the funds appro-
24 priated under this heading shall be available for ATSDR
25 to issue in excess of 40 toxicological profiles pursuant to

1 section 104(i) of CERCLA during fiscal year 2019, and
2 existing profiles may be updated as necessary.

3 OTHER RELATED AGENCIES

4 EXECUTIVE OFFICE OF THE PRESIDENT

5 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

6 ENVIRONMENTAL QUALITY

7 For necessary expenses to continue functions as-
8 signed to the Council on Environmental Quality and Office
9 of Environmental Quality pursuant to the National Envi-
10 ronmental Policy Act of 1969, the Environmental Quality
11 Improvement Act of 1970, and Reorganization Plan No.
12 1 of 1977, and not to exceed \$750 for official reception
13 and representation expenses, \$2,994,000: *Provided*, That
14 notwithstanding section 202 of the National Environ-
15 mental Policy Act of 1970, the Council shall consist of
16 one member, appointed by the President, by and with the
17 advice and consent of the Senate, serving as chairman and
18 exercising all powers, functions, and duties of the Council.

19 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

20 SALARIES AND EXPENSES

21 For necessary expenses in carrying out activities pur-
22 suant to section 112(r)(6) of the Clean Air Act, including
23 hire of passenger vehicles, uniforms or allowances there-
24 for, as authorized by 5 U.S.C. 5901–5902, and for serv-
25 ices authorized by 5 U.S.C. 3109 but at rates for individ-

1 uals not to exceed the per diem equivalent to the maximum
2 rate payable for senior level positions under 5 U.S.C.
3 5376, \$12,000,000: *Provided*, That the Chemical Safety
4 and Hazard Investigation Board (Board) shall have not
5 more than three career Senior Executive Service positions:
6 *Provided further*, That notwithstanding any other provi-
7 sion of law, the individual appointed to the position of In-
8 spector General of the Environmental Protection Agency
9 (EPA) shall, by virtue of such appointment, also hold the
10 position of Inspector General of the Board: *Provided fur-*
11 *ther*, That notwithstanding any other provision of law, the
12 Inspector General of the Board shall utilize personnel of
13 the Office of Inspector General of EPA in performing the
14 duties of the Inspector General of the Board, and shall
15 not appoint any individuals to positions within the Board.

16 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of Navajo and
19 Hopi Indian Relocation as authorized by Public Law 93-
20 531, \$4,750,000, to remain available until expended: *Pro-*
21 *vided*, That funds provided in this or any other appropria-
22 tions Act are to be used to relocate eligible individuals and
23 groups including evictees from District 6, Hopi-partitioned
24 lands residents, those in significantly substandard hous-
25 ing, and all others certified as eligible and not included

1 in the preceding categories: *Provided further*, That none
2 of the funds contained in this or any other Act may be
3 used by the Office of Navajo and Hopi Indian Relocation
4 to evict any single Navajo or Navajo family who, as of
5 November 30, 1985, was physically domiciled on the lands
6 partitioned to the Hopi Tribe unless a new or replacement
7 home is provided for such household: *Provided further*,
8 That no relocatee will be provided with more than one new
9 or replacement home: *Provided further*, That the Office
10 shall relocate any certified eligible relocatees who have se-
11 lected and received an approved homesite on the Navajo
12 reservation or selected a replacement residence off the
13 Navajo reservation or on the land acquired pursuant to
14 section 11 of Public Law 93–531 (88 Stat. 1716).

15 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
16 CULTURE AND ARTS DEVELOPMENT
17 PAYMENT TO THE INSTITUTE

18 For payment to the Institute of American Indian and
19 Alaska Native Culture and Arts Development, as author-
20 ized by part A of title XV of Public Law 99–498 (20
21 U.S.C. 4411 et seq.), \$9,960,000, which shall become
22 available on July 1, 2019, and shall remain available until
23 September 30, 2020.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

1 For necessary expenses of the Smithsonian Institu-
2 tion, as authorized by law, including research in the fields
3 of art, science, and history; development, preservation, and
4 documentation of the National Collections; presentation of
5 public exhibits and performances; collection, preparation,
6 dissemination, and exchange of information and publica-
7 tions; conduct of education, training, and museum assist-
8 ance programs; maintenance, alteration, operation, lease
9 agreements of no more than 30 years, and protection of
10 buildings, facilities, and approaches; not to exceed
11 \$100,000 for services as authorized by 5 U.S.C. 3109; and
12 purchase, rental, repair, and cleaning of uniforms for em-
13 ployees, \$737,944,000, to remain available until Sep-
14 tember 30, 2020, except as otherwise provided herein; of
15 which not to exceed \$6,908,000 for the instrumentation
16 program, collections acquisition, exhibition reinstallation,
17 the National Museum of African American History and
18 Culture, and the repatriation of skeletal remains program
19 shall remain available until expended; and including such
20 funds as may be necessary to support American overseas
21 research centers: *Provided*, That funds appropriated here-
22 in are available for advance payments to independent con-

1 tractors performing research services or participating in
2 official Smithsonian presentations.

3 FACILITIES CAPITAL

4 For necessary expenses of repair, revitalization, and
5 alteration of facilities owned or occupied by the Smithso-
6 nian Institution, by contract or otherwise, as authorized
7 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
8 and for construction, including necessary personnel,
9 \$317,500,000, to remain available until expended, of
10 which not to exceed \$10,000 shall be for services as au-
11 thorized by 5 U.S.C. 3109.

12 NATIONAL GALLERY OF ART

13 SALARIES AND EXPENSES

14 For the upkeep and operations of the National Gal-
15 lery of Art, the protection and care of the works of art
16 therein, and administrative expenses incident thereto, as
17 authorized by the Act of March 24, 1937 (50 Stat. 51),
18 as amended by the public resolution of April 13, 1939
19 (Public Resolution 9, Seventy-sixth Congress), including
20 services as authorized by 5 U.S.C. 3109; payment in ad-
21 vance when authorized by the treasurer of the Gallery for
22 membership in library, museum, and art associations or
23 societies whose publications or services are available to
24 members only, or to members at a price lower than to the
25 general public; purchase, repair, and cleaning of uniforms

1 for guards, and uniforms, or allowances therefor, for other
2 employees as authorized by law (5 U.S.C. 5901–5902);
3 purchase or rental of devices and services for protecting
4 buildings and contents thereof, and maintenance, alter-
5 ation, improvement, and repair of buildings, approaches,
6 and grounds; and purchase of services for restoration and
7 repair of works of art for the National Gallery of Art by
8 contracts made, without advertising, with individuals,
9 firms, or organizations at such rates or prices and under
10 such terms and conditions as the Gallery may deem prop-
11 er, \$141,790,000, to remain available until September 30,
12 2020, of which not to exceed \$3,640,000 for the special
13 exhibition program shall remain available until expended.

14 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

15 For necessary expenses of repair, restoration and
16 renovation of buildings, grounds and facilities owned or
17 occupied by the National Gallery of Art, by contract or
18 otherwise, for operating lease agreements of no more than
19 10 years, with no extensions or renewals beyond the 10
20 years, that address space needs created by the ongoing
21 renovations in the Master Facilities Plan, as authorized,
22 \$26,564,000, to remain available until expended: *Pro-*
23 *vided*, That contracts awarded for environmental systems,
24 protection systems, and exterior repair or renovation of
25 buildings of the National Gallery of Art may be negotiated

1 with selected contractors and awarded on the basis of con-
2 tractor qualifications as well as price.

3 JOHN F. KENNEDY CENTER FOR THE PERFORMING
4 ARTS
5 OPERATIONS AND MAINTENANCE

6 For necessary expenses for the operation, mainte-
7 nance and security of the John F. Kennedy Center for
8 the Performing Arts, \$24,490,000.

9 CAPITAL REPAIR AND RESTORATION

10 For necessary expenses for capital repair and restora-
11 tion of the existing features of the building and site of
12 the John F. Kennedy Center for the Performing Arts,
13 \$16,025,000, to remain available until expended.

14 WOODROW WILSON INTERNATIONAL CENTER FOR
15 SCHOLARS
16 SALARIES AND EXPENSES

17 For expenses necessary in carrying out the provisions
18 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
19 1356) including hire of passenger vehicles and services as
20 authorized by 5 U.S.C. 3109, \$12,000,000, to remain
21 available until September 30, 2020.

1 NATIONAL FOUNDATION ON THE ARTS AND THE
2 HUMANITIES

3 NATIONAL ENDOWMENT FOR THE ARTS
4 GRANTS AND ADMINISTRATION

5 For necessary expenses to carry out the National
6 Foundation on the Arts and the Humanities Act of 1965,
7 \$155,000,000 shall be available to the National Endow-
8 ment for the Arts for the support of projects and produc-
9 tions in the arts, including arts education and public out-
10 reach activities, through assistance to organizations and
11 individuals pursuant to section 5 of the Act, for program
12 support, and for administering the functions of the Act,
13 to remain available until expended.

14 NATIONAL ENDOWMENT FOR THE HUMANITIES
15 GRANTS AND ADMINISTRATION

16 For necessary expenses to carry out the National
17 Foundation on the Arts and the Humanities Act of 1965,
18 \$155,000,000 to remain available until expended, of which
19 \$143,700,000 shall be available for support of activities
20 in the humanities, pursuant to section 7(c) of the Act and
21 for administering the functions of the Act; and
22 \$11,300,000 shall be available to carry out the matching
23 grants program pursuant to section 10(a)(2) of the Act,
24 including \$9,100,000 for the purposes of section 7(h):
25 *Provided*, That appropriations for carrying out section

1 10(a)(2) shall be available for obligation only in such
2 amounts as may be equal to the total amounts of gifts,
3 bequests, devises of money, and other property accepted
4 by the chairman or by grantees of the National Endow-
5 ment for the Humanities under the provisions of sections
6 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
7 ceding fiscal years for which equal amounts have not pre-
8 viously been appropriated.

9 ADMINISTRATIVE PROVISIONS

10 None of the funds appropriated to the National
11 Foundation on the Arts and the Humanities may be used
12 to process any grant or contract documents which do not
13 include the text of 18 U.S.C. 1913: *Provided*, That none
14 of the funds appropriated to the National Foundation on
15 the Arts and the Humanities may be used for official re-
16 ception and representation expenses: *Provided further*,
17 That funds from nonappropriated sources may be used as
18 necessary for official reception and representation ex-
19 penses: *Provided further*, That the Chairperson of the Na-
20 tional Endowment for the Arts may approve grants of up
21 to \$10,000, if in the aggregate the amount of such grants
22 does not exceed 5 percent of the sums appropriated for
23 grantmaking purposes per year: *Provided further*, That
24 such small grant actions are taken pursuant to the terms

1 of an expressed and direct delegation of authority from
2 the National Council on the Arts to the Chairperson.

3 COMMISSION OF FINE ARTS

4 SALARIES AND EXPENSES

5 For expenses of the Commission of Fine Arts under
6 chapter 91 of title 40, United States Code, \$2,771,000:
7 *Provided*, That the Commission is authorized to charge
8 fees to cover the full costs of its publications, and such
9 fees shall be credited to this account as an offsetting col-
10 lection, to remain available until expended without further
11 appropriation: *Provided further*, That the Commission is
12 authorized to accept gifts, including objects, papers, art-
13 work, drawings and artifacts, that pertain to the history
14 and design of the Nation's Capital or the history and ac-
15 tivities of the Commission of Fine Arts, for the purpose
16 of artistic display, study, or education: *Provided further*,
17 That one-tenth of one percent of the funds provided under
18 this heading may be used for official reception and rep-
19 resentation expenses.

20 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

21 For necessary expenses as authorized by Public Law
22 99-190 (20 U.S.C. 956a), \$2,750,000.

1 ADVISORY COUNCIL ON HISTORIC PRESERVATION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Advisory Council on
4 Historic Preservation (Public Law 89–665), \$6,440,000.

5 NATIONAL CAPITAL PLANNING COMMISSION

6 SALARIES AND EXPENSES

7 For necessary expenses of the National Capital Plan-
8 ning Commission under chapter 87 of title 40, United
9 States Code, including services as authorized by 5 U.S.C.
10 3109, \$8,099,000: *Provided*, That one-quarter of 1 per-
11 cent of the funds provided under this heading may be used
12 for official reception and representational expenses associ-
13 ated with hosting international visitors engaged in the
14 planning and physical development of world capitals.

15 UNITED STATES HOLOCAUST MEMORIAL MUSEUM

16 HOLOCAUST MEMORIAL MUSEUM

17 For expenses of the Holocaust Memorial Museum, as
18 authorized by Public Law 106–292 (36 U.S.C. 2301–
19 2310), \$58,000,000, of which \$1,715,000 shall remain
20 available until September 30, 2021, for the Museum’s
21 equipment replacement program; and of which \$4,000,000
22 for the Museum’s repair and rehabilitation program and
23 \$1,264,000 for the Museum’s outreach initiatives program
24 shall remain available until expended.

1 DWIGHT D. EISENHOWER MEMORIAL COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Dwight D. Eisenhower
4 Memorial Commission, \$1,800,000, to remain available
5 until expended.

6 WOMEN'S SUFFRAGE CENTENNIAL COMMISSION

7 SALARIES AND EXPENSES

8 For necessary expenses for the Women's Suffrage
9 Centennial Commission, as authorized by the Women's
10 Suffrage Centennial Commission Act (section 431(a)(3) of
11 division G of Public Law 115-31), \$500,000, to remain
12 available until expended.

13 WORLD WAR I CENTENNIAL COMMISSION

14 SALARIES AND EXPENSES

15 Notwithstanding section 9 of the World War I Cen-
16 tennial Commission Act, as authorized by the World War
17 I Centennial Commission Act (Public Law 112-272) and
18 the Carl Levin and Howard P. "Buck" McKeon National
19 Defense Authorization Act for Fiscal Year 2015 (Public
20 Law 113-291), for necessary expenses of the World War
21 I Centennial Commission, \$3,000,000, to remain available
22 until expended: *Provided*, That in addition to the authority
23 provided by section 6(g) of such Act, the World War I
24 Commission may accept money, in-kind personnel services,

1 contractual support, or any appropriate support from any
2 executive branch agency for activities of the Commission.

3 TITLE IV

4 GENERAL PROVISIONS

5 (INCLUDING TRANSFERS OF FUNDS)

6 RESTRICTION ON USE OF FUNDS

7 SEC. 401. No part of any appropriation contained in
8 this Act shall be available for any activity or the publica-
9 tion or distribution of literature that in any way tends to
10 promote public support or opposition to any legislative
11 proposal on which Congressional action is not complete
12 other than to communicate to Members of Congress as
13 described in 18 U.S.C. 1913.

14 OBLIGATION OF APPROPRIATIONS

15 SEC. 402. No part of any appropriation contained in
16 this Act shall remain available for obligation beyond the
17 current fiscal year unless expressly so provided herein.

18 DISCLOSURE OF ADMINISTRATIVE EXPENSES

19 SEC. 403. The amount and basis of estimated over-
20 head charges, deductions, reserves or holdbacks, including
21 working capital fund and cost pool charges, from pro-
22 grams, projects, activities and subactivities to support gov-
23 ernment-wide, departmental, agency, or bureau adminis-
24 trative functions or headquarters, regional, or central op-
25 erations shall be presented in annual budget justifications

1 and subject to approval by the Committees on Appropria-
2 tions of the House of Representatives and the Senate.
3 Changes to such estimates shall be presented to the Com-
4 mittees on Appropriations for approval.

5 MINING APPLICATIONS

6 SEC. 404. (a) LIMITATION OF FUNDS.—None of the
7 funds appropriated or otherwise made available pursuant
8 to this Act shall be obligated or expended to accept or
9 process applications for a patent for any mining or mill
10 site claim located under the general mining laws.

11 (b) EXCEPTIONS.—Subsection (a) shall not apply if
12 the Secretary of the Interior determines that, for the claim
13 concerned (1) a patent application was filed with the Sec-
14 retary on or before September 30, 1994; and (2) all re-
15 quirements established under sections 2325 and 2326 of
16 the Revised Statutes (30 U.S.C. 29 and 30) for vein or
17 lode claims, sections 2329, 2330, 2331, and 2333 of the
18 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
19 claims, and section 2337 of the Revised Statutes (30
20 U.S.C. 42) for mill site claims, as the case may be, were
21 fully complied with by the applicant by that date.

22 (c) REPORT.—On September 30, 2020, the Secretary
23 of the Interior shall file with the House and Senate Com-
24 mittees on Appropriations and the Committee on Natural
25 Resources of the House and the Committee on Energy and

1 Natural Resources of the Senate a report on actions taken
2 by the Department under the plan submitted pursuant to
3 section 314(c) of the Department of the Interior and Re-
4 lated Agencies Appropriations Act, 1997 (Public Law
5 104–208).

6 (d) MINERAL EXAMINATIONS.—In order to process
7 patent applications in a timely and responsible manner,
8 upon the request of a patent applicant, the Secretary of
9 the Interior shall allow the applicant to fund a qualified
10 third-party contractor to be selected by the Director of the
11 Bureau of Land Management to conduct a mineral exam-
12 ination of the mining claims or mill sites contained in a
13 patent application as set forth in subsection (b). The Bu-
14 reau of Land Management shall have the sole responsi-
15 bility to choose and pay the third-party contractor in ac-
16 cordance with the standard procedures employed by the
17 Bureau of Land Management in the retention of third-
18 party contractors.

19 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

20 SEC. 405. Sections 405 and 406 of division F of the
21 Consolidated and Further Continuing Appropriations Act,
22 2015 (Public Law 113–235) shall continue in effect in fis-
23 cal year 2019.

1 CONTRACT SUPPORT COSTS, FISCAL YEAR 2019

2 LIMITATION

3 SEC. 406. Amounts provided by this Act for fiscal
4 year 2019 under the headings “Department of Health and
5 Human Services, Indian Health Service, Contract Support
6 Costs” and “Department of the Interior, Bureau of Indian
7 Affairs and Bureau of Indian Education, Contract Sup-
8 port Costs” are the only amounts available for contract
9 support costs arising out of self-determination or self-gov-
10 ernance contracts, grants, compacts, or annual funding
11 agreements for fiscal year 2019 with the Bureau of Indian
12 Affairs or the Indian Health Service: *Provided*, That such
13 amounts provided by this Act are not available for pay-
14 ment of claims for contract support costs for prior years,
15 or for repayments of payments for settlements or judg-
16 ments awarding contract support costs for prior years.

17 FOREST MANAGEMENT PLANS

18 SEC. 407. The Secretary of Agriculture shall not be
19 considered to be in violation of subparagraph 6(f)(5)(A)
20 of the Forest and Rangeland Renewable Resources Plan-
21 ning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because
22 more than 15 years have passed without revision of the
23 plan for a unit of the National Forest System. Nothing
24 in this section exempts the Secretary from any other re-
25 quirement of the Forest and Rangeland Renewable Re-

1 sources Planning Act (16 U.S.C. 1600 et seq.) or any
2 other law: *Provided*, That if the Secretary is not acting
3 expeditiously and in good faith, within the funding avail-
4 able, to revise a plan for a unit of the National Forest
5 System, this section shall be void with respect to such plan
6 and a court of proper jurisdiction may order completion
7 of the plan on an accelerated basis.

8 PROHIBITION WITHIN NATIONAL MONUMENTS

9 SEC. 408. No funds provided in this Act may be ex-
10 pended to conduct preleasing, leasing and related activities
11 under either the Mineral Leasing Act (30 U.S.C. 181 et
12 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
13 1331 et seq.) within the boundaries of a National Monu-
14 ment established pursuant to the Act of June 8, 1906 (16
15 U.S.C. 431 et seq.) as such boundary existed on January
16 20, 2001, except where such activities are allowed under
17 the Presidential proclamation establishing such monu-
18 ment.

19 LIMITATION ON TAKINGS

20 SEC. 409. Unless otherwise provided herein, no funds
21 appropriated in this Act for the acquisition of lands or
22 interests in lands may be expended for the filing of dec-
23 larations of taking or complaints in condemnation without
24 the approval of the House and Senate Committees on Ap-
25 propriations: *Provided*, That this provision shall not apply

1 to funds appropriated to implement the Everglades Na-
2 tional Park Protection and Expansion Act of 1989, or to
3 funds appropriated for Federal assistance to the State of
4 Florida to acquire lands for Everglades restoration pur-
5 poses.

6 TIMBER SALE REQUIREMENTS

7 SEC. 410. No timber sale in Alaska's Region 10 shall
8 be advertised if the indicated rate is deficit (defined as
9 the value of the timber is not sufficient to cover all logging
10 and stumpage costs and provide a normal profit and risk
11 allowance under the Forest Service's appraisal process)
12 when appraised using a residual value appraisal. The west-
13 ern red cedar timber from those sales which is surplus
14 to the needs of the domestic processors in Alaska, shall
15 be made available to domestic processors in the contiguous
16 48 United States at prevailing domestic prices. All addi-
17 tional western red cedar volume not sold to Alaska or con-
18 tiguous 48 United States domestic processors may be ex-
19 ported to foreign markets at the election of the timber sale
20 holder. All Alaska yellow cedar may be sold at prevailing
21 export prices at the election of the timber sale holder.

22 PROHIBITION ON NO-BID CONTRACTS

23 SEC. 411. None of the funds appropriated or other-
24 wise made available by this Act to executive branch agen-
25 cies may be used to enter into any Federal contract unless

1 Act (42 U.S.C. 9902(2))) applicable to a family of
2 the size involved.

3 (c) In providing services and awarding financial as-
4 sistance under the National Foundation on the Arts and
5 Humanities Act of 1965 with funds appropriated by this
6 Act, the Chairperson of the National Endowment for the
7 Arts shall ensure that priority is given to providing serv-
8 ices or awarding financial assistance for projects, produc-
9 tions, workshops, or programs that will encourage public
10 knowledge, education, understanding, and appreciation of
11 the arts.

12 (d) With funds appropriated by this Act to carry out
13 section 5 of the National Foundation on the Arts and Hu-
14 manities Act of 1965—

15 (1) the Chairperson shall establish a grant cat-
16 egory for projects, productions, workshops, or pro-
17 grams that are of national impact or availability or
18 are able to tour several States;

19 (2) the Chairperson shall not make grants ex-
20 ceeding 15 percent, in the aggregate, of such funds
21 to any single State, excluding grants made under the
22 authority of paragraph (1);

23 (3) the Chairperson shall report to the Con-
24 gress annually and by State, on grants awarded by

1 the Chairperson in each grant category under sec-
2 tion 5 of such Act; and

3 (4) the Chairperson shall encourage the use of
4 grants to improve and support community-based
5 music performance and education.

6 STATUS OF BALANCES OF APPROPRIATIONS

7 SEC. 415. The Department of the Interior, the Envi-
8 ronmental Protection Agency, the Forest Service, and the
9 Indian Health Service shall provide the Committees on
10 Appropriations of the House of Representatives and Sen-
11 ate quarterly reports on the status of balances of appro-
12 priations including all uncommitted, committed, and unob-
13 ligated funds in each program and activity.

14 PROHIBITION ON USE OF FUNDS

15 SEC. 416. Notwithstanding any other provision of
16 law, none of the funds made available in this Act or any
17 other Act may be used to promulgate or implement any
18 regulation requiring the issuance of permits under title V
19 of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon
20 dioxide, nitrous oxide, water vapor, or methane emissions
21 resulting from biological processes associated with live-
22 stock production.

23 GREENHOUSE GAS REPORTING RESTRICTIONS

24 SEC. 417. Notwithstanding any other provision of
25 law, none of the funds made available in this or any other

1 (2) In this section, the term “iron and steel” products
2 means the following products made primarily of iron or
3 steel: lined or unlined pipes and fittings, manhole covers
4 and other municipal castings, hydrants, tanks, flanges,
5 pipe clamps and restraints, valves, structural steel, rein-
6 forced precast concrete, and construction materials.

7 (b) Subsection (a) shall not apply in any case or cat-
8 egory of cases in which the Administrator of the Environ-
9 mental Protection Agency (in this section referred to as
10 the “Administrator”) finds that—

11 (1) applying subsection (a) would be incon-
12 sistent with the public interest;

13 (2) iron and steel products are not produced in
14 the United States in sufficient and reasonably avail-
15 able quantities and of a satisfactory quality; or

16 (3) inclusion of iron and steel products pro-
17 duced in the United States will increase the cost of
18 the overall project by more than 25 percent.

19 (c) If the Administrator receives a request for a waiv-
20 er under this section, the Administrator shall make avail-
21 able to the public on an informal basis a copy of the re-
22 quest and information available to the Administrator con-
23 cerning the request, and shall allow for informal public
24 input on the request for at least 15 days prior to making
25 a finding based on the request. The Administrator shall

1 make the request and accompanying information available
2 by electronic means, including on the official public Inter-
3 net Web site of the Environmental Protection Agency.

4 (d) This section shall be applied in a manner con-
5 sistent with United States obligations under international
6 agreements.

7 (e) The Administrator may retain up to 0.25 percent
8 of the funds appropriated in this Act for the Clean and
9 Drinking Water State Revolving Funds for carrying out
10 the provisions described in subsection (a)(1) for manage-
11 ment and oversight of the requirements of this section.

12 MIDWAY ISLAND

13 SEC. 425. None of the funds made available by this
14 Act may be used to destroy any buildings or structures
15 on Midway Island that have been recommended by the
16 United States Navy for inclusion in the National Register
17 of Historic Places (54 U.S.C. 302101).

18 JOHN F. KENNEDY CENTER REAUTHORIZATION

19 SEC. 426. Section 13 of the John F. Kennedy Center
20 Act (20 U.S.C. 76r) is amended by striking subsections
21 (a) and (b) and inserting the following:

22 “(a) MAINTENANCE, REPAIR, AND SECURITY.—
23 There is authorized to be appropriated to the Board to
24 carry out section 4(a)(1)(H), \$24,490,000 for fiscal year
25 2019.

1 POLICIES RELATING TO BIOMASS ENERGY

2 SEC. 429. For fiscal year 2019 and each fiscal year
3 thereafter, to support the key role that forests in the
4 United States can play in addressing the energy needs of
5 the United States, the Secretary of Energy, the Secretary
6 of Agriculture, and the Administrator of the Environ-
7 mental Protection Agency shall, consistent with their mis-
8 sions, jointly—

9 (1) ensure that Federal policy relating to forest
10 bioenergy—

11 (A) is consistent across all Federal depart-
12 ments and agencies; and

13 (B) recognizes the full benefits of the use
14 of forest biomass for energy, conservation, and
15 responsible forest management; and

16 (2) establish clear and simple policies for the
17 use of forest biomass as an energy solution, includ-
18 ing policies that—

19 (A) reflect the carbon-neutrality of forest
20 bioenergy and recognize biomass as a renewable
21 energy source, provided the use of forest bio-
22 mass for energy production does not cause con-
23 version of forests to non-forest use.

1 (B) encourage private investment through-
2 out the forest biomass supply chain, including
3 in—

- 4 (i) working forests;
5 (ii) harvesting operations;
6 (iii) forest improvement operations;
7 (iv) forest bioenergy production;
8 (v) wood products manufacturing; or
9 (vi) paper manufacturing;

10 (C) encourage forest management to im-
11 prove forest health; and

12 (D) recognize State initiatives to produce
13 and use forest biomass.

14 CLARIFICATION OF EXEMPTIONS

15 SEC. 430. Notwithstanding section 404(f)(2) of the
16 Federal Water Pollution Control Act (33 U.S.C.
17 1344(f)(2)), none of the funds made available by this Act
18 may be used to require a permit for the discharge of
19 dredged or fill material under the Federal Water Pollution
20 Control Act (33 U.S.C. 1251 et seq.) for the activities
21 identified in subparagraphs (A) and (C) of section
22 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

23 WATERS OF THE UNITED STATES

24 SEC. 431. The final rule issued by the Administrator
25 of the Environmental Protection Agency and the Secretary

1 of or access to Federal land (as such term is defined in
2 section 3 of the Healthy Forests Restoration Act of 2003
3 (16 U.S.C. 6502)) for hunting, fishing, or recreational
4 shooting if such use or access—

5 (1) was not prohibited on such Federal land as
6 of January 1, 2013; and

7 (2) was conducted in compliance with the re-
8 source management plan (as defined in section 101
9 of such Act (16 U.S.C. 6511)) applicable to such
10 Federal land as of January 1, 2013.

11 (b) TEMPORARY CLOSURES ALLOWED.—Notwith-
12 standing subsection (a), the Secretary of the Interior or
13 the Secretary of Agriculture may temporarily close, for a
14 period not to exceed 30 days, Federal land managed by
15 the Secretary to hunting, fishing, or recreational shooting
16 if the Secretary determines that the temporary closure is
17 necessary to accommodate a special event or for public
18 safety reasons. The Secretary may extend a temporary clo-
19 sure for one additional 90-day period only if the Secretary
20 determines the extension is necessary because of extraor-
21 dinary weather conditions or for public safety reasons.

22 (c) AUTHORITY OF STATES.—Nothing in this section
23 shall be construed as affecting the authority, jurisdiction,
24 or responsibility of the several States to manage, control,

1 or regulate fish and resident wildlife under State law or
2 regulations.

3 AVAILABILITY OF VACANT GRAZING ALLOTMENTS

4 SEC. 434. The Secretary of the Interior, with respect
5 to public lands administered by the Bureau of Land Man-
6 agement, and the Secretary of Agriculture, with respect
7 to the National Forest System lands, shall make vacant
8 grazing allotments available to a holder of a grazing per-
9 mit or lease issued by either Secretary if the lands covered
10 by the permit or lease or other grazing lands used by the
11 holder of the permit or lease are unusable because of
12 drought or wildfire, as determined by the Secretary con-
13 cerned. The terms and conditions contained in a permit
14 or lease made available pursuant to this section shall be
15 the same as the terms and conditions of the most recent
16 permit or lease that was applicable to the vacant grazing
17 allotment made available. Section 102 of the National En-
18 vironmental Policy Act of 1969 (42 U.S.C. 4332) shall
19 not apply with respect to any Federal agency action under
20 this section.

21 INFRASTRUCTURE

22 SEC. 435. (a) For an additional amount for “Envi-
23 ronmental Protection Agency—Hazardous Substance
24 Superfund”, \$40,000,000, which shall be for the Super-
25 fund Remedial program, to remain available until ex-

1 pending, consisting of such sums as are available in the
2 Trust Fund on September 30, 2018, as authorized by sec-
3 tion 517(a) of the Superfund Amendments and Reauthor-
4 ization Act of 1986 (SARA) and up to \$40,000,000 as
5 a payment from general revenues to the Hazardous Sub-
6 stance Superfund for purposes as authorized by section
7 517(b) of SARA.

8 (b) For an additional amount for “Environmental
9 Protection Agency—State and Tribal Assistance Grants,”
10 \$300,000,000 to remain available until expended, of
11 which—

12 (1) \$150,000,000 shall be for making capital-
13 ization grants for the Clean Water State Revolving
14 Funds under title VI of the Federal Water Pollution
15 Control Act; and

16 (2) \$150,000,000 shall be for making capital-
17 ization grants for the Drinking Water State Revolv-
18 ing Funds under section 1452 of the Safe Drinking
19 Water Act.

20 (c) For an additional amount for “Environmental
21 Protection Agency—Water Infrastructure Finance and In-
22 novation Program Account”, \$25,000,000, to remain
23 available until expended, for the cost of direct loans, for
24 the cost of guaranteed loans, and for administrative ex-
25 penses to carry out the direct and guaranteed loan pro-

1 grams, of which \$3,000,000, to remain available until Sep-
2 tember 30, 2020, may be used for such administrative ex-
3 penses: *Provided*, That these additional funds are available
4 to subsidize gross obligations for the principal amount of
5 direct loans, including capitalized interest, and total loan
6 principal, including capitalized interest, any part of which
7 is to be guaranteed, not to exceed \$2,683,000,000.

8 DIRECT HIRE AUTHORITY

9 SEC. 436. (a) For fiscal year 2019, the Secretary of
10 Agriculture may appoint, without regard to the provisions
11 of subchapter I of chapter 33 of title 5, United States
12 Code, other than sections 3303 and 3328 of such title,
13 a qualified candidate described in subsection (b) directly
14 to a position with the United States Department of Agri-
15 culture, Forest Service for which the candidate meets Of-
16 fice of Personnel Management qualification standards.

17 (b) Subsection (a) applies to a former resource assist-
18 ant (as defined in section 203 of the Public Land Corps
19 Act (16 U.S.C. 1722)) who completed a rigorous under-
20 graduate or graduate summer internship with a land man-
21 aging agency, such as the Forest Service Resource Assist-
22 ant Program; successfully fulfilled the requirements of the
23 internship program; and subsequently earned an under-
24 graduate or graduate degree from an accredited institu-
25 tion of higher education.

1 (c) The direct hire authority under this section may
2 not be exercised with respect to a specific qualified can-
3 didate after the end of the two-year period beginning on
4 the date on which the candidate completed the under-
5 graduate or graduate degree, as the case may be.

6 CALIFORNIA WATER INFRASTRUCTURE

7 SEC. 437. Notwithstanding any other provision of
8 law, the Final Environmental Impact Report/Final Envi-
9 ronmental Impact Statement for the Bay Delta Conserva-
10 tion Plan/California Water Fix (81 Fed. Reg. 96485 (Dec.
11 30, 2016)) and any resulting agency decision, record of
12 decision, or similar determination shall hereafter not be
13 subject to judicial review under any Federal or State law.

14 LIMITATION ON USE OF FUNDS FOR TRANSPLANTATION
15 OR INTRODUCTION OF GRIZZLY BEARS INTO NORTH
16 CASCADES ECOSYSTEM

17 SEC. 438. None of the funds made available by this
18 Act may be used for the transplantation or introduction
19 of grizzly bears into the North Cascades Ecosystem.

20 MANAGEMENT OF WILD HORSES OR BURROS

21 SEC. 439. Notwithstanding the first section and sec-
22 tion 2(d) of Public Law 92–195 (16 U.S.C. 1331 and
23 1332(d)), the Secretary of the Interior may hereafter
24 manage any group of wild horses or burros as a non-

1 reproducing or single-sex herd, in whole or in part, includ-
2 ing through chemical or surgical sterilization.

3 MARBLED MURRELET LONG TERM CONSERVATION

4 STRATEGY

5 SEC. 440. None of the funds made available by this
6 Act may be used to approve, or require the development
7 or implementation of, a Marbled Murrelet Long Term
8 Conservation Strategy for the 1997 Washington State
9 Trust Lands Habitat Conservation Plan that sets aside
10 forested acres in excess of those identified as occupied
11 habitat, existing old growth stands, stands that will be-
12 come old growth within 70 years, and associated buffers.

13 LIMITATION ON JUDICIAL REVIEW OF CALIFORNIA WATER

14 PROJECTS

15 SEC. 441. Notwithstanding any other provision of
16 law, the Calfed Bay-Delta Authorization Act (title I of
17 Public Law 108–361; 118 Stat. 1681), the water project
18 described in chapter 5 of part 3 of division 6 of the Cali-
19 fornia Water Code (sections 11550 et seq.) as in effect
20 on the date of enactment of this Act and operated by the
21 California Department of Water Resources, and all
22 projects authorized by section 2 of the Act of August 26,
23 1937 (chapter 832; 50 Stat. 850) and all Acts amendatory
24 or supplemental thereto, shall hereafter not be subject to
25 judicial review.

1 OIL AND GAS ROYALTIES FROM ALASKA COASTAL PLAIN

2 SEC. 442. Section 20001(b) of Public Law 115–97

3 is amended—

4 (1) in paragraph (5)(A)—

5 (A) by striking “50” and inserting “47”;

6 and

7 (B) by inserting before the semicolon “and

8 3 percent shall be deposited into the Fund es-

9 tablished in section 6 of Public Law 92–203 to

10 be divided and distributed in the same manner

11 as ‘revenues’ pursuant to section 7 of such

12 Act”; and

13 (2) by adding at the end the following:

14 “(6) USE OF DISTRIBUTIONS.—Notwith-

15 standing any other provision of law, amounts re-

16 ceived as a distribution under paragraph (5)(A) shall

17 be used for the purpose of providing for the social

18 and economic needs of Natives (as defined in section

19 3 of the Alaska Native Claims Settlement Act (43

20 U.S.C. 1602)).”.

21 SPENDING REDUCTION ACCOUNT

22 SEC. 443. \$0.

23 This Act may be cited as the “Department of the In-

24 terior, Environment, and Related Agencies Appropriations

25 Act, 2019”.

Union Calendar No. 595

115TH CONGRESS
2^D SESSION

H. R. 6147

[Report No. 115-765]

A BILL

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.

JUNE 19, 2018

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed