

Calendar No. 000112TH CONGRESS
2^D SESSION**S. 0000****[Report No. 112-000]**

Making appropriations for Department of the Interior, Environment, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER _____, 2012

Mr. REED, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for Department of the Interior, Environment, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for De-
5 partment of the Interior, Environment, and Related Agen-
6 cies for the fiscal year ending September 30, 2013, and
7 for other purposes, namely:

1 TITLE I
2 DEPARTMENT OF THE INTERIOR
3 BUREAU OF LAND MANAGEMENT
4 MANAGEMENT OF LANDS AND RESOURCES

5 For necessary expenses for protection, use, improve-
6 ment, development, disposal, cadastral surveying, classi-
7 fication, acquisition of easements and other interests in
8 lands, and performance of other functions, including main-
9 tenance of facilities, as authorized by law, in the manage-
10 ment of lands and their resources under the jurisdiction
11 of the Bureau of Land Management, including the general
12 administration of the Bureau, and assessment of mineral
13 potential of public lands pursuant to Public Law 96-487
14 (16 U.S.C. 3150(a)), \$941,083,000, to remain available
15 until expended; of which \$3,000,000 shall be available in
16 fiscal year 2013 subject to a match by at least an equal
17 amount by the National Fish and Wildlife Foundation for
18 cost-shared projects supporting conservation of Bureau
19 lands; and such funds shall be advanced to the Foundation
20 as a lump-sum grant without regard to when expenses are
21 incurred.

22 In addition, \$32,500,000 is for the processing of ap-
23 plications for permit to drill and related use authoriza-
24 tions, to remain available until expended, to be reduced
25 by amounts collected by the Bureau and credited to this

1 appropriation that shall be derived from \$6,500 per new
2 application for permit to drill that the Bureau shall collect
3 upon submission of each new application, and in addition,
4 \$47,950,000 is for conducting oil and gas inspection ac-
5 tivities, to remain available until expended, to be reduced
6 by amounts collected by the Bureau and credited to this
7 appropriation that shall be derived from onshore oil and
8 gas inspection fees that the Bureau shall collect, as pro-
9 vided for in this Act, and in addition, \$6,500,000 is for
10 the processing of grazing permits and leases, to remain
11 available until expended, to be reduced by amounts col-
12 lected by the Bureau and credited to this appropriation,
13 which shall be derived by a \$1.00 per animal unit month
14 administrative fee, as provided for in this Act, and in addi-
15 tion, \$39,696,000 is for Mining Law Administration pro-
16 gram operations, including the cost of administering the
17 mining claim fee program, to remain available until ex-
18 pended, to be reduced by amounts collected by the Bureau
19 and credited to this appropriation from mining claim
20 maintenance fees and location fees that are hereby author-
21 ized for fiscal year 2013 so as to result in a final appro-
22 priation estimated at not more than \$941,083,000, and
23 \$2,000,000, to remain available until expended, from com-
24 munication site rental fees established by the Bureau for
25 the cost of administering communication site activities.

1 LAND ACQUISITION

2 For expenses necessary to carry out sections 205,
3 206, and 318(d) of Public Law 94–579, including admin-
4 istrative expenses and acquisition of lands or waters, or
5 interests therein, \$31,575,000, to be derived from the
6 Land and Water Conservation Fund and to remain avail-
7 able until expended.

8 OREGON AND CALIFORNIA GRANT LANDS

9 For expenses necessary for management, protection,
10 and development of resources and for construction, oper-
11 ation, and maintenance of access roads, reforestation, and
12 other improvements on the revested Oregon and California
13 Railroad grant lands, on other Federal lands in the Or-
14 egon and California land-grant counties of Oregon, and
15 on adjacent rights-of-way; and acquisition of lands or in-
16 terests therein, including existing connecting roads on or
17 adjacent to such grant lands; \$112,043,000, to remain
18 available until expended: *Provided*, That 25 percent of the
19 aggregate of all receipts during the current fiscal year
20 from the revested Oregon and California Railroad grant
21 lands is hereby made a charge against the Oregon and
22 California land-grant fund and shall be transferred to the
23 General Fund in the Treasury in accordance with the sec-
24 ond paragraph of subsection (b) of title II of the Act of
25 August 28, 1937 (50 Stat. 876).

RANGE IMPROVEMENTS

1
2 For rehabilitation, protection, and acquisition of
3 lands and interests therein, and improvement of Federal
4 rangelands pursuant to section 401 of the Federal Land
5 Policy and Management Act of 1976 (43 U.S.C. 1701),
6 notwithstanding any other Act, sums equal to 50 percent
7 of all moneys received during the prior fiscal year under
8 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
9 315 et seq.) and the amount designated for range improve-
10 ments from grazing fees and mineral leasing receipts from
11 Bankhead-Jones lands transferred to the Department of
12 the Interior pursuant to law, but not less than
13 \$10,000,000, to remain available until expended: *Pro-*
14 *vided*, That not to exceed \$600,000 shall be available for
15 administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

16
17 For administrative expenses and other costs related
18 to processing application documents and other authoriza-
19 tions for use and disposal of public lands and resources,
20 for costs of providing copies of official public land docu-
21 ments, for monitoring construction, operation, and termi-
22 nation of facilities in conjunction with use authorizations,
23 and for rehabilitation of damaged property, such amounts
24 as may be collected under Public Law 94-579, as amend-
25 ed, and Public Law 93-153, to remain available until ex-

1 pended: *Provided*, That, notwithstanding any provision to
2 the contrary of section 305(a) of Public Law 94–579 (43
3 U.S.C. 1735(a)), any moneys that have been or will be
4 received pursuant to that section, whether as a result of
5 forfeiture, compromise, or settlement, if not appropriate
6 for refund pursuant to section 305(c) of that Act (43
7 U.S.C. 1735(c)), shall be available and may be expended
8 under the authority of this Act by the Secretary to im-
9 prove, protect, or rehabilitate any public lands adminis-
10 tered through the Bureau of Land Management which
11 have been damaged by the action of a resource developer,
12 purchaser, permittee, or any unauthorized person, without
13 regard to whether all moneys collected from each such ac-
14 tion are used on the exact lands damaged which led to
15 the action: *Provided further*, That any such moneys that
16 are in excess of amounts needed to repair damage to the
17 exact land for which funds were collected may be used to
18 repair other damaged public lands.

19 MISCELLANEOUS TRUST FUNDS

20 In addition to amounts authorized to be expended
21 under existing laws, there are hereby appropriated such
22 amounts as may be contributed under section 307 of the
23 Act of October 21, 1976 (43 U.S.C. 1701), and such
24 amounts as may be advanced for administrative costs, sur-
25 veys, appraisals, and costs of making conveyances of omit-

1 ted lands under section 211(b) of that Act, to remain
2 available until expended.

3 ADMINISTRATIVE PROVISIONS

4 The Bureau of Land Management may carry out the
5 operations funded under this Act by direct expenditure,
6 contracts, grants, cooperative agreements and reimburs-
7 able agreements with public and private entities, including
8 with States. Appropriations for the Bureau shall be avail-
9 able for purchase, erection, and dismantlement of tem-
10 porary structures, and alteration and maintenance of nec-
11 essary buildings and appurtenant facilities to which the
12 United States has title; up to \$100,000 for payments, at
13 the discretion of the Secretary, for information or evidence
14 concerning violations of laws administered by the Bureau;
15 miscellaneous and emergency expenses of enforcement ac-
16 tivities authorized or approved by the Secretary and to be
17 accounted for solely on the Secretary's certificate, not to
18 exceed \$10,000: *Provided*, That, notwithstanding Public
19 Law 90-620 (44 U.S.C. 501), the Bureau may, under co-
20 operative cost-sharing and partnership arrangements au-
21 thorized by law, procure printing services from cooperators
22 in connection with jointly produced publications for which
23 the cooperators share the cost of printing either in cash
24 or in services, and the Bureau determines the cooperator
25 is capable of meeting accepted quality standards: *Provided*

1 *further*, That projects to be funded pursuant to a written
2 commitment by a State government to provide an identi-
3 fied amount of money in support of the project may be
4 carried out by the Bureau on a reimbursable basis: *Pro-*
5 *vided further*, That appropriations herein made shall not
6 be available for the destruction of healthy, unadopted, wild
7 horses and burros in the care of the Bureau or its contrac-
8 tors or for the sale of wild horses and burros that results
9 in their destruction for processing into commercial prod-
10 ucts.

11 UNITED STATES FISH AND WILDLIFE SERVICE

12 RESOURCE MANAGEMENT

13 For necessary expenses of the United States Fish and
14 Wildlife Service, as authorized by law, and for scientific
15 and economic studies, general administration, and for the
16 performance of other authorized functions related to such
17 resources, \$1,245,501,000, to remain available until Sep-
18 tember 30, 2014 except as otherwise provided herein: *Pro-*
19 *vided*, That not to exceed \$22,431,000 shall be used for
20 implementing subsections (a), (b), (c), and (e) of section
21 4 of the Endangered Species Act of 1973 (16 U.S.C.
22 1533) (except for processing petitions, developing and
23 issuing proposed and final regulations, and taking any
24 other steps to implement actions described in subsection
25 (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)), of which not to

1 exceed \$4,548,000 shall be used for any activity regarding
2 the designation of critical habitat, pursuant to subsection
3 (a)(3), excluding litigation support, for species listed pur-
4 suant to subsection (a)(1) prior to October 1, 2011; of
5 which not to exceed \$1,498,000 shall be used for any ac-
6 tivity regarding petitions to list species that are indigenous
7 to the United States pursuant to subsections (b)(3)(A)
8 and (b)(3)(B); and, of which not to exceed \$1,498,000
9 shall be used for implementing subsections (a), (b), (c),
10 and (e) of section 4 of the Endangered Species Act of
11 1973 (16 U.S.C. 1533), for species that are not indige-
12 nous to the United States.

13 CONSTRUCTION

14 For construction, improvement, acquisition, or re-
15 moval of buildings and other facilities required in the con-
16 servation, management, investigation, protection, and uti-
17 lization of fish and wildlife resources, and the acquisition
18 of lands and interests therein; \$19,136,000, to remain
19 available until expended.

20 LAND ACQUISITION

21 For expenses necessary to carry out the Land and
22 Water Conservation Fund Act of 1965, as amended (16
23 U.S.C. 4601–4 through 11), including administrative ex-
24 penses, and for acquisition of land or waters, or interest
25 therein, in accordance with statutory authority applicable

1 to the United States Fish and Wildlife Service,
2 \$70,546,000, to be derived from the Land and Water Con-
3 servation Fund and to remain available until expended:
4 *Provided*, That none of the funds appropriated for specific
5 land acquisition projects may be used to pay for any ad-
6 ministrative overhead, planning or other management
7 costs.

8 COOPERATIVE ENDANGERED SPECIES CONSERVATION
9 FUND

10 For expenses necessary to carry out section 6 of the
11 Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.),
12 \$47,535,000, to remain available until expended, to be de-
13 rived from the Land and Water Conservation Fund.

14 NORTH AMERICAN WETLANDS CONSERVATION FUND

15 For expenses necessary to carry out the provisions
16 of the North American Wetlands Conservation Act, as
17 amended (16 U.S.C. 4401 et seq.), \$35,497,000, to re-
18 main available until expended.

19 NEOTROPICAL MIGRATORY BIRD CONSERVATION

20 For expenses necessary to carry out the Neotropical
21 Migratory Bird Conservation Act (16 U.S.C. 6101 et
22 seq.), \$3,786,000, to remain available until expended.

23 MULTINATIONAL SPECIES CONSERVATION FUND

24 For expenses necessary to carry out the African Ele-
25 phant Conservation Act (16 U.S.C. 4201 et seq.), the

1 Asian Elephant Conservation Act of 1997 (16 U.S.C.
2 4261 et seq.), the Rhinoceros and Tiger Conservation Act
3 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-
4 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
5 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
6 et seq.), \$9,466,000, to remain available until expended.

7 STATE AND TRIBAL WILDLIFE GRANTS

8 For wildlife conservation grants to States and to the
9 District of Columbia, Puerto Rico, Guam, the United
10 States Virgin Islands, the Northern Mariana Islands,
11 American Samoa, and Indian tribes under the provisions
12 of the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et
13 seq.) and the Fish and Wildlife Coordination Act (16
14 U.S.C. 661 et seq.), for the development and implementa-
15 tion of programs for the benefit of wildlife and their habi-
16 tat, including species that are not hunted or fished,
17 \$61,323,000, to remain available until expended: *Pro-*
18 *vided*, That of the amount provided herein, \$4,268,000 is
19 for a competitive grant program for Indian tribes not sub-
20 ject to the remaining provisions of this appropriation: *Pro-*
21 *vided further*, That \$5,732,000 is for a competitive grant
22 program for States, territories, and other jurisdictions
23 with approved plans, not subject to the remaining provi-
24 sions of this appropriation: *Provided further*, That the Sec-
25 retary shall, after deducting \$10,000,000 and administra-

1 tive expenses, apportion the amount provided herein in the
2 following manner: (1) to the District of Columbia and to
3 the Commonwealth of Puerto Rico, each a sum equal to
4 not more than one-half of 1 percent thereof; and (2) to
5 Guam, American Samoa, the United States Virgin Is-
6 lands, and the Commonwealth of the Northern Mariana
7 Islands, each a sum equal to not more than one-fourth
8 of 1 percent thereof: *Provided further*, That the Secretary
9 shall apportion the remaining amount in the following
10 manner: (1) one-third of which is based on the ratio to
11 which the land area of such State bears to the total land
12 area of all such States; and (2) two-thirds of which is
13 based on the ratio to which the population of such State
14 bears to the total population of all such States: *Provided*
15 *further*, That the amounts apportioned under this para-
16 graph shall be adjusted equitably so that no State shall
17 be apportioned a sum which is less than 1 percent of the
18 amount available for apportionment under this paragraph
19 for any fiscal year or more than 5 percent of such amount:
20 *Provided further*, That the Federal share of planning
21 grants shall not exceed 75 percent of the total costs of
22 such projects and the Federal share of implementation
23 grants shall not exceed 65 percent of the total costs of
24 such projects: *Provided further*, That the non-Federal
25 share of such projects may not be derived from Federal

1 grant programs: *Provided further*, That any amount ap-
2 portioned in 2013 to any State, territory, or other jurisdic-
3 tion that remains unobligated as of September 30, 2014,
4 shall be reapportioned, together with funds appropriated
5 in 2015, in the manner provided herein.

6 COASTAL IMPACT ASSISTANCE

7 (RESCISSION)

8 Of the unobligated balances made available by section
9 31 of the Outer Continental Shelf Lands Act, \$86,000,000
10 are hereby permanently rescinded.

11 ADMINISTRATIVE PROVISIONS

12 The United States Fish and Wildlife Service may
13 carry out the operations of Service programs by direct ex-
14 penditure, contracts, grants, cooperative agreements and
15 reimbursable agreements with public and private entities.
16 Appropriations and funds available to the United States
17 Fish and Wildlife Service shall be available for repair of
18 damage to public roads within and adjacent to reservation
19 areas caused by operations of the Service; options for the
20 purchase of land at not to exceed \$1 for each option; facili-
21 ties incident to such public recreational uses on conserva-
22 tion areas as are consistent with their primary purpose;
23 and the maintenance and improvement of aquaria, build-
24 ings, and other facilities under the jurisdiction of the Serv-
25 ice and to which the United States has title, and which

1 are used pursuant to law in connection with management,
2 and investigation of fish and wildlife resources: *Provided*,
3 That, notwithstanding 44 U.S.C. 501, the Service may,
4 under cooperative cost sharing and partnership arrange-
5 ments authorized by law, procure printing services from
6 cooperators in connection with jointly produced publica-
7 tions for which the cooperators share at least one-half the
8 cost of printing either in cash or services and the Service
9 determines the cooperator is capable of meeting accepted
10 quality standards: *Provided further*, That the Service may
11 accept donated aircraft as replacements for existing air-
12 craft.

13 NATIONAL PARK SERVICE

14 OPERATION OF THE NATIONAL PARK SYSTEM

15 For expenses necessary for the management, oper-
16 ation, and maintenance of areas and facilities adminis-
17 tered by the National Park Service and for the general
18 administration of the National Park Service,
19 \$2,255,750,000, of which \$9,876,000 for planning and
20 interagency coordination in support of Everglades restora-
21 tion and \$71,040,000 for maintenance, repair, or rehabili-
22 tation projects for constructed assets shall remain avail-
23 able until September 30, 2014.

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 and re-
5 view, international park affairs, and grant administration,
6 not otherwise provided for, \$60,161,000.

7 HISTORIC PRESERVATION FUND

8 For expenses necessary in carrying out the National
9 Historic Preservation Act (16 U.S.C. 470), \$55,910,000,
10 to be derived from the Historic Preservation Fund and
11 to remain available until September 30, 2014.

12 CONSTRUCTION

13 For construction, improvements, repair, or replace-
14 ment of physical facilities, including modifications author-
15 ized by section 104 of the Everglades National Park Pro-
16 tection and Expansion Act of 1989 (16 U.S.C. 410r-8),
17 \$131,173,000, to remain available until expended.

18 LAND AND WATER CONSERVATION FUND

19 (RESCISSION)

20 The contract authority provided for fiscal year 2013
21 by 16 U.S.C. 460l-10a is rescinded.

22 LAND ACQUISITION AND STATE ASSISTANCE

23 For expenses necessary to carry out the Land and
24 Water Conservation Act of 1965, as amended (16 U.S.C.
25 460l-4 through 11), including administrative expenses,

1 and for acquisition of lands or waters, or interest therein,
2 in accordance with the statutory authority applicable to
3 the National Park Service, \$105,059,000, to be derived
4 from the Land and Water Conservation Fund and to re-
5 main available until expended, of which \$45,638,000 is for
6 the State assistance program and of which \$8,986,000
7 shall be for the American Battlefield Protection Program
8 grants as authorized by section 7301 of the Omnibus Pub-
9 lic Land Management Act of 2009 (Public Law 111–11).

10 ADMINISTRATIVE PROVISIONS

11 (INCLUDING TRANSFER OF FUNDS)

12 In addition to other uses set forth in section 407(d)
13 of Public Law 105–391, franchise fees credited to a sub-
14 account shall be available for expenditure by the Sec-
15 retary, without further appropriation, for use at any unit
16 within the National Park System to extinguish or reduce
17 liability for Possessory Interest or leasehold surrender in-
18 terest. Such funds may only be used for this purpose to
19 the extent that the benefitting unit anticipated franchise
20 fee receipts over the term of the contract at that unit ex-
21 ceed the amount of funds used to extinguish or reduce
22 liability. Franchise fees at the benefitting unit shall be
23 credited to the sub-account of the originating unit over
24 a period not to exceed the term of a single contract at

1 the benefitting unit, in the amount of funds so expended
2 to extinguish or reduce liability.

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

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

15 UNITED STATES GEOLOGICAL SURVEY

16 SURVEYS, INVESTIGATIONS, AND RESEARCH

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

1 ploration program (30 U.S.C. 641); conduct inquiries into
2 the economic conditions affecting mining and materials
3 processing industries (30 U.S.C. 3, 21a, and 1603; 50
4 U.S.C. 98g(1)) and related purposes as authorized by law;
5 and to publish and disseminate data relative to the fore-
6 going activities; \$1,083,782,000, to remain available until
7 September 30, 2014; of which \$53,337,000 shall remain
8 available until expended for satellite operations; and of
9 which \$7,280,000 shall be available until expended for de-
10 ferred maintenance and capital improvement projects that
11 exceed \$100,000 in cost: *Provided*, That none of the funds
12 provided for the ecosystem research activity shall be used
13 to conduct new surveys on private property, unless specifi-
14 cally authorized in writing by the property owner: *Pro-*
15 *vided further*, That no part of this appropriation shall be
16 used to pay more than one-half the cost of topographic
17 mapping or water resources data collection and investiga-
18 tions carried on in cooperation with States and municipali-
19 ties.

20 ADMINISTRATIVE PROVISIONS

21 From within the amount appropriated for activities
22 of the United States Geological Survey such sums as are
23 necessary shall be available for contracting for the fur-
24 nishing of topographic maps and for the making of geo-
25 physical or other specialized surveys when it is administra-

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

1 BUREAU OF OCEAN ENERGY MANAGEMENT

2 OCEAN ENERGY MANAGEMENT

3 For expenses necessary for granting leases, ease-
4 ments, rights-of-way and agreements for use for oil and
5 gas, other minerals, energy, and marine-related purposes
6 on the Outer Continental Shelf and approving operations
7 related thereto, as authorized by law; for environmental
8 studies, as authorized by law; for implementing other laws
9 to the extent provided by Presidential or Secretarial dele-
10 gation; and for matching grants or cooperative agree-
11 ments, \$62,701,000, to remain available until September
12 30, 2014; and in addition \$101,404,000, to remain avail-
13 able until expended, to be reduced by amounts collected
14 from additions to receipts resulting from increases to rates
15 in effect on August 5, 1993, that are collected and dis-
16 bursed by the Secretary, and from cost recovery fees from
17 activities conducted by the Bureau of Ocean Energy Man-
18 agement pursuant to the Outer Continental Shelf Lands
19 Act, including studies, assessments, analysis, and miscella-
20 neous administrative activities so as to result in a final
21 appropriation estimated at not more than \$62,701,000 for
22 fiscal year 2013: *Provided further*, That not to exceed
23 \$3,000 shall be available for reasonable expenses related
24 to promoting volunteer beach and marine cleanup activi-
25 ties.

1 BUREAU OF SAFETY AND ENVIRONMENTAL
2 ENFORCEMENT
3 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT
4 For expenses necessary for the regulation of oper-
5 ations related to leases, easements, rights-of-way and
6 agreements for use for oil and gas, other minerals, energy,
7 and marine-related purposes on the Outer Continental
8 Shelf, as authorized by law; for enforcing and imple-
9 menting laws and regulations as authorized by law and
10 to the extent provided by Presidential or Secretarial dele-
11 gation; and for matching grants or cooperative agree-
12 ments, \$81,399,000, to remain available until September
13 30, 2014; in addition \$60,881,000, to remain available
14 until expended, to be reduced by amounts collected from
15 additions to receipts resulting from increases to rates in
16 effect on August 5, 1993, that are collected and disbursed
17 by the Secretary and from cost recovery fees from activi-
18 ties conducted by the Bureau of Safety and Environmental
19 Enforcement pursuant to the Outer Continental Shelf
20 Lands Act, including studies, assessments, analysis, and
21 miscellaneous administrative activities; in addition,
22 \$65,000,000, to remain available until expended, to be re-
23 duced by amounts collected by the Secretary and credited
24 to this appropriation, which shall be derived from non-re-
25 fundable inspection fees collected in fiscal year 2013, as

1 provided in this Act: *Provided*, That to the extent that
2 amounts realized from such inspection fees exceed
3 \$65,000,000, the amounts realized in excess of
4 \$65,000,000 shall be credited to this appropriation and
5 remain available until expended: *Provided further*, That for
6 fiscal year 2013, not less than 50 percent of the inspection
7 fees expended by the Bureau of Safety and Environmental
8 Enforcement will be used to fund personnel and mission-
9 related costs to expand capacity and expedite the orderly
10 development, subject to environmental safeguards, of the
11 Outer Continental Shelf pursuant to the Outer Conti-
12 nental Shelf Lands Act (43 U.S.C. 1331 et seq.), includ-
13 ing the review of applications for permits to drill, so as
14 to result in a final appropriation estimated at not more
15 than \$81,399,000 in fiscal year 2013.

16 OIL SPILL RESEARCH

17 For necessary expenses to carry out title I, section
18 1016, title IV, sections 4202 and 4303, title VII, and title
19 VIII, section 8201 of the Oil Pollution Act of 1990,
20 \$14,899,000, which shall be derived from the Oil Spill Li-
21 ability Trust Fund, to remain available until expended.

1 ABANDONED MINE RECLAMATION FUND

2 For necessary expenses to carry out title IV of the
3 Surface Mining Control and Reclamation Act of 1977,
4 Public Law 95–87, as amended, \$27,548,000, to be de-
5 rived from receipts of the Abandoned Mine Reclamation
6 Fund and to remain available until expended: *Provided*,
7 That pursuant to Public Law 97–365, the Department of
8 the Interior is authorized to use up to 20 percent from
9 the recovery of the delinquent debt owed to the United
10 States Government to pay for contracts to collect these
11 debts: *Provided further*, That funds made available under
12 title IV of Public Law 95–87 may be used for any required
13 non-Federal share of the cost of projects funded by the
14 Federal Government for the purpose of environmental res-
15 toration related to treatment or abatement of acid mine
16 drainage from abandoned mines: *Provided further*, That
17 such projects must be consistent with the purposes and
18 priorities of the Surface Mining Control and Reclamation
19 Act: *Provided further*, That amounts provided under this
20 heading may be used for the travel and per diem expenses
21 of State and tribal personnel attending Office of Surface
22 Mining Reclamation and Enforcement sponsored training.

23 ADMINISTRATIVE PROVISION

24 With funds available for the Technical Innovation
25 and Professional Services program in this Act, the Sec-

1 retary may transfer title for computer hardware, software
2 and other technical equipment to State and tribal regu-
3 latory and reclamation programs.

4 BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN
5 EDUCATION

6 OPERATION OF INDIAN PROGRAMS

7 (INCLUDING TRANSFER OF FUNDS)

8 For expenses necessary for the operation of Indian
9 programs, as authorized by law, including the Snyder Act
10 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
11 termination and Education Assistance Act of 1975 (25
12 U.S.C. 450 et seq.), as amended, the Education Amend-
13 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally
14 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),
15 as amended, \$2,365,853,000, to remain available until
16 September 30, 2014, except as otherwise provided herein;
17 of which not to exceed \$8,500 may be for official reception
18 and representation expenses; of which not to exceed
19 \$74,791,000 shall be for welfare assistance payments:
20 *Provided*, That, in cases of designated Federal disasters,
21 the Secretary may exceed such cap, from the amounts pro-
22 vided herein, to provide for disaster relief to Indian com-
23 munities affected by the disaster; of which, notwith-
24 standing any other provision of law, including but not lim-
25 ited to the Indian Self-Determination Act of 1975, as

1 amended, not to exceed \$228,000,000 shall be available
2 for payments for contract support costs associated with
3 ongoing contracts, grants, compacts, or annual funding
4 agreements entered into with the Bureau prior to or dur-
5 ing fiscal year 2013, as authorized by such Act, except
6 that tribes and tribal organizations may use their tribal
7 priority allocations for unmet contract support costs of on-
8 going contracts, grants, or compacts, or annual funding
9 agreements and for unmet welfare assistance costs; of
10 which not to exceed \$592,819,000 for school operations
11 costs of Bureau-funded schools and other education pro-
12 grams shall become available on July 1, 2013, and shall
13 remain available until September 30, 2014; and of which
14 not to exceed \$49,224,000 shall remain available until ex-
15 pended for housing improvement, road maintenance, at-
16 torney fees, litigation support, the Indian Self-Determina-
17 tion Fund, land records improvement, and the Navajo-
18 Hopi Settlement Program: *Provided further*, That, not-
19 withstanding any other provision of law, including but not
20 limited to the Indian Self-Determination Act of 1975, as
21 amended, and 25 U.S.C. 2008, not to exceed \$48,253,000
22 within and only from such amounts made available for
23 school operations shall be available for administrative cost
24 grants associated with ongoing grants entered into with
25 the Bureau prior to or during fiscal year 2012 for the

1 operation of Bureau-funded schools, and up to \$500,000
2 within and only from such amounts made available for ad-
3 ministrative cost grants shall be available for the transi-
4 tional costs of initial administrative cost grants to grant-
5 ees that assume operation on or after July 1, 2012, of
6 Bureau-funded schools: *Provided further*, That any for-
7 estry funds allocated to a tribe which remain unobligated
8 as of September 30, 2014, may be transferred during fis-
9 cal year 2015 to an Indian forest land assistance account
10 established for the benefit of the holder of the funds within
11 the holder's trust fund account: *Provided further*, That
12 any such unobligated balances not so transferred shall ex-
13 pire on September 30, 2015: *Provided further*, That, in
14 order to enhance the safety of Bureau field employees, the
15 Bureau may use funds to purchase uniforms or other iden-
16 tifying articles of clothing for personnel.

17 CONSTRUCTION

18 (INCLUDING TRANSFER OF FUNDS)

19 For construction, repair, improvement, and mainte-
20 nance of irrigation and power systems, buildings, utilities,
21 and other facilities, including architectural and engineer-
22 ing services by contract; acquisition of lands, and interests
23 in lands; and preparation of lands for farming, and for
24 construction of the Navajo Indian Irrigation Project pur-
25 suant to Public Law 87-483, \$105,910,000, to remain

1 available until expended: *Provided*, That such amounts as
2 may be available for the construction of the Navajo Indian
3 Irrigation Project may be transferred to the Bureau of
4 Reclamation: *Provided further*, That not to exceed 6 per-
5 cent of contract authority available to the Bureau of In-
6 dian Affairs from the Federal Highway Trust Fund may
7 be used to cover the road program management costs of
8 the Bureau: *Provided further*, That any funds provided for
9 the Safety of Dams program pursuant to 25 U.S.C. 13
10 shall be made available on a nonreimbursable basis: *Pro-*
11 *vided further*, That, for fiscal year 2013, in implementing
12 new construction or facilities improvement and repair
13 project grants in excess of \$100,000 that are provided to
14 grant schools under Public Law 100–297, as amended, the
15 Secretary of the Interior shall use the Administrative and
16 Audit Requirements and Cost Principles for Assistance
17 Programs contained in 43 CFR part 12 as the regulatory
18 requirements: *Provided further*, That such grants shall not
19 be subject to section 12.61 of 43 CFR; the Secretary and
20 the grantee shall negotiate and determine a schedule of
21 payments for the work to be performed: *Provided further*,
22 That, in considering grant applications, the Secretary
23 shall consider whether such grantee would be deficient in
24 assuring that the construction projects conform to applica-
25 ble building standards and codes and Federal, tribal, or

1 State health and safety standards as required by 25
2 U.S.C. 2005(b), with respect to organizational and finan-
3 cial management capabilities: *Provided further*, That, if
4 the Secretary declines a grant application, the Secretary
5 shall follow the requirements contained in 25 U.S.C.
6 2504(f): *Provided further*, That any disputes between the
7 Secretary and any grantee concerning a grant shall be
8 subject to the disputes provision in 25 U.S.C. 2507(e):
9 *Provided further*, That, in order to ensure timely comple-
10 tion of construction projects, the Secretary may assume
11 control of a project and all funds related to the project,
12 if, within 18 months of the date of enactment of this Act,
13 any grantee receiving funds appropriated in this Act or
14 in any prior Act, has not completed the planning and de-
15 sign phase of the project and commenced construction:
16 *Provided further*, That this appropriation may be reim-
17 bursed from the Office of the Special Trustee for Amer-
18 ican Indians appropriation for the appropriate share of
19 construction costs for space expansion needed in agency
20 offices to meet trust reform implementation.

21 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND

22 MISCELLANEOUS PAYMENTS TO INDIANS

23 For payments and necessary administrative expenses
24 for implementation of Indian land and water claim settle-
25 ments pursuant to Public Laws 99-264, 100-580, 101-

1 618, 108–447, and 111–11, and for implementation of
2 other land and water rights settlements, \$36,293,000, to
3 remain available until expended.

4 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

5 For the cost of guaranteed loans and insured loans,
6 \$5,000,000, of which \$973,000 is for administrative ex-
7 penses, as authorized by the Indian Financing Act of
8 1974, as amended: *Provided*, That such costs, including
9 the cost of modifying such loans, shall be as defined in
10 section 502 of the Congressional Budget Act of 1974: *Pro-*
11 *vided further*, That these funds are available to subsidize
12 total loan principal, any part of which is to be guaranteed
13 or insured, not to exceed \$72,759,425.

14 ADMINISTRATIVE PROVISIONS

15 The Bureau of Indian Affairs may carry out the oper-
16 ation of Indian programs by direct expenditure, contracts,
17 cooperative agreements, compacts, and grants, either di-
18 rectly or in cooperation with States and other organiza-
19 tions.

20 Notwithstanding 25 U.S.C. 15, the Bureau of Indian
21 Affairs may contract for services in support of the man-
22 agement, operation, and maintenance of the Power Divi-
23 sion of the San Carlos Irrigation Project.

24 Appropriations for the Bureau of Indian Affairs (ex-
25 cept the Revolving Fund for Loans Liquidating Account,

1 Indian Loan Guaranty and Insurance Fund Liquidating
2 Account, Indian Guaranteed Loan Financing Account, In-
3 dian Direct Loan Financing Account, and the Indian
4 Guaranteed Loan Program account) shall be available for
5 expenses of exhibits.

6 Notwithstanding any other provision of law, no funds
7 available to the Bureau of Indian Affairs for central office
8 oversight and Executive Direction and Administrative
9 Services (except executive direction and administrative
10 services funding for Tribal Priority Allocations, regional
11 offices, and facilities operations and maintenance) shall be
12 available for contracts, grants, compacts, or cooperative
13 agreements with the Bureau of Indian Affairs under the
14 provisions of the Indian Self-Determination Act or the
15 Tribal Self-Governance Act of 1994 (Public Law 103–
16 413).

17 In the event any tribe returns appropriations made
18 available by this Act to the Bureau of Indian Affairs, this
19 action shall not diminish the Federal Government's trust
20 responsibility to that tribe, or the government-to-govern-
21 ment relationship between the United States and that
22 tribe, or that tribe's ability to access future appropria-
23 tions.

24 Notwithstanding any other provision of law, no funds
25 available to the Bureau, other than the amounts provided

1 herein for assistance to public schools under 25 U.S.C.
2 452 et seq., shall be available to support the operation of
3 any elementary or secondary school in the State of Alaska.

4 No funds available to the Bureau shall be used to
5 support expanded grades for any school or dormitory be-
6 yond the grade structure in place or approved by the Sec-
7 retary of the Interior at each school in the Bureau school
8 system as of October 1, 1995. Appropriations made avail-
9 able in this or any prior Act for schools funded by the
10 Bureau shall be available, in accordance with the BIE
11 funding formula, only to the schools in the Bureau school
12 system as of September 1, 1996, and to any school or
13 school program that was re-instated in fiscal year 2012.
14 Funds made available under this Act may not be used to
15 establish a charter school at a Bureau-funded school (as
16 that term is defined in section 1141 of the Education
17 Amendments of 1978 (25 U.S.C. 2021)), except that a
18 charter school that is in existence on the date of the enact-
19 ment of this Act and that has operated at a Bureau-fund-
20 ed school before September 1, 1999, may continue to oper-
21 ate during that period, but only if the charter school pays
22 to the Bureau a pro rata share of funds to reimburse the
23 Bureau for the use of the real and personal property (in-
24 cluding buses and vans), the funds of the charter school
25 are kept separate and apart from Bureau funds, and the

1 Bureau does not assume any obligation for charter school
2 programs of the State in which the school is located if
3 the charter school loses such funding. Employees of Bu-
4 reau-funded schools sharing a campus with a charter
5 school and performing functions related to the charter
6 school's operation and employees of a charter school shall
7 not be treated as Federal employees for purposes of chap-
8 ter 171 of title 28, United States Code.

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

17 DEPARTMENTAL OFFICES

18 OFFICE OF THE SECRETARY

19 DEPARTMENTAL OPERATIONS

20 For necessary expenses for management of the De-
21 partment of the Interior, including the collection and dis-
22 bursement of royalties, fees, and other mineral revenue
23 proceeds, as authorized by law, \$263,910,000, to remain
24 available until September 30, 2014; of which not to exceed
25 \$15,000 may be for official reception and representation

1 expenses; and of which up to \$1,000,000 shall be available
2 for workers compensation payments and unemployment
3 compensation payments associated with the orderly clo-
4 sure of the United States Bureau of Mines; and of which
5 \$12,112,000 for the Office of Valuation Services is to be
6 derived from the Land and Water Conservation Fund and
7 shall remain available until expended; and of which
8 \$38,300,000 shall remain available until expended for the
9 purpose of mineral revenue management activities: *Pro-*
10 *vided*, That, for fiscal year 2013, up to \$400,000 of the
11 payments authorized by the Act of October 20, 1976, as
12 amended (31 U.S.C. 6901–6907) may be retained for ad-
13 ministrative expenses of the Payments in Lieu of Taxes
14 Program: *Provided further*, That no payment shall be
15 made pursuant to that Act to otherwise eligible units of
16 local government if the computed amount of the payment
17 is less than \$100: *Provided further*, That the Secretary
18 may reduce the payment authorized by 31 U.S.C. 6901–
19 6907 for an individual county by the amount necessary
20 to correct prior year overpayments to that county: *Pro-*
21 *vided further*, That the amount needed to correct a prior
22 year underpayment to an individual county shall be paid
23 from any reductions for overpayments to other counties
24 and the amount necessary to cover any remaining under-
25 payment is hereby appropriated and shall be paid to indi-

1 vidual counties: *Provided further*, That, notwithstanding
2 any other provision of law, \$15,000 under this heading
3 shall be available for refunds of overpayments in connec-
4 tion with certain Indian leases in which the Secretary con-
5 curred with the claimed refund due, to pay amounts owed
6 to Indian allottees or tribes, or to correct prior unrecover-
7 able erroneous payments: *Provided further*, That, notwith-
8 standing the provisions of section 35(b) of the Mineral
9 Leasing Act, as amended (30 U.S.C. 191(b)), the Sec-
10 retary shall deduct 2 percent from the amount payable to
11 each State in fiscal year 2013 and deposit the amount de-
12 ducted to miscellaneous receipts of the Treasury.

13 INSULAR AFFAIRS

14 ASSISTANCE TO TERRITORIES

15 For expenses necessary for assistance to territories
16 under the jurisdiction of the Department of the Interior
17 and other jurisdictions identified in section 104(e) of Pub-
18 lic Law 108–188, \$84,946,000, of which: (1) \$75,684,000
19 shall remain available until expended for territorial assist-
20 ance, including general technical assistance, maintenance
21 assistance, disaster assistance, coral reef initiative activi-
22 ties, and brown tree snake control and research; grants
23 to the judiciary in American Samoa for compensation and
24 expenses, as authorized by law (48 U.S.C. 1661(c));
25 grants to the Government of American Samoa, in addition

1 to current local revenues, for construction and support of
2 governmental functions; grants to the Government of the
3 Virgin Islands as authorized by law; grants to the Govern-
4 ment of Guam, as authorized by law; and grants to the
5 Government of the Northern Mariana Islands as author-
6 ized by law (Public Law 94–241; 90 Stat. 272); and (2)
7 \$9,262,000 shall be available until September 30, 2014,
8 for salaries and expenses of the Office of Insular Affairs:
9 *Provided*, That all financial transactions of the territorial
10 and local governments herein provided for, including such
11 transactions of all agencies or instrumentalities estab-
12 lished or used by such governments, may be audited by
13 the Government Accountability Office, at its discretion, in
14 accordance with chapter 35 of title 31, United States
15 Code: *Provided further*, That Northern Mariana Islands
16 Covenant grant funding shall be provided according to
17 those terms of the Agreement of the Special Representa-
18 tives on Future United States Financial Assistance for the
19 Northern Mariana Islands approved by Public Law 104–
20 134: *Provided further*, That the funds for the program of
21 operations and maintenance improvement are appro-
22 priated to institutionalize routine operations and mainte-
23 nance improvement of capital infrastructure with terri-
24 torial participation and cost sharing to be determined by
25 the Secretary based on the grantee’s commitment to time-

1 ly maintenance of its capital assets: *Provided further*, That
2 any appropriation for disaster assistance under this head-
3 ing in this Act or previous appropriations Acts may be
4 used as non-Federal matching funds for the purpose of
5 hazard mitigation grants provided pursuant to section 404
6 of the Robert T. Stafford Disaster Relief and Emergency
7 Assistance Act (42 U.S.C. 5170e).

8 COMPACT OF FREE ASSOCIATION

9 For grants and necessary expenses, \$3,317,000, to
10 remain available until expended, as provided for in sec-
11 tions 221(a)(2) and 233 of the Compact of Free Associa-
12 tion for the Republic of Palau; and section 221(a)(2) of
13 the Compacts of Free Association for the Government of
14 the Republic of the Marshall Islands and the Federated
15 States of Micronesia, as authorized by Public Law 99-
16 658 and Public Law 108-188.

17 ADMINISTRATIVE PROVISIONS

18 (INCLUDING TRANSFER OF FUNDS)

19 At the request of the Governor of Guam, the Sec-
20 retary may transfer discretionary funds or mandatory
21 funds provided under section 104(e) of Public Law 108-
22 188 and Public Law 104-134, that are allocated for
23 Guam, to the Secretary of Agriculture for the subsidy cost
24 of direct or guaranteed loans, plus not to exceed three per-
25 cent of the amount of the subsidy transferred for the cost

1 of loan administration, for the purposes authorized by the
2 Rural Electrification Act of 1936 and section 306(a)(1)
3 of the Consolidated Farm and Rural Development Act for
4 construction and repair projects in Guam, and such funds
5 shall remain available until expended: *Provided*, That such
6 costs, including the cost of modifying such loans, shall be
7 as defined in section 502 of the Congressional Budget Act
8 of 1974: *Provided further*, That such loans or loan guaran-
9 tees may be made without regard to the population of the
10 area, credit elsewhere requirements, and restrictions on
11 the types of eligible entities under the Rural Electrifica-
12 tion Act of 1936 and section 306(a)(1) of the Consolidated
13 Farm and Rural Development Act: *Provided further*, That
14 any funds transferred to the Secretary of Agriculture shall
15 be in addition to funds otherwise made available to make
16 or guarantee loans under such authorities.

17 OFFICE OF THE SOLICITOR

18 SALARIES AND EXPENSES

19 For necessary expenses of the Office of the Solicitor,
20 \$64,939,000.

21 OFFICE OF INSPECTOR GENERAL

22 SALARIES AND EXPENSES

23 For necessary expenses of the Office of Inspector
24 General, \$48,493,000.

1 has been furnished with an accounting of such funds from
2 which the beneficiary can determine whether there has
3 been a loss: *Provided further*, That, notwithstanding any
4 other provision of law, the Secretary shall not be required
5 to provide a quarterly statement of performance for any
6 Indian trust account that has not had activity for at least
7 18 months and has a balance of \$15 or less: *Provided fur-*
8 *ther*, That the Secretary shall issue an annual account
9 statement and maintain a record of any such accounts and
10 shall permit the balance in each such account to be with-
11 drawn upon the express written request of the account
12 holder: *Provided further*, That not to exceed \$50,000 is
13 available for the Secretary to make payments to correct
14 administrative errors of either disbursements from or de-
15 posits to Individual Indian Money or Tribal accounts after
16 September 30, 2002: *Provided further*, That erroneous
17 payments that are recovered shall be credited to and re-
18 main available in this account for this purpose.

19 DEPARTMENT-WIDE PROGRAMS

20 WILDLAND FIRE MANAGEMENT

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses for fire preparedness, sup-
23 pression operations, fire science and research, emergency
24 rehabilitation, hazardous fuels reduction, and rural fire as-
25 sistance by the Department of the Interior, \$726,473,000,

1 to remain available until expended, of which not to exceed
2 \$6,127,000 shall be for the renovation or construction of
3 fire facilities: *Provided*, That such funds are also available
4 for repayment of advances to other appropriation accounts
5 from which funds were previously transferred for such
6 purposes: *Provided further*, That persons hired pursuant
7 to 43 U.S.C. 1469 may be furnished subsistence and lodg-
8 ing without cost from funds available from this appropria-
9 tion: *Provided further*, That, notwithstanding 42 U.S.C.
10 1856d, sums received by a bureau or office of the Depart-
11 ment of the Interior for fire protection rendered pursuant
12 to 42 U.S.C. 1856 et seq., protection of United States
13 property, may be credited to the appropriation from which
14 funds were expended to provide that protection, and are
15 available without fiscal year limitation: *Provided further*,
16 That, using the amounts designated under this title of this
17 Act, the Secretary of the Interior may enter into procure-
18 ment contracts, grants, or cooperative agreements, for
19 hazardous fuels reduction activities, and for training and
20 monitoring associated with such hazardous fuels reduction
21 activities, on Federal land, or on adjacent non-Federal
22 land for activities that benefit resources on Federal land:
23 *Provided further*, That the costs of implementing any co-
24 operative agreement between the Federal Government and
25 any non-Federal entity may be shared, as mutually agreed

1 on by the affected parties: *Provided further*, That, notwith-
2 standing requirements of the Competition in Contracting
3 Act, the Secretary, for purposes of hazardous fuels reduc-
4 tion activities, may obtain maximum practicable competi-
5 tion among: (1) local private, nonprofit, or cooperative en-
6 tities; (2) Youth Conservation Corps crews, Public Lands
7 Corps (Public Law 109–154), or related partnerships with
8 State, local, or nonprofit youth groups; (3) small or micro-
9 businesses; or (4) other entities that will hire or train lo-
10 cally a significant percentage, defined as 50 percent or
11 more, of the project workforce to complete such contracts:
12 *Provided further*, That, in implementing this section, the
13 Secretary shall develop written guidance to field units to
14 ensure accountability and consistent application of the au-
15 thorities provided herein: *Provided further*, That funds ap-
16 propriated under this heading may be used to reimburse
17 the United States Fish and Wildlife Service and the Na-
18 tional Marine Fisheries Service for the costs of carrying
19 out their responsibilities under the Endangered Species
20 Act of 1973 (16 U.S.C. 1531 et seq.) to consult and con-
21 ference, as required by section 7 of such Act, in connection
22 with wildland fire management activities: *Provided further*,
23 That the Secretary of the Interior may use wildland fire
24 appropriations to enter into leases of real property with
25 local governments, at or below fair market value, to con-

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

1 FLAME WILDFIRE SUPPRESSION RESERVE FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for large fire suppression op-
4 erations of the Department of the Interior and as a re-
5 serve fund for suppression and Federal emergency re-
6 sponse activities, \$92,000,000, to remain available until
7 expended: *Provided*, That such amounts are available only
8 for transfer to the “Wildland Fire Management” account
9 and only following a declaration by the Secretary that ei-
10 ther (1) a wildland fire suppression event meets certain
11 previously established risk-based written criteria for sig-
12 nificant complexity, severity, or threat posed by the fire
13 or (2) funds in the “Wildland Fire Management” account
14 will be exhausted within 30 days.

15 CENTRAL HAZARDOUS MATERIALS FUND

16 For necessary expenses of the Department of the In-
17 terior and any of its component offices and bureaus for
18 the response action, including associated activities, per-
19 formed pursuant to the Comprehensive Environmental Re-
20 sponse, Compensation, and Liability Act, as amended (42
21 U.S.C. 9601 et seq.), \$9,598,000, to remain available until
22 expended.

1 Representatives and Senate Committees on Appropria-
2 tions: *Provided further*, That the Secretary may assess
3 reasonable charges to State, local and tribal government
4 employees for training services provided by the National
5 Indian Program Training Center, other than training re-
6 lated to Public Law 93–638: *Provided further*, That the
7 Secretary may lease or otherwise provide space and related
8 facilities, equipment or professional services of the Na-
9 tional Indian Program Training Center to State, local and
10 tribal government employees or persons or organizations
11 engaged in cultural, educational, or recreational activities
12 (as defined in section 3306(a) of title 40, United States
13 Code) at the prevailing rate for similar space, facilities,
14 equipment, or services in the vicinity of the National In-
15 dian Program Training Center: *Provided further*, That all
16 funds received pursuant to the two preceding provisos
17 shall be credited to this account, shall be available until
18 expended, and shall be used by the Secretary for necessary
19 expenses of the National Indian Program Training Center:
20 *Provided further*, That the Secretary may enter into grants
21 and cooperative agreements to support the Office of Nat-
22 ural Resource Revenue’s collection and disbursement of
23 royalties, fees, and other mineral revenue proceeds, as au-
24 thorized by law.

1 ADMINISTRATIVE PROVISION

2 There are hereby authorized for acquisition from
3 available resources within the Working Capital Fund, air-
4 craft that may be obtained by donation, purchase or
5 through available excess surplus property: *Provided*, That
6 existing aircraft being replaced may be sold, with proceeds
7 derived or trade-in value used to offset the purchase price
8 for the replacement aircraft: *Provided further*, That the
9 Bell 206L-1 aircraft, serial number 45287, currently reg-
10 istered as N613, is to be retired from service and, notwith-
11 standing any other provision of law, the Department of
12 the Interior shall transfer the aircraft without reimburse-
13 ment to the National Law Enforcement Officers Memorial
14 Fund, for the purpose of providing a static display in the
15 National Law Enforcement Museum: *Provided further*,
16 That such aircraft shall revert back to the Department
17 of the Interior if said museum determines in the future
18 that the subject aircraft is no longer needed.

19 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

20 (INCLUDING TRANSFERS OF FUNDS)

21 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

22 SEC. 101. Appropriations made in this title shall be
23 available for expenditure or transfer (within each bureau
24 or office), with the approval of the Secretary, for the emer-
25 gency reconstruction, replacement, or repair of aircraft,

1 buildings, utilities, or other facilities or equipment dam-
2 aged or destroyed by fire, flood, storm, or other unavail-
3 able causes: *Provided*, That no funds shall be made avail-
4 able under this authority until funds specifically made
5 available to the Department of the Interior for emer-
6 gencies shall have been exhausted: *Provided further*, That
7 all funds used pursuant to this section must be replenished
8 by a supplemental appropriation which must be requested
9 as promptly as possible.

10 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

11 SEC. 102. The Secretary may authorize the expendi-
12 ture or transfer of any no year appropriation in this title,
13 in addition to the amounts included in the budget pro-
14 grams of the several agencies, for the suppression or emer-
15 gency prevention of wildland fires on or threatening lands
16 under the jurisdiction of the Department of the Interior;
17 for the emergency rehabilitation of burned-over lands
18 under its jurisdiction; for emergency actions related to po-
19 tential or actual earthquakes, floods, volcanoes, storms, or
20 other unavoidable causes; for contingency planning subse-
21 quent to actual oil spills; for response and natural resource
22 damage assessment activities related to actual oil spills or
23 releases of hazardous substances into the environment; for
24 the prevention, suppression, and control of actual or po-
25 tential grasshopper and Mormon cricket outbreaks on

1 lands under the jurisdiction of the Secretary, pursuant to
2 the authority in section 417(b) of Public Law 106–224
3 (7 U.S.C. 7717(b)); for emergency reclamation projects
4 under section 410 of Public Law 95–87; and shall trans-
5 fer, from any no year funds available to the Office of Sur-
6 face Mining Reclamation and Enforcement, such funds as
7 may be necessary to permit assumption of regulatory au-
8 thority in the event a primacy State is not carrying out
9 the regulatory provisions of the Surface Mining Act: *Pro-*
10 *vided*, That appropriations made in this title for wildland
11 fire operations shall be available for the payment of obliga-
12 tions incurred during the preceding fiscal year, and for
13 reimbursement to other Federal agencies for destruction
14 of vehicles, aircraft, or other equipment in connection with
15 their use for wildland fire operations, such reimbursement
16 to be credited to appropriations currently available at the
17 time of receipt thereof: *Provided further*, That, for
18 wildland fire operations, no funds shall be made available
19 under this authority until the Secretary determines that
20 funds appropriated for “wildland fire operations” and
21 “FLAME Wildfire Suppression Reserve Fund” shall be
22 exhausted within 30 days: *Provided further*, That all funds
23 used pursuant to this section must be replenished by a
24 supplemental appropriation which must be requested as
25 promptly as possible: *Provided further*, That such replen-

1 by the Department of Justice or by private insurance. In
2 no case shall the Secretary make payments under this sec-
3 tion that would result in payment of hourly fees in excess
4 of the highest hourly rate approved by the District Court
5 for the District of Columbia for counsel in Cobell v. Sala-
6 zar.

7 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

8 SEC. 107. Notwithstanding any other provision of
9 law, the Secretary of the Interior is authorized to acquire
10 lands, waters, or interests therein including the use of all
11 or part of any pier, dock, or landing within the State of
12 New York and the State of New Jersey, for the purpose
13 of operating and maintaining facilities in the support of
14 transportation and accommodation of visitors to Ellis,
15 Governors, and Liberty Islands, and of other program and
16 administrative activities, by donation or with appropriated
17 funds, including franchise fees (and other monetary con-
18 sideration), or by exchange; and the Secretary is author-
19 ized to negotiate and enter into leases, subleases, conces-
20 sion contracts or other agreements for the use of such fa-
21 cilities on such terms and conditions as the Secretary may
22 determine reasonable.

23 OUTER CONTINENTAL SHELF INSPECTION FEES

24 SEC. 108. (a) In fiscal year 2013, the Secretary shall
25 collect a nonrefundable inspection fee, which shall be de-

1 posited in the “Offshore Safety and Environmental En-
2 forcement” account, from the designated operator for fa-
3 cilities subject to inspection under 43 U.S.C. 1348(c).

4 (b) Annual fees shall be collected for facilities that
5 are above the waterline, excluding drilling rigs, and are
6 in place at the start of the fiscal year. Fees for fiscal year
7 2013 shall be—

8 (1) \$10,500 for facilities with no wells, but with
9 processing equipment or gathering lines;

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

12 (3) \$31,500 for facilities with more than 10
13 wells, with any combination of active or inactive
14 wells.

15 (c) Fees for drilling rigs shall be assessed for all in-
16 spections completed in fiscal year 2013. Fees for fiscal
17 year 2013 shall be—

18 (1) \$30,500 per inspection for rigs operating in
19 water depths of 500 feet or more; and

20 (2) \$16,700 per inspection for rigs operating in
21 water depths of less than 500 feet.

22 (d) The Secretary shall bill designated operators
23 under subsection (b) within 60 days, with payment re-
24 quired within 30 days of billing. The Secretary shall bill
25 designated operators under subsection (c) within 30 days

1 of the end of the month in which the inspection occurred,
2 with payment required within 30 days of billing.

3 OIL AND GAS LEASING INTERNET PROGRAM

4 SEC. 109. Notwithstanding section 17(b)(1)(A) of the
5 Mineral Leasing Act (30 U.S.C. 226(b)(1)(A)), the Sec-
6 retary of the Interior shall have the authority to imple-
7 ment an oil and gas leasing Internet program, under
8 which the Secretary may conduct lease sales through
9 methods other than oral bidding.

10 BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION
11 AND ENFORCEMENT REORGANIZATION

12 SEC. 110. The Secretary of the Interior, in order to
13 implement a reorganization of the Bureau of Ocean En-
14 ergy Management, Regulation and Enforcement, may
15 transfer funds among and between the successor offices
16 and bureaus affected by the reorganization only in con-
17 formance with the reprogramming guidelines contained in
18 the joint statement of the managers accompanying divi-
19 sion E of Public Law 112–74.

20 AUTHORIZED USE OF INDIAN EDUCATION FUNDS

21 SEC. 111. Beginning July 1, 2008, any funds (includ-
22 ing investments and interest earned, except for construc-
23 tion funds) held by a Public Law 100–297 grant or a Pub-
24 lic Law 93–638 contract school shall, upon retrocession
25 to or re-assumption by the Bureau of Indian Education,

1 (b) Hereafter, no funds appropriated or otherwise
2 made available to the Department of the Interior may be
3 used, in relation to any proposal to export groundwater,
4 for approval of any right-of-way or similar authorization
5 on the Mojave National Preserve or lands managed by the
6 Needles Field Office of the Bureau of Land Management,
7 or for carrying out any activities associated with such
8 right-of-way or similar approval.

9 REPUBLIC OF PALAU

10 SEC. 114. (a) IN GENERAL.—Subject to subsection
11 (c), the United States Government, through the Secretary
12 of the Interior shall provide to the Government of Palau
13 for fiscal year 2013 grants in amounts equal to the annual
14 amounts specified in subsections (a), (c), and (d) of sec-
15 tion 211 of the Compact of Free Association between the
16 Government of the United States of America and the Gov-
17 ernment of Palau (48 U.S.C. 1931 note) (referred to in
18 this section as the “Compact”).

19 (b) PROGRAMMATIC ASSISTANCE.—Subject to sub-
20 section (c), the United States shall provide programmatic
21 assistance to the Republic of Palau for fiscal year 2013
22 in amounts equal to the amounts provided in subsections
23 (a) and (b)(1) of section 221 of the Compact.

24 (c) LIMITATIONS ON ASSISTANCE.—

1 (1) IN GENERAL.—The grants and pro-
2 grammatic assistance provided under subsections (a)
3 and (b) shall be provided to the same extent and in
4 the same manner as the grants and assistance were
5 provided in fiscal year 2009.

6 (2) TRUST FUND.—If the Government of Palau
7 withdraws more than \$5,000,000 from the trust
8 fund established under section 211(f) of the Com-
9 pact, amounts to be provided under subsections (a)
10 and (b) shall be withheld from the Government of
11 Palau.

12 ONSHORE OIL AND GAS INSPECTION FEES

13 SEC. 115. (a) In fiscal year 2013, the Bureau of
14 Land Management (BLM) shall collect a non-refundable
15 inspection fee, which shall be deposited in the “Manage-
16 ment of Lands and Resources” account, from the des-
17 ignated operator of each Federal and Indian lease or
18 agreement subject to inspection under 30 U.S.C. 1718(b)
19 that is in place at the start of fiscal year 2013.

20 (b) Fees for 2013 shall be—

21 (1) \$700 for each lease or agreement with no
22 active or inactive wells, but with surface use, dis-
23 turbance or reclamation;

1 (2) \$1,450 for each lease or agreement with 1
2 to 10 wells, with any combination of active or inac-
3 tive wells;

4 (3) \$3,500 for each lease or agreement with 11
5 to 50 wells, with any combination of active or inac-
6 tive wells; and

7 (4) \$6,800 for each lease or agreement with
8 more than 50 wells, with any combination of active
9 or inactive wells.

10 (c) BLM will bill designated operators within 60 days
11 of enactment of this Act, with payment required within
12 30 days of billing.

13 OUTER CONTINENTAL SHELF LEASING REVIEW PERIOD

14 SEC. 116. Section 11 of the Outer Continental Shelf
15 Lands Act (43 U.S.C. 1340) is amended in subsection
16 (c)(1) in the fourth sentence by deleting “within thirty
17 days of its submission” and inserting in lieu thereof “with-
18 in ninety days of its submission”.

19 LIVESTOCK GRAZING ADMINISTRATION

20 SEC. 117. In fiscal years 2013–2016, beginning on
21 March, 1, 2013, and only to the extent and in the amount
22 provided in advance in appropriations Acts, the Secretary
23 of the Interior shall collect an administrative fee to offset
24 the increased cost of administering the livestock grazing
25 program on public lands managed by the Bureau of Land

1 Management by charging \$1.00 per Animal Unit Month,
2 which shall be billed, collected, and subject to the penalties
3 using the same process as the annual grazing fee in 43
4 CFR 4130.8–1. Penalties assessed shall be deposited in
5 the General Fund of the Treasury. Nothing in this provi-
6 sion affects the calculation, collection, distribution, or use
7 of the grazing fee under 43 U.S.C. 315–315rr, 43 U.S.C.
8 1751(b), 43 U.S.C. 1905, Executive Order 12548, or ad-
9 ministrative regulation.

10 MINING CLAIM FEE TECHNICAL CORRECTION

11 SEC. 118. Section 10101 of the Omnibus Budget
12 Reconciliation Act of 1993 (30 U.S.C. 28f), as amended,
13 is further amended—

14 (1) in subsection (a)(1), in the first sentence,
15 by inserting after “United States” the following: “,
16 whether located before,”; and

17 (2) in subsection (a)(2)—

18 (A) by inserting after “United States” the
19 following: “, whether”; and

20 (B) by striking the comma after the first
21 “on”.

22 CIVIL PENALTIES

23 SEC. 119. Section 206 of the Federal Oil and Gas
24 Royalty Management Act of 1982, Public Law 97–451 (30
25 U.S.C. 1736), as amended, is hereby amended by striking

1 the second sentence, and inserting in lieu thereof “Any
2 payments under this section shall be reduced by an
3 amount equal to any payments provided or due to such
4 State or Indian tribe under the cooperative agreement or
5 delegation, as applicable, during the fiscal year in which
6 the civil penalty is received, up to the total amount pro-
7 vided or due for that fiscal year.”.

8 EXTENSION OF AUTHORIZATIONS

9 SEC. 120. (a) Division II of Public Law 104–333 is
10 amended by striking “2012” each place it appears in sec-
11 tions 107, 208, 310, 408, 507, 607, 707, 811, and 910
12 and inserting “2016”.

13 (b) Section 108 of Public Law 106–278 is amended
14 by striking “2012” and inserting “2016”.

15 (c) Section 12 of Public Law 100–692 is amended—

16 (1) in subsection (c)(1), by striking “2012” and
17 inserting “2016”; and

18 (2) by striking subsection (d).

19 (d) Section 7 of Public Law 99–647 is amended by
20 striking “6 years” and inserting “10 years”.

21 SUNRISE MOUNTAIN INSTANT STUDY AREA RELEASE

22 SEC. 121. (a) FINDING.—Congress finds that, for the
23 purposes of section 603 of the Federal Land Policy and
24 Management Act of 1976 (43 U.S.C. 1782), the public
25 land in Clark County, Nevada, administered by the Bu-

1 reau of Land Management in the Sunrise Mountain In-
2 stant Study Area has been adequately studied for wilder-
3 ness designation.

4 (b) RELEASE.—Any public land described in sub-
5 section (a) that is not designated as wilderness—

6 (1) is no longer subject to section 603(c) of the
7 Federal Land Policy and Management Act of 1976
8 (43 U.S.C. 1782(c)); and

9 (2) shall be managed in accordance with land
10 management plans adopted under section 202 of
11 that Act (43 U.S.C. 1712).

12 (c) POST RELEASE GUIDANCE.—In granting any ad-
13 ditional right-of-way for high-voltage transmission facili-
14 ties to be constructed in the area released under sub-
15 section (b), the Secretary of the Interior shall seek to
16 maximize the capability of the right-of-way to accommo-
17 date multiple applicants, including by requiring parties
18 consolidate or co-locate compatible projects, to the extent
19 practicable, through partnerships, joint ownership, or
20 other means, as determined by the Secretary of the Inte-
21 rior.

1 TITLE II
2 ENVIRONMENTAL PROTECTION AGENCY
3 SCIENCE AND TECHNOLOGY

4 For science and technology, including research and
5 development activities, which shall include research and
6 development activities under the Comprehensive Environ-
7 mental Response, Compensation, and Liability Act of
8 1980, as amended; necessary expenses for personnel and
9 related costs and travel expenses; procurement of labora-
10 tory equipment and supplies; and other operating expenses
11 in support of research and development, \$798,769,000, to
12 remain available until September 30, 2014.

13 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

14 For environmental programs and management, in-
15 cluding necessary expenses, not otherwise provided for, for
16 personnel and related costs and travel expenses; hire of
17 passenger motor vehicles; hire, maintenance, and oper-
18 ation of aircraft; purchase of reprints; library member-
19 ships in societies or associations which issue publications
20 to members only or at a price to members lower than to
21 subscribers who are not members; administrative costs of
22 the brownfields program under the Small Business Liabil-
23 ity Relief and Brownfields Revitalization Act of 2002; and
24 not to exceed \$9,000 for official reception and representa-
25 tion expenses, \$2,768,613,000, to remain available until

1 September 30, 2014: *Provided*, That, of the funds in-
2 cluded under this heading, not less than \$409,314,000
3 shall be for Geographic Programs.

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended, \$42,225,000, to remain
8 available until September 30, 2014.

9 BUILDINGS AND FACILITIES

10 For construction, repair, improvement, extension, al-
11 teration, and purchase of fixed equipment or facilities of,
12 or for use by, the Environmental Protection Agency,
13 \$37,364,000, to remain available until expended.

14 HAZARDOUS SUBSTANCE SUPERFUND

15 (INCLUDING TRANSFERS OF FUNDS)

16 For necessary expenses to carry out the Comprehen-
17 sive Environmental Response, Compensation, and Liabil-
18 ity Act of 1980 (CERCLA), as amended, including sec-
19 tions 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C.
20 9611) \$1,126,570,000, to remain available until expended,
21 consisting of such sums as are available in the Trust Fund
22 on September 30, 2012, as authorized by section 517(a)
23 of the Superfund Amendments and Reauthorization Act
24 of 1986 (SARA) and up to \$1,126,570,000 as a payment
25 from general revenues to the Hazardous Substance Super-

1 fund for purposes as authorized by section 517(b) of
2 SARA, as amended: *Provided*, That funds appropriated
3 under this heading may be allocated to other Federal
4 agencies in accordance with section 111(a) of CERCLA:
5 *Provided further*, That of the funds appropriated under
6 this heading, \$9,726,000 shall be paid to the “Office of
7 Inspector General” appropriation to remain available until
8 September 30, 2014, and \$23,055,000 shall be paid to the
9 “Science and Technology” appropriation to remain avail-
10 able until September 30, 2014.

11 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
12 PROGRAM

13 For necessary expenses to carry out leaking under-
14 ground storage tank cleanup activities authorized by sub-
15 title I of the Solid Waste Disposal Act, as amended,
16 \$101,690,000, to remain available until expended, of
17 which \$71,241,000 shall be for carrying out leaking un-
18 derground storage tank cleanup activities authorized by
19 section 9003(h) of the Solid Waste Disposal Act, as
20 amended; \$30,449,000 shall be for carrying out the other
21 provisions of the Solid Waste Disposal Act specified in sec-
22 tion 9508(e) of the Internal Revenue Code, as amended:
23 *Provided*, That the Administrator is authorized to use ap-
24 propriations made available under this heading to imple-
25 ment section 9013 of the Solid Waste Disposal Act to pro-

1 vide financial assistance to federally recognized Indian
2 tribes for the development and implementation of pro-
3 grams to manage underground storage tanks.

4 INLAND OIL SPILL PROGRAMS

5 For expenses necessary to carry out the Environ-
6 mental Protection Agency's responsibilities under the Oil
7 Pollution Act of 1990, \$19,650,000, to be derived from
8 the Oil Spill Liability trust fund, to remain available until
9 expended.

10 STATE AND TRIBAL ASSISTANCE GRANTS

11 For environmental programs and infrastructure as-
12 sistance, including capitalization grants for State revolv-
13 ing funds and performance partnership grants,
14 \$3,626,951,000, to remain available until expended, of
15 which \$1,466,456,000 shall be for making capitalization
16 grants for the Clean Water State Revolving Funds under
17 title VI of the Federal Water Pollution Control Act, as
18 amended (the "Act"); of which \$917,892,000 shall be for
19 making capitalization grants for the Drinking Water State
20 Revolving Funds under section 1452 of the Safe Drinking
21 Water Act, as amended: *Provided*, That, for fiscal year
22 2013, to the extent there are sufficient eligible project ap-
23 plications, not less than 20 percent of the funds made
24 available under this title to each State for Clean Water
25 State Revolving Fund capitalization grants and not less

1 than 10 percent of the funds made available under this
2 title to each State for Drinking Water State Revolving
3 Fund capitalization grants shall be used by the State for
4 projects to address green infrastructure, water or energy
5 efficiency improvements, or other environmentally innova-
6 tive activities; \$10,000,000 shall be for architectural, engi-
7 neering, planning, design, construction and related activi-
8 ties in connection with the construction of high priority
9 water and wastewater facilities in the area of the United
10 States-Mexico Border, after consultation with the appro-
11 priate border commission; \$10,000,000 shall be for grants
12 to the State of Alaska to address drinking water and
13 wastewater infrastructure needs of rural and Alaska Na-
14 tive Villages: *Provided further*, That, of these funds: (1)
15 the State of Alaska shall provide a match of 25 percent;
16 (2) no more than 5 percent of the funds may be used for
17 administrative and overhead expenses; and (3) the State
18 of Alaska shall make awards consistent with the State-
19 wide priority list established in conjunction with the Agen-
20 cy and the U.S. Department of Agriculture for all water,
21 sewer, waste disposal, and similar projects carried out by
22 the State of Alaska that are funded under section 221 of
23 the Federal Water Pollution Control Act (33 U.S.C. 1301)
24 or the Consolidated Farm and Rural Development Act (7
25 U.S.C. 1921 et seq.) which shall allocate not less than 25

1 percent of the funds provided for projects in regional hub
2 communities; \$94,848,000 shall be to carry out section
3 104(k) of the Comprehensive Environmental Response,
4 Compensation, and Liability Act of 1980 (CERCLA), as
5 amended, including grants, interagency agreements, and
6 associated program support costs; \$20,000,000 shall be
7 for grants under title VII, subtitle G of the Energy Policy
8 Act of 2005, as amended; \$15,000,000 shall be for com-
9 petitive targeted wastewater and drinking water infra-
10 structure grants; and \$1,092,755,000 shall be for grants,
11 including associated program support costs, to States, fed-
12 erally recognized tribes, interstate agencies, tribal con-
13 sortia, and air pollution control agencies for multi-media
14 or single media pollution prevention, control and abate-
15 ment and related activities, including activities pursuant
16 to the provisions set forth under this heading in Public
17 Law 104–134, and for making grants under section 103
18 of the Clean Air Act for particulate matter monitoring and
19 data collection activities subject to terms and conditions
20 specified by the Administrator, of which \$49,317,000 shall
21 be for carrying out section 128 of CERCLA, as amended,
22 \$9,964,000 shall be for Environmental Information Ex-
23 change Network grants, including associated program
24 support costs, \$18,433,000 of the funds available for
25 grants under section 106 of the Act shall be for State par-

1 ticipation in national- and State-level statistical surveys
2 of water resources and enhancements to State monitoring
3 programs, and, in addition to funds appropriated under
4 the heading “Leaking Underground Storage Tank Trust
5 Fund Program” to carry out the provisions of the Solid
6 Waste Disposal Act specified in section 9508(c) of the In-
7 ternal Revenue Code other than section 9003(h) of the
8 Solid Waste Disposal Act, as amended, \$1,490,000 shall
9 be for grants to States under section 2007(f)(2) of the
10 Solid Waste Disposal Act, as amended: *Provided further,*
11 That, notwithstanding section 603(d)(7) of the Federal
12 Water Pollution Control Act, the limitation on the
13 amounts in a State water pollution control revolving fund
14 that may be used by a State to administer the fund shall
15 not apply to amounts included as principal in loans made
16 by such fund in fiscal year 2013 and prior years where
17 such amounts represent costs of administering the fund
18 to the extent that such amounts are or were deemed rea-
19 sonable by the Administrator, accounted for separately
20 from other assets in the fund, and used for eligible pur-
21 poses of the fund, including administration: *Provided fur-*
22 *ther,* That, for fiscal year 2013, and notwithstanding sec-
23 tion 518(f) of the Act, the Administrator is authorized to
24 use the amounts appropriated for any fiscal year under
25 section 319 of that Act to make grants to federally recog-

1 nized Indian tribes pursuant to sections 319(h) and
2 518(e) of that Act: *Provided further*, That, for fiscal year
3 2013, notwithstanding the limitation on amounts in sec-
4 tion 518(e) of the Federal Water Pollution Control Act
5 and section 1452(i) of the Safe Drinking Water Act, up
6 to a total of 2 percent of the funds appropriated for State
7 Revolving Funds under such Acts may be reserved by the
8 Administrator for grants under section 518(c) and section
9 1452(i) of such Acts: *Provided further*, That, for fiscal
10 year 2013, notwithstanding the amounts specified in sec-
11 tion 205(c) of the Federal Water Pollution Control Act,
12 up to 1.5 percent of the aggregate funds appropriated for
13 the Clean Water State Revolving Fund program under the
14 Act less any sums reserved under section 518(c) of the
15 Act, may be reserved by the Administrator for grants
16 made under title II of the Clean Water Act for American
17 Samoa, Guam, the Commonwealth of the Northern Mari-
18 anas, and United States Virgin Islands: *Provided further*,
19 That, for fiscal year 2013, notwithstanding the limitations
20 on amounts specified in section 1452(j) of the Safe Drink-
21 ing Water Act, up to 1.5 percent of the funds appropriated
22 for the Drinking Water State Revolving Fund programs
23 under the Safe Drinking Water Act may be reserved by
24 the Administrator for grants made under section 1452(j)
25 of the Safe Drinking Water Act: *Provided further*, That

1 not more than 30 percent of the funds made available
2 under this title to each State for Clean Water State Re-
3 volving Fund capitalization grants and not more than 30
4 percent of the funds made available under this title to each
5 State for Drinking Water State Revolving Fund capital-
6 ization grants shall be used by the State to provide addi-
7 tional subsidy to eligible recipients in the form of forgive-
8 ness of principal, negative interest loans, or grants (or any
9 combination of these), and shall be so used by the State
10 only where such funds are provided as initial financing for
11 an eligible recipient or to buy, refinance, or restructure
12 the debt obligations of eligible recipients only where such
13 debt was incurred on or after the date of enactment of
14 this Act, except that for the Clean Water State Revolving
15 Fund capitalization grant appropriation this section shall
16 only apply to the portion that exceeds \$1,000,000,000:
17 *Provided further,* That no funds provided by this appro-
18 priations Act to address the water, wastewater and other
19 critical infrastructure needs of the colonias in the United
20 States along the United States-Mexico border shall be
21 made available to a county or municipal government un-
22 less that government has established an enforceable local
23 ordinance, or other zoning rule, which prevents in that ju-
24 risdiction the development or construction of any addi-
25 tional colonia areas, or the development within an existing

1 colonia the construction of any new home, business, or
2 other structure which lacks water, wastewater, or other
3 necessary infrastructure.

4 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL
5 PROTECTION AGENCY
6 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

7 For fiscal year 2013, notwithstanding 31 U.S.C.
8 6303(1) and 6305(1), the Administrator of the Environ-
9 mental Protection Agency, in carrying out the Agency's
10 function to implement directly Federal environmental pro-
11 grams required or authorized by law in the absence of an
12 acceptable tribal program, may award cooperative agree-
13 ments to federally recognized Indian tribes or Intertribal
14 consortia, if authorized by their member tribes, to assist
15 the Administrator in implementing Federal environmental
16 programs for Indian tribes required or authorized by law,
17 except that no such cooperative agreements may be award-
18 ed from funds designated for State financial assistance
19 agreements.

20 The Administrator of the Environmental Protection
21 Agency is authorized to collect and obligate pesticide reg-
22 istration service fees in accordance with section 33 of the
23 Federal Insecticide, Fungicide, and Rodenticide Act, as
24 amended by Public Law 110-94, the Pesticide Registra-
25 tion Improvement Renewal Act.

1 The Administrator is authorized to transfer up to
2 \$300,000,000 of the funds appropriated for the Great
3 Lakes Restoration Initiative under the heading “Environ-
4 mental Programs and Management” to the head of any
5 Federal department or agency, with the concurrence of
6 such head, to carry out activities that would support the
7 Great Lakes Restoration Initiative and Great Lakes
8 Water Quality Agreement programs, projects, or activities;
9 to enter into an interagency agreement with the head of
10 such Federal department or agency to carry out these ac-
11 tivities; and to make grants to governmental entities, non-
12 profit organizations, institutions, and individuals for plan-
13 ning, research, monitoring, outreach, and implementation
14 in furtherance of the Great Lakes Restoration Initiative
15 and the Great Lakes Water Quality Agreement.

16 From unobligated balances available to the Adminis-
17 trator of the Environmental Protection Agency to carry
18 out projects and activities funded through the “State and
19 Tribal Assistance Grants” account, \$6,000,000 are per-
20 manently rescinded: *Provided*, That no amounts may be
21 rescinded from amounts that were designated by the Con-
22 gress as an emergency requirement pursuant to the Con-
23 current Resolution on the Budget or the Balanced Budget
24 and Emergency Deficit Control Act of 1985, as amended.

1 The Science and Technology, Environmental Pro-
2 grams and Management, Office of Inspector General, Haz-
3 ardous Substance Superfund, and Leaking Underground
4 Storage Tank Trust Fund Program Accounts, are avail-
5 able for the construction, alteration, repair, rehabilitation,
6 and renovation of facilities provided that the cost does not
7 exceed \$150,000 per project.

8 The fourth paragraph under the heading “ADMINIS-
9 TRATIVE PROVISIONS” of title II of Public Law 109–54,
10 as amended by the fifth paragraph under such heading
11 of title II of division E of Public Law 111–8 and the third
12 paragraph under such heading of the title II of Public Law
13 111–88, is further amended by striking “up to thirty per-
14 sons at any one time” and inserting “persons”.

15 Notwithstanding section 104 of the Comprehensive
16 Environmental Response, Compensation, and Liability Act
17 (42 U.S.C. 9604), the Administrator may authorize the
18 expenditure or transfer of up to \$10,000,000 from any
19 appropriation in this title, in addition to the amounts in-
20 cluded in the “Inland Oil Spill Programs” account, for
21 removal activities related to actual oil spills 5 days after
22 notifying the House and Senate Committees on Appropria-
23 tions of the intention to expend or transfer such funds:
24 *Provided*, That no funds shall be expended or transferred
25 under this authority until the Administrator determines

1 that amounts made available for expenditure in the “In-
2 land Oil Spill Programs” account will be exhausted within
3 30 days: *Provided further*, That such funds shall be replen-
4 ished to the appropriation that was the source of the ex-
5 penditure or transfer, following EPA’s receipt of reim-
6 bursement from the Oil Spill Liability Trust Fund pursu-
7 ant to the Oil Pollution Act of 1990.

8 TITLE III

9 RELATED AGENCIES

10 DEPARTMENT OF AGRICULTURE

11 FOREST SERVICE

12 FOREST AND RANGELAND RESEARCH

13 For necessary expenses of forest and rangeland re-
14 search as authorized by law, \$297,836,000, to remain
15 available until expended: *Provided*, That, of the funds pro-
16 vided, \$66,805,000 is for the forest inventory and analysis
17 program.

18 STATE AND PRIVATE FORESTRY

19 For necessary expenses of cooperating with and pro-
20 viding technical and financial assistance to States, terri-
21 tories, possessions, and others, and for forest health man-
22 agement, including treatments of pests, pathogens, and
23 invasive or noxious plants and for restoring and rehabili-
24 tating forests damaged by pests or invasive plants, cooper-
25 ative forestry, and education and land conservation activi-

1 ties and conducting an international program as author-
2 ized, \$259,722,000, to remain available until expended, as
3 authorized by law; of which \$60,000,000 is to be derived
4 from the Land and Water Conservation Fund.

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 \$1,478,486,000, to remain available until expended, and
10 in addition, \$5,000,000 is for the processing of grazing
11 permits and leases, to remain available until expended, to
12 be reduced by amounts collected by the Forest Service and
13 credited to this appropriation, which shall be derived by
14 a \$1.00 per head month administrative fee, as provided
15 for in this Act: *Provided*, That of the funds provided,
16 \$40,000,000 shall be deposited in the Collaborative Forest
17 Landscape Restoration Fund for ecological restoration
18 treatments as authorized by 16 U.S.C. 7303(f): *Provided*
19 *further*, That funds provided under this heading may be
20 used for necessary expenses of the Forest Service to man-
21 age Federal lands in Alaska for subsistence uses under
22 title VIII of the Alaska National Interest Lands Conserva-
23 tion Act (Public Law 96–487): *Provided further*, That,
24 through fiscal year 2016, the Secretary may authorize the
25 expenditure or transfer of up to \$10,000,000 to the De-

1 partment of the Interior, Bureau of Land Management,
2 for removal, preparation, and adoption of excess wild
3 horses and burros from National Forest System lands,
4 and for the performance of cadastral surveys to designate
5 the boundaries of such lands: *Provided further*, That, of
6 the funds provided, up to \$112,076,000 is for the Inte-
7 grated Resource Restoration pilot program for Region 1,
8 Region 3, and Region 4.

9 CAPITAL IMPROVEMENT AND MAINTENANCE

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses of the Forest Service, not
12 otherwise provided for, \$371,949,000, to remain available
13 until expended, for construction, capital improvement,
14 maintenance and acquisition of buildings and other facili-
15 ties and infrastructure; and for construction, reconstruc-
16 tion, decommissioning (including decommissioning unau-
17 thorized roads not part of the transportation system), and
18 maintenance of forest roads and trails by the Forest Serv-
19 ice as authorized by 16 U.S.C. 532–538 and 23 U.S.C.
20 101 and 205: *Provided*, That \$45,000,000 shall be des-
21 ignated for urgently needed road decommissioning, road
22 and trail repair and maintenance and associated activities,
23 and removal of fish passage barriers, especially in areas
24 where Forest Service roads may be contributing to water
25 quality problems in streams and water bodies which sup-

1 port threatened, endangered, or sensitive species or com-
2 munity water sources: *Provided further*, That funds be-
3 coming available in fiscal year 2013 under the Act of
4 March 4, 1913 (16 U.S.C. 501) shall be transferred to
5 the General Fund of the Treasury and shall not be avail-
6 able for transfer or obligation for any other purpose unless
7 the funds are appropriated: *Provided further*, That, of the
8 funds provided for decommissioning of roads, up to
9 \$12,553,000 may be transferred to the “National Forest
10 System” to support the Integrated Resource Restoration
11 pilot program.

12 LAND ACQUISITION

13 For expenses necessary to carry out the provisions
14 of the Land and Water Conservation Fund Act of 1965,
15 as amended (16 U.S.C. 4601–4 through 11), including ad-
16 ministrative expenses, and for acquisition of land or
17 waters, or interest therein, in accordance with statutory
18 authority applicable to the Forest Service, \$51,384,000,
19 to be derived from the Land and Water Conservation
20 Fund and to remain available until expended.

21 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL

22 ACTS

23 For acquisition of lands within the exterior bound-
24 aries of the Cache, Uinta, and Wasatch National Forests,
25 Utah; the Toiyabe National Forest, Nevada; and the An-

1 ges, San Bernardino, Sequoia, and Cleveland National
2 Forests, California, as authorized by law, \$955,000, to be
3 derived from forest receipts.

4 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

5 For acquisition of lands, such sums, to be derived
6 from funds deposited by State, county, or municipal gov-
7 ernments, public school districts, or other public school au-
8 thorities, and for authorized expenditures from funds de-
9 posited by non-Federal parties pursuant to Land Sale and
10 Exchange Acts, pursuant to the Act of December 4, 1967,
11 as amended (16 U.S.C. 484a), to remain available until
12 expended (16 U.S.C. 460l-516-617a, 555a; Public Law
13 96-586; Public Law 76-589, 76-591; and Public Law
14 78-310).

15 RANGE BETTERMENT FUND

16 For necessary expenses of range rehabilitation, pro-
17 tection, and improvement, 50 percent of all moneys re-
18 ceived during the prior fiscal year, as fees for grazing do-
19 mestic livestock on lands in National Forests in the 16
20 Western States, pursuant to section 401(b)(1) of Public
21 Law 94-579, as amended, to remain available until ex-
22 pended, of which not to exceed 6 percent shall be available
23 for administrative expenses associated with on-the-ground
24 range rehabilitation, protection, and improvements.

1 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
2 RANGELAND RESEARCH

3 For expenses authorized by 16 U.S.C. 1643(b),
4 \$46,000, to remain available until expended, to be derived
5 from the fund established pursuant to the above Act.

6 WILDLAND FIRE MANAGEMENT
7 (INCLUDING TRANSFERS OF FUNDS)

8 For necessary expenses for forest fire presuppression
9 activities on National Forest System lands, for emergency
10 fire suppression on or adjacent to such lands or other
11 lands under fire protection agreement, hazardous fuels re-
12 duction on or adjacent to such lands, emergency rehabili-
13 tation of burned-over National Forest System lands and
14 water, and for State and volunteer fire assistance,
15 \$1,971,394,000, to remain available until expended: *Pro-*
16 *vided*, That such funds including unobligated balances
17 under this heading, are available for repayment of ad-
18 vances from other appropriations accounts previously
19 transferred for such purposes: *Provided further*, That such
20 funds shall be available to reimburse State and other co-
21 operating entities for services provided in response to wild-
22 fire and other emergencies or disasters to the extent such
23 reimbursements by the Forest Service for non-fire emer-
24 gencies are fully repaid by the responsible emergency man-
25 agement agency: *Provided further*, That, notwithstanding

1 any other provision of law, \$7,226,000 of funds appro-
2 priated under this appropriation shall be available for the
3 Forest Service in support of fire science research author-
4 ized by the Joint Fire Science Program, including all For-
5 est Service authorities for the use of funds, such as con-
6 tracts, grants, research joint venture agreements, and co-
7 operative agreements: *Provided further*, That all authori-
8 ties for the use of funds, including the use of contracts,
9 grants, and cooperative agreements, available to execute
10 the Forest and Rangeland Research appropriation, are
11 also available in the utilization of these funds for Fire
12 Science Research: *Provided further*, That funds provided
13 shall be available for emergency rehabilitation and restora-
14 tion, hazardous fuels reduction activities in the urban-
15 wildland interface, support to Federal emergency re-
16 sponse, and wildfire suppression activities of the Forest
17 Service: *Provided further*, That, of the funds provided,
18 \$241,600,000 is for hazardous fuels reduction activities,
19 \$20,634,000 is for research activities and to make com-
20 petitive research grants pursuant to the Forest and
21 Rangeland Renewable Resources Research Act, as amend-
22 ed (16 U.S.C. 1641 et seq.), \$72,688,000 is for State fire
23 assistance, and \$11,733,000 is for volunteer fire assist-
24 ance under section 10 of the Cooperative Forestry Assist-
25 ance Act of 1978 (16 U.S.C. 2106): *Provided further*, That

1 amounts in this paragraph may be transferred to the “Na-
2 tional Forest System” and “Forest and Rangeland Re-
3 search” accounts to fund forest and rangeland research,
4 the Joint Fire Science Program, vegetation and watershed
5 management, heritage site rehabilitation, and wildlife and
6 fish habitat management and restoration: *Provided fur-*
7 *ther*, That the costs of implementing any cooperative
8 agreement between the Federal Government and any non-
9 Federal entity may be shared, as mutually agreed on by
10 the affected parties: *Provided further*, That up to
11 \$15,000,000 of the funds provided herein may be used by
12 the Secretary of Agriculture to enter into procurement
13 contracts or cooperative agreements or to issue grants for
14 hazardous fuels reduction and for training or monitoring
15 associated with such hazardous fuels reduction activities
16 on Federal land or on non-Federal land if the Secretary
17 determines such activities implement a community wildfire
18 protection plan (or equivalent) and benefit resources on
19 Federal land: *Provided further*, That funds made available
20 to implement the Community Forest Restoration Act,
21 Public Law 106–393, title VI, shall be available for use
22 on non-Federal lands in accordance with authorities made
23 available to the Forest Service under the “State and Pri-
24 vate Forestry” appropriation: *Provided further*, That the
25 Secretary of the Interior and the Secretary of Agriculture

1 may authorize the transfer of funds appropriated for
2 wildland fire management, in an aggregate amount not to
3 exceed \$50,000,000, between the Departments when such
4 transfers would facilitate and expedite wildland fire man-
5 agement programs and projects: *Provided further*, That,
6 of the funds provided for hazardous fuels reduction, not
7 to exceed \$5,000,000 may be used to make grants, using
8 any authorities available to the Forest Service under the
9 “State and Private Forestry” appropriation, for the pur-
10 pose of creating incentives for increased use of biomass
11 from National Forest System lands: *Provided further*,
12 That funds designated for wildfire suppression, including
13 funds transferred from the “FLAME Wildfire Suppres-
14 sion Reserve Fund”, shall be assessed for cost pools on
15 the same basis as such assessments are calculated against
16 other agency programs: *Provided further*, That, of the
17 funds for hazardous fuels reduction, up to \$15,356,000
18 may be transferred to the “National Forest System” to
19 support the Integrated Resource Restoration pilot pro-
20 gram.

21 FLAME WILDFIRE SUPPRESSION RESERVE FUND

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses for large fire suppression op-
24 erations of the Department of Agriculture and as a reserve
25 fund for suppression and Federal emergency response ac-

1 tivities, \$315,000,000, to remain available until expended:
2 *Provided*, That such amounts are available only for trans-
3 fer to the “Wildland Fire Management” account and only
4 following a declaration by the Secretary that either: (1)
5 a wildland fire suppression event meets certain previously
6 established risk-based written criteria for significant com-
7 plexity, severity, or threat posed by the fire; or (2) funds
8 in the “Wildland Fire Management” account will be ex-
9 hausted within 30 days.

10 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

11 (INCLUDING TRANSFERS OF FUNDS)

12 Appropriations to the Forest Service for the current
13 fiscal year shall be available for: (1) purchase of passenger
14 motor vehicles; acquisition of passenger motor vehicles
15 from excess sources, and hire of such vehicles; purchase,
16 lease, operation, maintenance, and acquisition of aircraft
17 from excess sources to maintain the operable fleet for use
18 in Forest Service wildland fire programs and other Forest
19 Service programs; notwithstanding other provisions of law,
20 existing aircraft being replaced may be sold, with proceeds
21 derived or trade-in value used to offset the purchase price
22 for the replacement aircraft; (2) services pursuant to 7
23 U.S.C. 2225, and not to exceed \$100,000 for employment
24 under 5 U.S.C. 3109; (3) purchase, erection, and alter-
25 ation of buildings and other public improvements (7

1 U.S.C. 2250); (4) acquisition of land, waters, and inter-
2 ests therein pursuant to 7 U.S.C. 428a; (5) for expenses
3 pursuant to the Volunteers in the National Forest Act of
4 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost
5 of uniforms as authorized by 5 U.S.C. 5901–5902; and
6 (7) for debt collection contracts in accordance with 31
7 U.S.C. 3718(c).

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

21 Funds appropriated to the Forest Service shall be
22 available for assistance to or through the Agency for Inter-
23 national Development in connection with forest and range-
24 land research, technical information, and assistance in for-
25 eign countries, and shall be available to support forestry

1 and related natural resource activities outside the United
2 States and its territories and possessions, including tech-
3 nical assistance, education and training, and cooperation
4 with U.S., private, and international organizations. The
5 Forest Service, acting for the International Program, may
6 sign direct funding agreements with foreign governments
7 and institutions as well as other domestic agencies (includ-
8 ing the U.S. Agency for International Development, the
9 Department of State, and the Millennium Challenge Cor-
10 poration), U.S. private sector firms, institutions and orga-
11 nizations to provide technical assistance and training pro-
12 grams overseas on forestry and rangeland management.

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

20 None of the funds available to the Forest Service may
21 be reprogrammed without the advance approval of the
22 House and Senate Committees on Appropriations in ac-
23 cordance with the reprogramming procedures contained in
24 the joint explanatory statement of the managers accom-
25 panying division E of Public Law 112–74.

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

15 Of the funds available to the Forest Service up to
16 \$5,000,000 shall be available for priority projects within
17 the scope of the approved budget, which shall be carried
18 out by the Youth Conservation Corps and shall be carried
19 out under the authority of the Public Lands Corps Act
20 of 1993, Public Law 103-82, as amended by Public Lands
21 Corps Healthy Forests Restoration Act of 2005, Public
22 Law 109-154.

23 Of the funds available to the Forest Service, \$4,000
24 is available to the Chief of the Forest Service for official
25 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 on at least one-
14 for-one basis funds made available by the Forest Service:
15 *Provided further*, That the Foundation may transfer Fed-
16 eral funds to a Federal or a non-Federal recipient for a
17 project at the same rate that the recipient has obtained
18 the non-Federal matching funds: *Provided further*, That
19 authorized investments of Federal funds held by the Foun-
20 dation may be made only in interest-bearing obligations
21 of the United States or in obligations guaranteed as to
22 both principal and interest by the United States.

23 Pursuant to section 2(b)(2) of Public Law 98–244,
24 up to \$3,000,000 of the funds available to the Forest
25 Service may be advanced to the National Fish and Wildlife

1 Foundation in a lump sum to aid cost-share conservation
2 projects, without regard to when expenses are incurred,
3 on or benefitting National Forest System lands or related
4 to Forest Service programs: *Provided*, That such funds
5 shall be matched on at least a one-for-one basis by the
6 Foundation or its sub-recipients: *Provided further*, That
7 the Foundation may transfer Federal funds to a Federal
8 or non-Federal recipient for a project at the same rate
9 that the recipient has obtained the non-Federal matching
10 funds.

11 Funds appropriated to the Forest Service shall be
12 available for interactions with and providing technical as-
13 sistance to rural communities and natural resource-based
14 businesses for sustainable rural development purposes.

15 Funds appropriated to the Forest Service shall be
16 available for payments to counties within the Columbia
17 River Gorge National Scenic Area, pursuant to section
18 14(c)(1) and (2), and section 16(a)(2) of Public Law 99-
19 663.

20 Any funds appropriated to the Forest Service may
21 be used to meet the non-Federal share requirement in sec-
22 tion 502(c) of the Older American Act of 1965 (42 U.S.C.
23 3056(c)(2)).

24 Funds available to the Forest Service, not to exceed
25 \$55,000,000, shall be assessed for the purpose of per-

1 forming fire, administrative and other facilities mainte-
2 nance and decommissioning. Such assessments shall occur
3 using a square foot rate charged on the same basis the
4 agency uses to assess programs for payment of rent, utili-
5 ties, and other support services.

6 Notwithstanding any other provision of law, any ap-
7 propriations or funds available to the Forest Service not
8 to exceed \$500,000 may be used to reimburse the Office
9 of the General Counsel (OGC), Department of Agri-
10 culture, for travel and related expenses incurred as a re-
11 sult of OGC assistance or participation requested by the
12 Forest Service at meetings, training sessions, management
13 reviews, land purchase negotiations and similar nonlitiga-
14 tion-related matters. Future budget justifications for both
15 the Forest Service and the Department of Agriculture
16 should clearly display the sums previously transferred and
17 the requested funding transfers.

18 An eligible individual who is employed in any project
19 funded under title V of the Older American Act of 1965
20 (42 U.S.C. 3056 et seq.) and administered by the Forest
21 Service shall be considered to be a Federal employee for
22 purposes of chapter 171 of title 28, United States Code.

1 DEPARTMENT OF HEALTH AND HUMAN
2 SERVICES
3 INDIAN HEALTH SERVICE
4 INDIAN HEALTH SERVICES

5 For expenses necessary to carry out the Act of Au-
6 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
7 tion Act, the Indian Health Care Improvement Act, and
8 titles II and III of the Public Health Service Act with re-
9 spect to the Indian Health Service, \$3,948,625,000, to-
10 gether with payments received during the fiscal year pur-
11 suant to 42 U.S.C. 238(b) and 238b for services furnished
12 by the Indian Health Service: *Provided*, That funds made
13 available to tribes and tribal organizations through con-
14 tracts, grant agreements, or any other agreements or com-
15 pacts authorized by the Indian Self-Determination and
16 Education Assistance Act of 1975 (25 U.S.C. 450), shall
17 be deemed to be obligated at the time of the grant or con-
18 tract award and thereafter shall remain available to the
19 tribe or tribal organization without fiscal year limitation:
20 *Provided further*, That \$863,575,000 for contract medical
21 care, including \$51,500,000 for the Indian Catastrophic
22 Health Emergency Fund, shall remain available until ex-
23 pended: *Provided further*, That, of the funding provided
24 for information technology activities and, notwithstanding
25 any other provision of law, \$4,000,000 shall be allocated

1 at the discretion of the Director of the Indian Health Serv-
2 ice: *Provided further*, That, of the funds provided, up to
3 \$36,000,000 shall remain available until expended for im-
4 plementation of the loan repayment program under section
5 108 of the Indian Health Care Improvement Act: *Provided*
6 *further*, That the amounts collected by the Federal Gov-
7 ernment as authorized by sections 104 and 108 of the In-
8 dian Health Care Improvement Act (25 U.S.C. 1613a and
9 1616a) during the preceding fiscal year for breach of con-
10 tracts shall be deposited to the Fund authorized by section
11 108A of the Act (25 U.S.C. 1616a-1) and shall remain
12 available until expended and, notwithstanding section
13 108A(c) of the Act (25 U.S.C. 1616a-1(c)), funds shall
14 be available to make new awards under the loan repay-
15 ment and scholarship programs under sections 104 and
16 108 of the Act (25 U.S.C. 1613a and 1616a): *Provided*
17 *further*, That, notwithstanding any other provision of law,
18 the amounts made available within this account for the
19 methamphetamine and suicide prevention and treatment
20 initiative and for the domestic violence prevention initia-
21 tive shall be allocated at the discretion of the Director of
22 the Indian Health Service and shall remain available until
23 expended: *Provided further*, That funds provided in this
24 Act may be used for annual contracts and grants that fall
25 within 2 fiscal years, provided the total obligation is re-

1 corded in the year the funds are appropriated: *Provided*
2 *further*, That the amounts collected by the Secretary of
3 Health and Human Services under the authority of title
4 IV of the Indian Health Care Improvement Act shall re-
5 main available until expended for the purpose of achieving
6 compliance with the applicable conditions and require-
7 ments of titles XVIII and XIX of the Social Security Act,
8 except for those related to the planning, design, or con-
9 struction of new facilities: *Provided further*, That funding
10 contained herein for scholarship programs under the In-
11 dian Health Care Improvement Act (25 U.S.C. 1613)
12 shall remain available until expended: *Provided further*,
13 That amounts received by tribes and tribal organizations
14 under title IV of the Indian Health Care Improvement Act
15 shall be reported and accounted for and available to the
16 receiving tribes and tribal organizations until expended:
17 *Provided further*, That, notwithstanding any other provi-
18 sion of law, of the amounts provided herein, not to exceed
19 \$476,446,000 shall be for payments to tribes and tribal
20 organizations for contract or grant support costs associ-
21 ated with contracts, grants, self-governance compacts, or
22 annual funding agreements between the Indian Health
23 Service and a tribe or tribal organization pursuant to the
24 Indian Self-Determination Act of 1975, as amended, prior
25 to or during fiscal year 2013, of which not to exceed

1 such Acts and titles II and III of the Public Health Serv-
2 ice Act with respect to environmental health and facilities
3 support activities of the Indian Health Service,
4 \$443,864,000, to remain available until expended: *Pro-*
5 *vided*, That, notwithstanding any other provision of law,
6 funds appropriated for the planning, design, construction,
7 renovation or expansion of health facilities for the benefit
8 of an Indian tribe or tribes may be used to purchase land
9 on which such facilities will be located: *Provided further*,
10 That not to exceed \$500,000 shall be used by the Indian
11 Health Service to purchase TRANSAM equipment from
12 the Department of Defense for distribution to the Indian
13 Health Service and tribal facilities: *Provided further*, That
14 none of the funds appropriated to the Indian Health Serv-
15 ice may be used for sanitation facilities construction for
16 new homes funded with grants by the housing programs
17 of the United States Department of Housing and Urban
18 Development: *Provided further*, That not to exceed
19 \$2,700,000 from this account and the “Indian Health
20 Services” account shall be used by the Indian Health Serv-
21 ice to obtain ambulances for the Indian Health Service
22 and tribal facilities in conjunction with an existing inter-
23 agency agreement between the Indian Health Service and
24 the General Services Administration: *Provided further*,
25 That not to exceed \$500,000 shall be placed in a Demoli-

1 tion Fund, to remain available until expended, and be used
2 by the Indian Health Service for the demolition of Federal
3 buildings.

4 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

5 Appropriations provided in this Act to the Indian
6 Health Service shall be available for services as authorized
7 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
8 equivalent to the maximum rate payable for senior-level
9 positions under 5 U.S.C. 5376; hire of passenger motor
10 vehicles and aircraft; purchase of medical equipment; pur-
11 chase of reprints; purchase, renovation and erection of
12 modular buildings and renovation of existing facilities;
13 payments for telephone service in private residences in the
14 field, when authorized under regulations approved by the
15 Secretary; uniforms or allowances therefor as authorized
16 by 5 U.S.C. 5901–5902; and for expenses of attendance
17 at meetings that relate to the functions or activities of the
18 Indian Health Service: *Provided*, That, in accordance with
19 the provisions of the Indian Health Care Improvement
20 Act, non-Indian patients may be extended health care at
21 all tribally administered or Indian Health Service facili-
22 ties, subject to charges, and the proceeds along with funds
23 recovered under the Federal Medical Care Recovery Act
24 (42 U.S.C. 2651–2653) shall be credited to the account
25 of the facility providing the service and shall be available

1 without fiscal year limitation: *Provided further*, That, not-
2 withstanding any other law or regulation, funds trans-
3 ferred from the Department of Housing and Urban Devel-
4 opment to the Indian Health Service shall be administered
5 under Public Law 86–121, the Indian Sanitation Facilities
6 Act and Public Law 93–638, as amended: *Provided fur-*
7 *ther*, That funds appropriated to the Indian Health Serv-
8 ice in this Act, except those used for administrative and
9 program direction purposes, shall not be subject to limita-
10 tions directed at curtailing Federal travel and transpor-
11 tation: *Provided further*, That none of the funds made
12 available to the Indian Health Service in this Act shall
13 be used for any assessments or charges by the Department
14 of Health and Human Services unless identified in the
15 budget justification and provided in this Act, or approved
16 by the House and Senate Committees on Appropriations
17 through the reprogramming process: *Provided further*,
18 That, notwithstanding any other provision of law, funds
19 previously or herein made available to a tribe or tribal or-
20 ganization through a contract, grant, or agreement au-
21 thorized by title I or title V of the Indian Self-Determina-
22 tion and Education Assistance Act of 1975 (25 U.S.C.
23 450), may be deobligated and reobligated to a self-deter-
24 mination contract under title I, or a self-governance agree-
25 ment under title V of such Act and thereafter shall remain

1 available to the tribe or tribal organization without fiscal
2 year limitation: *Provided further*, That none of the funds
3 made available to the Indian Health Service in this Act
4 shall be used to implement the final rule published in the
5 Federal Register on September 16, 1987, by the Depart-
6 ment of Health and Human Services, relating to the eligi-
7 bility for the health care services of the Indian Health
8 Service until the Indian Health Service has submitted a
9 budget request reflecting the increased costs associated
10 with the proposed final rule, and such request has been
11 included in an appropriations Act and enacted into law:
12 *Provided further*, That, with respect to functions trans-
13 ferred by the Indian Health Service to tribes or tribal or-
14 ganizations, the Indian Health Service is authorized to
15 provide goods and services to those entities on a reimburs-
16 able basis, including payments in advance with subsequent
17 adjustment, and the reimbursements received therefrom,
18 along with the funds received from those entities pursuant
19 to the Indian Self-Determination Act, may be credited to
20 the same or subsequent appropriation account from which
21 the funds were originally derived, with such amounts to
22 remain available until expended: *Provided further*, That re-
23 imbursements for training, technical assistance, or serv-
24 ices provided by the Indian Health Service will contain
25 total costs, including direct, administrative, and overhead

1 associated with the provision of goods, services, or tech-
2 nical assistance: *Provided further*, That the appropriation
3 structure for the Indian Health Service may not be altered
4 without advance notification to the House and Senate
5 Committees on Appropriations.

6 NATIONAL INSTITUTES OF HEALTH

7 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

8 SCIENCES

9 For necessary expenses for the National Institute of
10 Environmental Health Sciences in carrying out activities
11 set forth in section 311(a) of the Comprehensive Environ-
12 mental Response, Compensation, and Liability Act of
13 1980, as amended, and section 126(g) of the Superfund
14 Amendments and Reauthorization Act of 1986,
15 \$78,928,000.

16 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

17 REGISTRY

18 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

19 HEALTH

20 For necessary expenses for the Agency for Toxic Sub-
21 stances and Disease Registry (ATSDR) in carrying out
22 activities set forth in sections 104(i) and 111(c)(4) of the
23 Comprehensive Environmental Response, Compensation,
24 and Liability Act of 1980 (CERCLA), as amended; section
25 118(f) of the Superfund Amendments and Reauthoriza-

1 tion Act of 1986 (SARA), as amended; and section 3019
2 of the Solid Waste Disposal Act, as amended,
3 \$76,300,000, of which up to \$1,000 per eligible employee
4 of the Agency for Toxic Substances and Disease Registry
5 shall remain available until expended for Individual Learn-
6 ing Accounts: *Provided*, That, notwithstanding any other
7 provision of law, in lieu of performing a health assessment
8 under section 104(i)(6) of CERCLA, the Administrator
9 of ATSDR may conduct other appropriate health studies,
10 evaluations, or activities, including, without limitation,
11 biomedical testing, clinical evaluations, medical moni-
12 toring, and referral to accredited healthcare providers:
13 *Provided further*, That, in performing any such health as-
14 sessment or health study, evaluation, or activity, the Ad-
15 ministrator of ATSDR shall not be bound by the deadlines
16 in section 104(i)(6)(A) of CERCLA: *Provided further*,
17 That none of the funds appropriated under this heading
18 shall be available for ATSDR to issue in excess of 40 toxi-
19 cological profiles pursuant to section 104(I) of CERCLA
20 during fiscal year 2013, and existing profiles may be up-
21 dated as necessary.

1 OTHER RELATED AGENCIES

2 EXECUTIVE OFFICE OF THE PRESIDENT

3 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF
4 ENVIRONMENTAL QUALITY

5 For necessary expenses to continue functions as-
6 signed to the Council on Environmental Quality and Office
7 of Environmental Quality pursuant to the National Envi-
8 ronmental Policy Act of 1969, the Environmental Quality
9 Improvement Act of 1970, and Reorganization Plan No.
10 1 of 1977, and not to exceed \$750 for official reception
11 and representation expenses, \$3,106,000: *Provided*, That,
12 notwithstanding section 202 of the National Environ-
13 mental Policy Act of 1970, the Council shall consist of
14 one member, appointed by the President, by and with the
15 advice and consent of the Senate, serving as chairman and
16 exercising all powers, functions, and duties of the Council.

17 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

18 SALARIES AND EXPENSES

19 For necessary expenses in carrying out activities pur-
20 suant to section 112(r)(6) of the Clean Air Act, as amend-
21 ed, including hire of passenger vehicles, uniforms or allow-
22 ances therefor, as authorized by 5 U.S.C. 5901–5902, and
23 for services authorized by 5 U.S.C. 3109 but at rates for
24 individuals not to exceed the per diem equivalent to the
25 maximum rate payable for senior level positions under 5

1 U.S.C. 5376, \$11,403,000: *Provided*, That the Chemical
2 Safety and Hazard Investigation Board (Board) shall have
3 not more than three career Senior Executive Service posi-
4 tions: *Provided further*, That, notwithstanding any other
5 provision of law, the individual appointed to the position
6 of Inspector General of the Environmental Protection
7 Agency (EPA) shall, by virtue of such appointment, also
8 hold the position of Inspector General of the Board: *Pro-*
9 *vided further*, That, notwithstanding any other provision
10 of law, the Inspector General of the Board shall utilize
11 personnel of the Office of Inspector General of EPA in
12 performing the duties of the Inspector General of the
13 Board, and shall not appoint any individuals to positions
14 within the Board.

15 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of Navajo and
18 Hopi Indian Relocation as authorized by Public Law 93-
19 531, \$7,962,000, to remain available until expended: *Pro-*
20 *vided*, That funds provided in this or any other appropria-
21 tions Act are to be used to relocate eligible individuals and
22 groups including evictees from District 6, Hopi-partitioned
23 lands residents, those in significantly substandard hous-
24 ing, and all others certified as eligible and not included
25 in the preceding categories: *Provided further*, That none

1 of the funds contained in this or any other Act may be
2 used by the Office of Navajo and Hopi Indian Relocation
3 to evict any single Navajo or Navajo family who, as of
4 November 30, 1985, was physically domiciled on the lands
5 partitioned to the Hopi Tribe unless a new or replacement
6 home is provided for such household: *Provided further*,
7 That no relocatee will be provided with more than one new
8 or replacement home: *Provided further*, That the Office
9 shall relocate any certified eligible relocatees who have se-
10 lected and received an approved homesite on the Navajo
11 reservation or selected a replacement residence off the
12 Navajo reservation or on the land acquired pursuant to
13 25 U.S.C. 640d-10.

14 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
15 CULTURE AND ARTS DEVELOPMENT

16 PAYMENT TO THE INSTITUTE

17 For payment to the Institute of American Indian and
18 Alaska Native Culture and Arts Development, as author-
19 ized by title XV of Public Law 99-498, as amended (20
20 U.S.C. 56 part A), \$8,808,000.

21 SMITHSONIAN INSTITUTION

22 SALARIES AND EXPENSES

23 For necessary expenses of the Smithsonian Institu-
24 tion, as authorized by law, including research in the fields
25 of art, science, and history; development, preservation, and

1 documentation of the National Collections; presentation of
2 public exhibits and performances; collection, preparation,
3 dissemination, and exchange of information and publica-
4 tions; conduct of education, training, and museum assist-
5 ance programs; maintenance, alteration, operation, lease
6 agreements of no more than 30 years, and protection of
7 buildings, facilities, and approaches; not to exceed
8 \$100,000 for services as authorized by 5 U.S.C. 3109; and
9 purchase, rental, repair, and cleaning of uniforms for em-
10 ployees, \$656,405,000, to remain available until Sep-
11 tember 30, 2014, except as otherwise provided herein; of
12 which not to exceed \$30,201,000 for the instrumentation
13 program, collections acquisition, exhibition reinstallation,
14 the National Museum of African American History and
15 Culture, and the repatriation of skeletal remains program
16 shall remain available until expended; and including such
17 funds as may be necessary to support American overseas
18 research centers: *Provided*, That funds appropriated here-
19 in are available for advance payments to independent con-
20 tractors performing research services or participating in
21 official Smithsonian presentations.

22 FACILITIES CAPITAL

23 For necessary expenses of repair, revitalization, and
24 alteration of facilities owned or occupied by the Smithso-
25 nian Institution, by contract or otherwise, as authorized

1 by section 2 of the Act of August 22, 1949 (20 U.S.C.
2 53a), and for construction, including necessary personnel,
3 \$186,500,000, to remain available until expended, of
4 which not to exceed \$10,000 is for services as authorized
5 by 5 U.S.C. 3109, and of which \$75,000,000 shall be to
6 continue construction of the National Museum of African
7 American History and Culture.

8 NATIONAL GALLERY OF ART

9 SALARIES AND EXPENSES

10 For the upkeep and operations of the National Gal-
11 lery of Art, the protection and care of the works of art
12 therein, and administrative expenses incident thereto, as
13 authorized by the Act of March 24, 1937 (20 U.S.C. 71
14 et seq.), as amended by the public resolution of April 13,
15 1939 (Public Resolution 9, Seventy-sixth Congress), in-
16 cluding services as authorized by 5 U.S.C. 3109; payment
17 in advance when authorized by the treasurer of the Gallery
18 for membership in library, museum, and art associations
19 or societies whose publications or services are available to
20 members only, or to members at a price lower than to the
21 general public; purchase, repair, and cleaning of uniforms
22 for guards, and uniforms, or allowances therefor, for other
23 employees as authorized by law (5 U.S.C. 5901–5902);
24 purchase or rental of devices and services for protecting
25 buildings and contents thereof, and maintenance, alter-

1 ation, improvement, and repair of buildings, approaches,
2 and grounds; and purchase of services for restoration and
3 repair of works of art for the National Gallery of Art by
4 contracts made, without advertising, with individuals,
5 firms, or organizations at such rates or prices and under
6 such terms and conditions as the Gallery may deem prop-
7 er, \$117,478,000, of which not to exceed \$3,518,000 for
8 the special exhibition program shall remain available until
9 expended.

10 REPAIR, RESTORATION, AND RENOVATION OF BUILDINGS

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

1 JOHN F. KENNEDY CENTER FOR THE PERFORMING
2 ARTS
3 OPERATIONS AND MAINTENANCE

4 For necessary expenses for the operation, mainte-
5 nance and security of the John F. Kennedy Center for
6 the Performing Arts, \$23,163,000.

7 CAPITAL REPAIR AND RESTORATION

8 For necessary expenses for capital repair and restora-
9 tion of the existing features of the building and site of
10 the John F. Kennedy Center for the Performing Arts,
11 \$13,628,000, to remain available until expended.

12 WOODROW WILSON INTERNATIONAL CENTER FOR
13 SCHOLARS

14 SALARIES AND EXPENSES

15 For expenses necessary in carrying out the provisions
16 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
17 1356) including hire of passenger vehicles and services as
18 authorized by 5 U.S.C. 3109, \$10,987,000, to remain
19 available until September 30, 2014.

20 NATIONAL FOUNDATION ON THE ARTS AND THE
21 HUMANITIES

22 NATIONAL ENDOWMENT FOR THE ARTS
23 GRANTS AND ADMINISTRATION

24 For necessary expenses to carry out the National
25 Foundation on the Arts and the Humanities Act of 1965,

1 \$154,255,000 shall be available to the National Endow-
2 ment for the Arts for the support of projects and produc-
3 tions in the arts, including arts education and public out-
4 reach activities, through assistance to organizations and
5 individuals pursuant to section 5 of the Act, for program
6 support, and for administering the functions of the Act,
7 to remain available until expended.

8 NATIONAL ENDOWMENT FOR THE HUMANITIES

9 GRANTS AND ADMINISTRATION

10 For necessary expenses to carry out the National
11 Foundation on the Arts and the Humanities Act of 1965,
12 \$154,255,000, to remain available until expended, of
13 which \$142,755,000 shall be available for support of ac-
14 tivities in the humanities, pursuant to section 7(c) of the
15 Act and for administering the functions of the Act; and
16 \$11,500,000 shall be available to carry out the matching
17 grants program pursuant to section 10(a)(2) of the Act
18 including \$8,750,000 for the purposes of section 7(h):
19 *Provided*, That appropriations for carrying out section
20 10(a)(2) shall be available for obligation only in such
21 amounts as may be equal to the total amounts of gifts,
22 bequests, and devises of money, and other property accept-
23 ed by the chairman or by grantees of the Endowment
24 under the provisions of subsections 11(a)(2)(B) and
25 11(a)(3)(B) during the current and preceding fiscal years

1 for which equal amounts have not previously been appro-
2 priated.

3 ADMINISTRATIVE PROVISIONS

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

21 COMMISSION OF FINE ARTS

22 SALARIES AND EXPENSES

23 For expenses of the Commission of Fine Arts under
24 Chapter 91 of title 40, United States Code, \$2,396,000:
25 *Provided*, That the Commission is authorized to charge

1 fees to cover the full costs of its publications, and such
2 fees shall be credited to this account as an offsetting col-
3 lection, to remain available until expended without further
4 appropriation: *Provided further*, That the Commission is
5 authorized to accept gifts, including objects, papers, art-
6 work, drawings and artifacts, that pertain to the history
7 and design of the Nation's Capital or the history and ac-
8 tivities of the Commission of Fine Arts, for the purpose
9 of artistic display, study or education.

10 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

11 For necessary expenses as authorized by Public Law
12 99-190 (20 U.S.C. 956a), as amended, \$2,994,000.

13 ADVISORY COUNCIL ON HISTORIC PRESERVATION

14 SALARIES AND EXPENSES

15 For necessary expenses of the Advisory Council on
16 Historic Preservation (Public Law 89-665, as amended),
17 \$7,223,000, of which \$1,300,000, to remain available
18 until expended, shall be for expenses related to the reloca-
19 tion from the Old Post Office Building.

20 NATIONAL CAPITAL PLANNING COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the National Capital Plan-
23 ning Commission under chapter 87 of title 40, United
24 States Code, including services as authorized by 5 U.S.C.
25 3109, \$8,141,000: *Provided*, That one-quarter of 1 per-

1 cent of the funds provided under this heading may be used
2 for official reception and representational expenses associ-
3 ated with hosting international visitors engaged in the
4 planning and physical development of world capitals.

5 UNITED STATES HOLOCAUST MEMORIAL MUSEUM

6 HOLOCAUST MEMORIAL MUSEUM

7 For expenses of the Holocaust Memorial Museum, as
8 authorized by Public Law 106–292 (36 U.S.C. 2301–
9 2310), \$51,788,000, of which \$515,000 shall remain
10 available until September 30, 2015, for the Museum’s
11 equipment replacement program; and of which \$1,900,000
12 for the Museum’s repair and rehabilitation program and
13 \$1,264,000 for the Museum’s outreach initiatives program
14 shall remain available until expended.

15 DWIGHT D. EISENHOWER MEMORIAL COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses, including the costs of con-
18 struction design, of the Dwight D. Eisenhower Memorial
19 Commission, \$1,800,000, to remain available until ex-
20 pended.

21 CAPITAL CONSTRUCTION

22 For necessary expenses of the Dwight D. Eisenhower
23 Memorial Commission for design and construction of a
24 memorial in honor of Dwight D. Eisenhower, as author-

1 ized by Public Law 106–79, \$17,800,000, to remain avail-
2 able until expended.

3 TITLE IV

4 GENERAL PROVISIONS

5 (INCLUDING TRANSFERS OF FUNDS)

6 LIMITATION ON CONSULTING SERVICES

7 SEC. 401. The expenditure of any appropriation
8 under this Act for any consulting service through procure-
9 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
10 to those contracts where such expenditures are a matter
11 of public record and available for public inspection, except
12 where otherwise provided under existing law, or under ex-
13 isting Executive order issued pursuant to existing law.

14 RESTRICTION ON USE OF FUNDS

15 SEC. 402. No part of any appropriation contained in
16 this Act shall be available for any activity or the publica-
17 tion or distribution of literature that in any way tends to
18 promote public support or opposition to any legislative
19 proposal on which Congressional action is not complete
20 other than to communicate to Members of Congress as
21 described in 18 U.S.C. 1913.

22 OBLIGATION OF APPROPRIATIONS

23 SEC. 403. No part of any appropriation contained in
24 this Act shall remain available for obligation beyond the
25 current fiscal year unless expressly so provided herein.

1 PROHIBITION ON USE OF FUNDS FOR PERSONAL
2 SERVICES

3 SEC. 404. None of the funds provided in this Act to
4 any department or agency shall be obligated or expended
5 to provide a personal cook, chauffeur, or other personal
6 servants to any officer or employee of such department
7 or agency except as otherwise provided by law.

8 DISCLOSURE OF ADMINISTRATIVE EXPENSES

9 SEC. 405. Estimated overhead charges, deductions,
10 reserves or holdbacks from programs, projects, activities
11 and subactivities to support government-wide, depart-
12 mental, agency, or bureau administrative functions or
13 headquarters, regional, or central operations shall be pre-
14 sented in annual budget justifications and subject to ap-
15 proval by the Committees on Appropriations of the House
16 of Representatives and the Senate. Changes to such esti-
17 mates shall be presented to the Committees on Appropria-
18 tions for approval.

19 GIANT SEQUOIA

20 SEC. 406. None of the funds in this Act may be used
21 to plan, prepare, or offer for sale timber from trees classi-
22 fied as giant sequoia (*Sequoiadendron giganteum*) which
23 are located on National Forest System or Bureau of Land
24 Management lands in a manner different than such sales
25 were conducted in fiscal year 2012.

1 MINING APPLICATIONS

2 SEC. 407. (a) LIMITATION OF FUNDS.—None of the
3 funds appropriated or otherwise made available pursuant
4 to this Act shall be obligated or expended to accept or
5 process applications for a patent for any mining or mill
6 site claim located under the general mining laws.

7 (b) EXCEPTIONS.—Subsection (a) shall not apply if
8 the Secretary of the Interior determines that, for the claim
9 concerned—

10 (1) a patent application was filed with the Sec-
11 retary on or before September 30, 1994; and

12 (2) all requirements established under sections
13 2325 and 2326 of the Revised Statutes (30 U.S.C.
14 29 and 30) for vein or lode claims, sections 2329,
15 2330, 2331, and 2333 of the Revised Statutes (30
16 U.S.C. 35, 36, and 37) for placer claims, and section
17 2337 of the Revised Statutes (30 U.S.C. 42) for mill
18 site claims, as the case may be, were fully complied
19 with by the applicant by that date.

20 (c) REPORT.—On September 30, 2013, the Secretary
21 of the Interior shall file with the House and Senate Com-
22 mittees on Appropriations and the Committee on Natural
23 Resources of the House and the Committee on Energy and
24 Natural Resources of the Senate a report on actions taken
25 by the Department under the plan submitted pursuant to

1 section 314(c) of the Department of the Interior and Re-
2 lated Agencies Appropriations Act, 1997 (Public Law
3 104–208).

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

17 CONTRACT SUPPORT COSTS

18 SEC. 408. Notwithstanding any other provision of
19 law, amounts appropriated to or otherwise designated in
20 committee reports for the Bureau of Indian Affairs and
21 the Indian Health Service by Public Laws 103–138, 103–
22 332, 104–134, 104–208, 105–83, 105–277, 106–113,
23 106–291, 107–63, 108–7, 108–108, 108–447, 109–54,
24 109–289, division B and Continuing Appropriations Reso-
25 lution, 2007 (division B of Public Law 109–289, as

1 amended by Public Laws 110–5 and 110–28), Public
2 Laws 110–92, 110–116, 110–137, 110–149, 110–161,
3 110–329, 111–6, 111–8, 111–88, 112–10, and 112–74 for
4 payments for contract support costs associated with self-
5 determination or self-governance contracts, grants, com-
6 pacts, or annual funding agreements with the Bureau of
7 Indian Affairs or the Indian Health Service as funded by
8 such Acts, are the total amounts available for fiscal years
9 1994 through 2012 for such purposes, except that the Bu-
10 reau of Indian Affairs, tribes and tribal organizations may
11 use their tribal priority allocations for unmet contract sup-
12 port costs of ongoing contracts, grants, self-governance
13 compacts, or annual funding agreements.

14 FOREST MANAGEMENT PLANS

15 SEC. 409. The Secretary of Agriculture shall not be
16 considered to be in violation of subparagraph 6(f)(5)(A)
17 of the Forest and Rangeland Renewable Resources Plan-
18 ning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because
19 more than 15 years have passed without revision of the
20 plan for a unit of the National Forest System. Nothing
21 in this section exempts the Secretary from any other re-
22 quirement of the Forest and Rangeland Renewable Re-
23 sources Planning Act (16 U.S.C. 1600 et seq.) or any
24 other law: *Provided*, That, if the Secretary is not acting
25 expeditiously and in good faith, within the funding avail-

1 able, to revise a plan for a unit of the National Forest
2 System, this section shall be void with respect to such plan
3 and a court of proper jurisdiction may order completion
4 of the plan on an accelerated basis.

5 PROHIBITION WITHIN NATIONAL MONUMENTS

6 SEC. 410. No funds provided in this Act may be ex-
7 pended to conduct preleasing, leasing and related activities
8 under either the Mineral Leasing Act (30 U.S.C. 181 et
9 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
10 1331 et seq.) within the boundaries of a National Monu-
11 ment established pursuant to the Act of June 8, 1906 (16
12 U.S.C. 431 et seq.) as such boundary existed on January
13 20, 2001, except where such activities are allowed under
14 the Presidential proclamation establishing such monu-
15 ment.

16 CONTRACTING AUTHORITIES

17 SEC. 411. In awarding a Federal contract with funds
18 made available by this Act, notwithstanding Federal Gov-
19 ernment procurement and contracting laws, the Secretary
20 of Agriculture and the Secretary of the Interior (the “Sec-
21 retaries”) may, in evaluating bids and proposals, through
22 fiscal year 2013, give consideration to local contractors
23 who are from, and who provide employment and training
24 for, dislocated and displaced workers in an economically
25 disadvantaged rural community, including those histori-

1 cally timber-dependent areas that have been affected by
2 reduced timber harvesting on Federal lands and other for-
3 est-dependent rural communities isolated from significant
4 alternative employment opportunities: *Provided*, That,
5 notwithstanding Federal Government procurement and
6 contracting laws the Secretaries may award contracts,
7 grants or cooperative agreements to local non-profit enti-
8 ties, Youth Conservation Corps or related partnerships
9 with State, local or non-profit youth groups, or small or
10 micro-business or disadvantaged business: *Provided fur-*
11 *ther*, That the contract, grant, or cooperative agreement
12 is for forest hazardous fuels reduction, watershed or water
13 quality monitoring or restoration, wildlife or fish popu-
14 lation monitoring, road decommissioning, trail mainte-
15 nance or improvement, or habitat restoration or manage-
16 ment: *Provided further*, That the terms “rural commu-
17 nity” and “economically disadvantaged” shall have the
18 same meanings as in section 2374 of Public Law 101-
19 624 (16 U.S.C. 6612): *Provided further*, That the Secre-
20 taries shall develop guidance to implement this section:
21 *Provided further*, That nothing in this section shall be con-
22 strued as relieving the Secretaries of any duty under appli-
23 cable procurement laws, except as provided in this section.

LIMITATION ON TAKINGS

1
2 SEC. 412. Unless otherwise provided herein, no funds
3 appropriated in this Act for the acquisition of lands or
4 interests in lands may be expended for the filing of dec-
5 larations of taking or complaints in condemnation without
6 the approval of the House and Senate Committees on Ap-
7 propriations: *Provided*, That this provision shall not apply
8 to funds appropriated to implement the Everglades Na-
9 tional Park Protection and Expansion Act of 1989, or to
10 funds appropriated for Federal assistance to the State of
11 Florida to acquire lands for Everglades restoration pur-
12 poses.

TIMBER SALE REQUIREMENTS

13
14 SEC. 413. No timber sale in Alaska's Region 10 shall
15 be advertised if the indicated rate is deficit (defined as
16 the value of the timber is not sufficient to cover all logging
17 and stumpage costs and provide a normal profit and risk
18 allowance under the Forest Service's appraisal process)
19 when appraised using a residual value appraisal. The west-
20 ern red cedar timber from those sales which is surplus
21 to the needs of the domestic processors in Alaska, shall
22 be made available to domestic processors in the contiguous
23 48 United States at prevailing domestic prices. All addi-
24 tional western red cedar volume not sold to Alaska or con-
25 tiguous 48 United States domestic processors may be ex-

1 ported to foreign markets at the election of the timber sale
2 holder. All Alaska yellow cedar may be sold at prevailing
3 export prices at the election of the timber sale holder.

4 PROHIBITION ON NO-BID CONTRACTS

5 SEC. 414. None of the funds appropriated or other-
6 wise made available by this Act to executive branch agen-
7 cies may be used to enter into any Federal contract unless
8 such contract is entered into in accordance with the re-
9 quirements of Chapter 33 of title 41, United States Code,
10 or Chapter 137 of title 10, United States Code, and the
11 Federal Acquisition Regulation, unless—

12 (1) Federal law specifically authorizes a con-
13 tract to be entered into without regard for these re-
14 quirements, including formula grants for States, or
15 federally recognized Indian tribes; or

16 (2) such contract is authorized by the Indian
17 Self-Determination and Education and Assistance
18 Act (Public Law 93–638, 25 U.S.C. 450 et seq., as
19 amended) or by any other Federal laws that specifi-
20 cally authorize a contract within an Indian tribe as
21 defined in section 4(e) of that Act (25 U.S.C.
22 450b(e)); or

23 (3) such contract was awarded prior to the date
24 of enactment of this Act.

1 POSTING OF REPORTS

2 SEC. 415. (a) Any agency receiving funds made avail-
3 able in this Act, shall, subject to subsections (b) and (c),
4 post on the public website of that agency any report re-
5 quired to be submitted by the Congress in this or any
6 other Act, upon the determination by the head of the agen-
7 cy that it shall serve the national interest.

8 (b) Subsection (a) shall not apply to a report if—

9 (1) the public posting of the report com-
10 promises national security; or

11 (2) the report contains proprietary information.

12 (c) The head of the agency posting such report shall
13 do so only after such report has been made available to
14 the requesting Committee or Committees of Congress for
15 no less than 45 days.

16 NATIONAL ENDOWMENT FOR THE ARTS GRANT

17 GUIDELINES

18 SEC. 416. Of the funds provided to the National En-
19 dowment for the Arts:

20 (1) The Chairperson shall only award a grant
21 to an individual if such grant is awarded to such in-
22 dividual for a literature fellowship, National Herit-
23 age Fellowship, or American Jazz Masters Fellow-
24 ship.

1 ties, who have historically been outside the purview
2 of arts and humanities programs due to factors such
3 as a high incidence of income below the poverty line
4 or to geographic isolation.

5 (2) The term “poverty line” means the poverty
6 line (as defined by the Office of Management and
7 Budget, and revised annually in accordance with sec-
8 tion 673(2) of the Community Services Block Grant
9 Act (42 U.S.C. 9902(2))) applicable to a family of
10 the size involved.

11 (c) In providing services and awarding financial as-
12 sistance under the National Foundation on the Arts and
13 Humanities Act of 1965 with funds appropriated by this
14 Act, the Chairperson of the National Endowment for the
15 Arts shall ensure that priority is given to providing serv-
16 ices or awarding financial assistance for projects, produc-
17 tions, workshops, or programs that will encourage public
18 knowledge, education, understanding, and appreciation of
19 the arts.

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

23 (1) the Chairperson shall establish a grant cat-
24 egory for projects, productions, workshops, or pro-

1 and (ii) ensure that waivers are not granted in per-
2 petuity.”; and

3 (2) in subparagraph (C), by inserting after the
4 period the following new sentence: “State partner-
5 ship agreements must be matched one-to-one with
6 State government funds that are directly controlled
7 and appropriated by the State and directly managed
8 by the State arts agency.”.

9 FUNDING PROHIBITION

10 SEC. 419. None of the funds made available by this
11 Act may be used to enter into a contract, memorandum
12 of understanding, or cooperative agreement with, make a
13 grant to, or provide a loan or loan guarantee to, any cor-
14 poration that was convicted (or had an officer or agent
15 of such corporation acting on behalf of the corporation
16 convicted) of a felony criminal violation under any Federal
17 law within the preceding 24 months, where the awarding
18 agency is aware of the conviction, unless the agency has
19 considered suspension or debarment of the corporation, or
20 such officer or agent and made a determination that this
21 further action is not necessary to protect the interests of
22 the Government.

23 LIMITATION WITH RESPECT TO DELINQUENT TAX DEBTS

24 SEC. 420. None of the funds made available by this
25 Act may be used to enter into a contract, memorandum

1 of understanding, or cooperative agreement with, make a
2 grant to, or provide a loan or loan guarantee to, any cor-
3 poration with respect to which any unpaid Federal tax li-
4 ability that has been assessed, for which all judicial and
5 administrative remedies have been exhausted or have
6 lapsed, and that is not being paid in a timely manner pur-
7 suant to an agreement with the authority responsible for
8 collecting the tax liability, where the awarding agency is
9 aware of the unpaid tax liability, unless the agency has
10 considered suspension or debarment of the corporation
11 and made a determination that this further action is not
12 necessary to protect the interests of the Government.

13 TECHNICAL CORRECTIONS AUTHORITY

14 SEC. 421. The Bureau of Land Management, Na-
15 tional Park Service, and Forest Service may adjust alloca-
16 tions made under section 430 of division E of Public Law
17 111-8 and section 444 of Public Law 111-88 as necessary
18 to complete projects based on the original project scope
19 or to utilize excess funds available after completion of a
20 project on other projects within the same account, in con-
21 sultation with the House and Senate Committees on Ap-
22 propriations and pursuant to the reprogramming guide-
23 lines contained in the joint statement of the managers ac-
24 companying division E of Public Law 112-74.

1 MINING ACCESS

2 SEC. 422. In Region 10, the Secretary of Agriculture,
3 acting through the Chief of the Forest Service, shall allow
4 reasonable access for the orderly development of mining
5 claims located inside areas subject to minerals land use
6 designations in the relevant Forest Plan.

7 HERGER-FEINSTEIN QUINCY LIBRARY GROUP FORESTRY

8 RECOVERY ACT

9 SEC. 423. Section 434 of the Consolidated Appropria-
10 tions Act, 2008 (Public Law 110–161), as amended, shall
11 remain in effect until September 30, 2013.

12 ENHANCING FOREST SERVICE ADMINISTRATION OF

13 RIGHTS-OF-WAY AND LAND USES

14 SEC. 424. Section 331 of the Department of the Inte-
15 rior and Related Agencies Appropriations Act, 2000 (Pub-
16 lic Law 106–113), as amended, is further amended as fol-
17 lows—

18 (1)(A) in subsection (a), by striking “develop
19 and implement a pilot program” and inserting “im-
20 plement a program”;

21 (B) by striking “forest service” and inserting
22 “Forest Service”;

23 (C) by striking “through 2012” and inserting
24 “through 2022”; and

1 (D) by striking “Prior to the expiration” and
2 all that follows through “permit applications”; and
3 (2) in subsection (b), by striking “2012” and
4 inserting “2022,”.

5 INTERPRETIVE ASSOCIATIONS

6 PARTNERSHIP AUTHORITIES

7 SEC. 425. (a) IN GENERAL.—Hereafter, the Sec-
8 retary of Agriculture may enter into an agreement under
9 the Cooperative Funds and Deposits Act (Public Law 94–
10 148), as amended, with Federal, tribal, State, or local gov-
11 ernments, or nonprofit entities, for additional purposes as
12 follows to—

13 (1) develop, produce, publish, distribute, or sell
14 educational and interpretive materials and products;

15 (2) develop, conduct, or sell educational and in-
16 terpretive programs and services;

17 (3) construct, maintain, or improve facilities
18 not under the jurisdiction, custody, or control of the
19 Administrator of General Services on or in the vicin-
20 ity of National Forest System lands for the sale or
21 distribution of educational and interpretive mate-
22 rials, products, programs, and services;

23 (4) operate facilities (including providing the
24 services of Forest Service employees to staff facili-
25 ties) in any public or private building or on land not

1 under the jurisdiction, custody, or control of the Ad-
2 ministrator of General Services for the sale or dis-
3 tribution of educational and interpretive materials,
4 products, programs, and services, pertaining to Na-
5 tional Forest System lands, private lands and lands
6 administered by other public entities;

7 (5) sell health and safety products, visitor con-
8 venience items, or other similar items (as determined
9 by the Secretary) in facilities not under the jurisdic-
10 tion, custody, or control of the Administrator of
11 General Services on or in the vicinity of National
12 Forest System lands; and

13 (6) collect funds on behalf of cooperators from
14 the sale of materials, products, programs, and serv-
15 ices, as authorized by this section, when incidental
16 to other duties of Forest Service personnel.

17 (b) CONTRIBUTIONS OF VOLUNTEERS.—Hereafter,
18 the value of services performed by persons who volunteer
19 their services to the Forest Service and who are recruited,
20 trained, and supported by a cooperator under a mutual
21 benefit agreement with the Forest Service may be consid-
22 ered an in-kind contribution of the cooperator for purposes
23 of cost sharing.

1 LIVESTOCK GRAZING ADMINISTRATION

2 SEC. 426. Beginning on March 1, 2013, and each
3 subsequent year through February 28, 2017, and only to
4 the extent and in the amount provided in advance in ap-
5 propriations Acts, the Secretary of Agriculture shall col-
6 lect an annual administrative fee for grazing domestic live-
7 stock on National Forests in the 16 contiguous western
8 States and on National Grasslands in the amount of \$1.00
9 per head month for cattle and its equivalent for other live-
10 stock. The administrative fee shall be billed and collected
11 using the process as provided in sections 222.50 through
12 222.52 of title 36, Code of Federal Regulations. Fees col-
13 lected may be used, subject to appropriation, to offset the
14 cost of administering the livestock grazing program. Noth-
15 ing in this provision shall affect the calculation, collection,
16 distribution, or use of the grazing fee under 43 U.S.C.
17 1751(b), title III of the Bankhead Jones Farm Tenant
18 Act (7 U.S.C. 1010), and implementing regulations.

19 HAWAIIAN RECOGNITION

20 SEC. 427. Now and hereafter, in exercise of the au-
21 thority delegated under sections 441, 442, 463, and 465
22 of the Revised Statutes (43 U.S.C. 1457; 25 U.S.C. 2,
23 9), the Secretary shall consider for recognition the self-
24 governing community that may include individuals en-
25 rolled under Act 195 (26th Haw. Leg. Sess. (2011)); *Pro-*

1 *vided*, That such community shall not be entitled to pro-
2 grams and services available to entities listed pursuant to
3 section 104 of Public Law 103–454 except to the extent
4 a statute governing such a program or service expressly
5 provides that it applies to such community or its members;
6 that such community may not conduct gaming activities
7 as a matter of claimed inherent authority or under the
8 authority of any Federal law; and that section 2116 of
9 the Revised Statutes (25 U.S.C. 177) shall have no
10 present or past application in the State where such com-
11 munity is located.

12 USE OF AMERICAN IRON, STEEL, AND MANUFACTURED
13 GOODS

14 SEC. 428. (a)(1) None of the funds made available
15 by a State water pollution control revolving fund as au-
16 thorized by title VI of the Federal Water Pollution Control
17 Act (33 U.S.C. 1381 et seq.) or made available by a drink-
18 ing water treatment revolving loan fund as authorized by
19 section 1452 of the Safe Drinking Water Act (42 U.S.C.
20 300j–12) may be used for a project for the construction,
21 alteration, maintenance, or repair of a public water system
22 or treatment works unless all of the iron and steel prod-
23 ucts used in the project are produced in the United States.

24 (2) For purposes of this section, the term “iron and
25 steel products” shall be defined by the Administrator.

1 (b) Subsection (a) shall not apply in any case or cat-
2 egory of cases in which the Administrator finds that—

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

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

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

11 (c) If the Administrator receives a request for a waiv-
12 er under this section, the Administrator shall provide no-
13 tice of and an opportunity for public comment on the re-
14 quest at least 15 days before making a finding based on
15 the request. Notice provided under this paragraph shall
16 include the information available to the Administrator
17 concerning the request and shall be provided by electronic
18 means, including on the official public Internet Web site
19 of the Agency.

20 (d) This section shall be applied in a manner con-
21 sistent with United States obligations under international
22 agreements.

23 (e) The Administrator may retain up to .25 percent
24 of the funds appropriated in this Act for the Clean and
25 Drinking Water State Revolving Funds for carrying out

1 the provisions described in subsection (a)(1) for manage-
2 ment and oversight of the requirements of this section.

3 (f) This section does not apply with respect to a
4 project if a State agency approves the engineering plans
5 and specifications for the project, in that agency's capacity
6 to approve such plans and specifications prior to a project
7 requesting bids, prior to the date of the enactment of this
8 Act.

9 **TITLE V—JOHN H. CHAFEE**
10 **BLACKSTONE RIVER VALLEY**
11 **NATIONAL HISTORICAL PARK**

12 **SEC. 501. PURPOSE.**

13 The purpose of this title is to establish the John H.
14 Chafee Blackstone River Valley National Historical
15 Park—

16 (1) to help preserve, protect, and interpret the
17 nationally significant resources in the Blackstone
18 River Valley that exemplify the industrial heritage of
19 the John H. Chafee Blackstone River Valley Na-
20 tional Heritage Corridor for the benefit and inspira-
21 tion of future generations;

22 (2) to support the preservation, protection, and
23 interpretation of the urban, rural, and agricultural
24 landscape features (including the Blackstone River
25 and Canal) of the region that provide an overarching

1 context for the industrial heritage of the National
2 Heritage Corridor;

3 (3) to educate the public about—

4 (A) the industrial history of the National
5 Heritage Corridor; and

6 (B) the significance of the National Herit-
7 age Corridor to the past and present; and

8 (4) to support and enhance the network of part-
9 ners who will continue to engage in the protection,
10 improvement, management, and operation of key re-
11 sources and facilities throughout the National Herit-
12 age Corridor.

13 **SEC. 502. DEFINITIONS.**

14 In this title:

15 (1) MAP.—The term “map” means the map en-
16 titled “John H. Chafee Blackstone River Valley Na-
17 tional Historical Park”, numbered NEFA962/
18 111015, and dated October 2011.

19 (2) NATIONAL HERITAGE CORRIDOR.—The
20 term “National Heritage Corridor” means the John
21 H. Chafee Blackstone River Valley National Herit-
22 age Corridor.

23 (3) PARK.—The term “Park” means the John
24 H. Chafee Blackstone River Valley National Histor-
25 ical Park established under section 503.

1 (4) SECRETARY.—The term “Secretary” means
2 the Secretary of the Interior, acting through the Di-
3 rector of the National Park Service.

4 (5) STATE.—The term “State” means each of
5 the States of Massachusetts and Rhode Island.

6 **SEC. 503. ESTABLISHMENT OF JOHN H. CHAFEE BLACK-**
7 **STONE RIVER VALLEY NATIONAL HISTOR-**
8 **ICAL PARK.**

9 (a) ESTABLISHMENT.—There is established in the
10 States a unit of the National Park System, to be known
11 as the “John H. Chafee Blackstone River Valley National
12 Historical Park”.

13 (b) BOUNDARIES.—The Park shall be comprised of
14 the following sites and districts, as generally depicted on
15 the map:

16 (1) Old Slater Mill National Historic Landmark
17 District.

18 (2) Slatersville Historic District.

19 (3) Ashton Historic District.

20 (4) Whitinsville Historic District.

21 (5) Hopedale Village Historic District.

22 (6) Blackstone River and the tributaries of
23 Blackstone River.

24 (7) Blackstone Canal.

1 (c) AVAILABILITY OF MAP.—The map shall be avail-
2 able for public inspection in the appropriate offices of the
3 National Park Service.

4 (d) ACQUISITION OF LAND.—The Secretary may ac-
5 quire land or interests in land within the boundaries of
6 the Park by—

7 (1) donation;

8 (2) purchase with donated or appropriated
9 funds; or

10 (3) exchange.

11 (e) ADMINISTRATION.—

12 (1) IN GENERAL.—The Secretary shall admin-
13 ister the Park in accordance with—

14 (A) this title;

15 (B) the laws generally applicable to units
16 of the National Park System, including—

17 (i) the National Park Service Organic
18 Act (16 U.S.C. 1 et seq.); and

19 (ii) the Act of August 21, 1935 (16
20 U.S.C. 461 et seq.); and

21 (C) any cooperative agreements entered
22 into under subsection (f).

23 (2) GENERAL MANAGEMENT PLAN.—

24 (A) IN GENERAL.—Not later than 3 years
25 after the date on which funds are made avail-

1 able to carry out this title, the Secretary shall
2 prepare a general management plan for the
3 Park—

4 (i) in consultation with the States;

5 and

6 (ii) in accordance with—

7 (I) any cooperative agreements
8 entered into under subsection (f); and

9 (II) section 12(b) of the National
10 Park System General Authorities Act
11 (16 U.S.C. 1a–7(b)).

12 (B) REQUIREMENTS.—To the maximum
13 extent practicable, the plan prepared under sub-
14 paragraph (A) shall consider ways to use pre-
15 existing or planned visitor facilities and rec-
16 reational opportunities developed in the Na-
17 tional Heritage Corridor, including—

18 (i) the Blackstone Valley Visitor Cen-
19 ter in Pawtucket, Rhode Island;

20 (ii) the Captain Wilbur Kelly House
21 at Blackstone River State Park in Lincoln,
22 Rhode Island;

23 (iii) the Museum of Work and Culture
24 in Woonsocket, Rhode Island;

1 (iv) the River Bend Farm/Blackstone
2 River and Canal Heritage State Park in
3 Uxbridge, Massachusetts; and

4 (v) the Worcester Blackstone Visitor
5 Center, located at the former Washburn &
6 Moen wire mill facility in Worcester, Mas-
7 sachusetts.

8 (f) COOPERATIVE AGREEMENTS.—The Secretary
9 may enter into cooperative agreements with the States, po-
10 litical subdivisions of the States, nonprofit organizations
11 (including the Blackstone River Valley National Heritage
12 Corridor, Inc.), and private property owners to provide
13 technical assistance and interpretation in the Park and the
14 National Heritage Corridor.

15 (g) FINANCIAL ASSISTANCE.—Subject to the avail-
16 ability of appropriations, the Secretary may provide finan-
17 cial assistance, on a matching basis, for the conduct of
18 resource protection activities in the National Heritage
19 Corridor.

20 **SEC. 504. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated such sums
22 as are necessary to carry out this title.

1 **TITLE VI—MONTANA FOREST**
2 **JOBS AND RESTORATION INI-**
3 **TIATIVE**

4 **SEC. 601. PURPOSE.**

5 The purpose of this title is to establish an initiative—

6 (1) to preserve and create local jobs in rural
7 communities that are located in or near National
8 Forest System land;

9 (2) to create an immediate, predictable, and in-
10 creased flow of wood fiber with commercial value to
11 support and maintain locally-based infrastructure
12 and economies that are necessary for the appro-
13 priate management and restoration of National For-
14 est System land;

15 (3) to promote cooperation and collaboration in
16 the management of National Forest System land;

17 (4) to restore and improve the ecological struc-
18 ture, composition, and function and the natural
19 processes of priority watersheds within the National
20 Forest System;

21 (5) to carry out collaborative projects to reduce
22 the risk of disturbances from fire, insects, and dis-
23 ease to communities, watersheds, and natural re-
24 sources through a collaborative process of planning,

1 prioritizing, and implementing ecological restoration
2 and hazardous fuel reduction projects; and

3 (6) to collect information from the projects car-
4 ried out under this title in an effort to better under-
5 stand the manner in which to improve forest restora-
6 tion and management activities.

7 **SEC. 602. DEFINITIONS.**

8 In this title:

9 (1) **AUTHORIZED FOREST AND WATERSHED**
10 **RESTORATION PROJECT.**—The term “authorized for-
11 est and watershed restoration project” means a col-
12 lection of activities within a watershed area that are
13 carried out—

14 (A) on eligible land; and

15 (B) to achieve the purposes of this title.

16 (2) **DECOMMISSION.**—The term “decommis-
17 sion” means—

18 (A) to reestablish vegetation on a road or
19 trail; and

20 (B) to restore any natural drainage, water-
21 shed function, or other ecological processes that
22 are disrupted or adversely impacted by the road
23 or trail by removing or hydrologically dis-
24 connecting the road prism.

1 (3) ELIGIBLE LAND.—The term “eligible land”
2 means—

3 (A) land within the approximately
4 1,900,000 acres of land in the Beaverhead-
5 Deerlodge National Forest designated as “Suit-
6 able for Timber Production” and “Timber Har-
7 vest Is Allowed” as generally depicted on the
8 map entitled “Beaverhead-Deerlodge National
9 Forest, Revised Forest Plan, Modeled Timber
10 Harvest Classification” and dated December
11 10, 2008; and

12 (B)(i) land within the Three Rivers Ranger
13 District of the Kootenai National Forest; and

14 (ii) any land within the adjacent ranger
15 districts of the Kootenai National Forest that is
16 necessary to achieve the requirements of section
17 103(b).

18 (4) INFISH.—The term “INFISH” means the
19 land and resource management plan amendments
20 made before the date of enactment of this Act aris-
21 ing from the document—

22 (A) entitled “Inland Native Fish Strat-
23 egy”;

24 (B) published by the Department of Agri-
25 culture; and

1 (C) dated July 28, 1995.

2 (5) INITIATIVE.—The term “Initiative” means
3 the Montana Forest Jobs and Restoration Pilot Ini-
4 tiative established by section 103(a).

5 (6) MECHANICAL TREATMENT.—

6 (A) IN GENERAL.—The term “mechanical
7 treatment” means an activity that uses a tool
8 to remove fiber that has commercial value to
9 local markets in the vicinity of the area treated.

10 (B) INCLUSIONS.—The term “mechanical
11 treatment” includes leaving fiber on the forest
12 floor after treatment with a tool, if an option
13 for removal of the fiber was provided.

14 (C) EXCLUSIONS.—The term “mechanical
15 treatment” excludes prescribed burning.

16 (7) SECRETARY.—The term “Secretary” means
17 the Secretary of Agriculture, acting through the
18 Chief of the Forest Service.

19 (8) STEWARDSHIP CONTRACT.—The term
20 “stewardship contract” means a contract authorized
21 under section 347 of the Omnibus Consolidated and
22 Emergency Supplemental Appropriations Act, 1999
23 (16 U.S.C. 2104 note; Public Law 105–277) to
24 carry out land management goals that meet local

1 and rural community needs through a source that is
2 selected on a best-value basis.

3 (9) WATERSHED AREA.—The term “watershed
4 area” means 1 or more subwatersheds (also known
5 as 6th code hydrologic units).

6 **SEC. 603. MONTANA FOREST JOBS AND RESTORATION**
7 **PILOT INITIATIVE.**

8 (a) ESTABLISHMENT.—There is established the Mon-
9 tana Forest Jobs and Restoration Pilot Initiative under
10 which the Secretary shall implement authorized forest and
11 watershed restoration projects and other land manage-
12 ment projects on eligible land to achieve—

13 (1) the performance requirements under sub-
14 section (b); and

15 (2) the purposes of this title.

16 (b) PERFORMANCE REQUIREMENTS.—Subject to
17 subsection (g), on the eligible land, the Secretary shall
18 place under contract for the mechanical treatment of vege-
19 tation—

20 (1) on the Beaverhead-Deerlodge National For-
21 est, a minimum of 5,000 acres annually until the
22 date on which a total of 70,000 acres in the Na-
23 tional Forest have been placed under contract; and

24 (2) on the Kootenai National Forest—

1 (A) 2,000 acres during the first year after
2 the date of enactment of this Act;

3 (B) 2,500 acres during the second year
4 after the date of enactment of this Act; and

5 (C) 3,000 acres during each subsequent
6 year until the date on which a total of 30,000
7 acres in the National Forest have been placed
8 under contract.

9 (c) COLLABORATION.—

10 (1) IN GENERAL.—For each National Forest
11 within the Initiative, the Secretary shall identify 1 or
12 more collaborative groups or resource advisory com-
13 mittees that support the achievement of the pur-
14 poses of this title.

15 (2) COMPOSITION.—A collaborative group or re-
16 source advisory committee identified under para-
17 graph (1) shall include multiple interested persons
18 representing diverse interests in forest and water-
19 shed management.

20 (3) CONSULTATION.—The Secretary shall con-
21 sult with a collaborative group or resource advisory
22 committee identified under paragraph (1) in the de-
23 velopment and implementation of each authorized
24 forest and watershed restoration project carried out
25 under the Initiative.

1 (4) EXPANSION.—The Secretary shall seek to
2 expand the public participation and diversity of in-
3 terests involved in the implementation of the Initia-
4 tive in each National Forest participating in the Ini-
5 tiative.

6 (d) ADMINISTRATIVE REVIEW.—

7 (1) IN GENERAL.—The administrative review
8 provisions of section 105 of the Healthy Forests
9 Restoration Act of 2003 (16 U.S.C. 6515) shall
10 apply to any administrative review of authorized for-
11 est and watershed restoration projects carried out
12 under this title.

13 (2) PROPOSED DECISION.—The Secretary shall
14 provide notice of, and distribute, a proposed admin-
15 istrative decision with the environmental assessment
16 or final environmental impact statement for any
17 project subject to review under paragraph (1).

18 (3) INDEPENDENT MEDIATOR.—If 1 or more of
19 the parties to a special administrative review process
20 under paragraph (1) requests a mediator to help fa-
21 cilitate the process, an independent mediator may be
22 used for the administrative review process.

23 (e) JUDICIAL REVIEW.—Any judicial proceeding aris-
24 ing from an authorized forest and watershed restoration
25 project shall be conducted in accordance with section 106

1 of the Healthy Forests Restoration Act of 2003 (16
2 U.S.C. 6516).

3 (f) REPORTS.—

4 (1) ANNUAL SUMMARY.—The Secretary shall
5 provide to the appropriate committees of Congress
6 an annual summary of the progress of the Initiative
7 toward accomplishing the purposes of this title, in-
8 cluding the performance requirements established
9 under subsection (b).

10 (2) PROGRESS REPORT.—

11 (A) IN GENERAL.—Not later than 5 years
12 after the date of enactment of this Act and
13 every 5 years thereafter, the Secretary shall
14 submit to the appropriate committees of Con-
15 gress a report that assesses the progress of the
16 Initiative toward accomplishing the purposes of
17 this title.

18 (B) INCLUSIONS.—The report under sub-
19 paragraph (A) shall include an analysis, with
20 respect to the Initiative, of—

21 (i) fire and fuel dynamics, including
22 changes in—

23 (I) condition and class; and

24 (II) fuel levels and distribution;

1 (ii) biodiversity, including the selec-
2 tion of plant, terrestrial animals, and
3 aquatic organisms;

4 (iii) soil and water, including soil
5 movement, water quality, stream flows,
6 and soil productivity;

7 (iv) economic effects, including job
8 creation, labor income, and energy; and

9 (v) social implications, including land
10 management practices, aesthetics, and atti-
11 tudes towards land use.

12 (C) DATA ANALYSIS.—In preparing the re-
13 port under this paragraph, the Secretary may
14 consult with regional institutions of higher edu-
15 cation and institutions with the capacity to co-
16 ordinate, analyze, and archive the data collected
17 as a result of monitoring under the Initiative.

18 (g) EFFECT ON OTHER FUNDS.—Amounts expended
19 under the Initiative shall not reduce the allocations of ap-
20 propriated funds to the Secretary for use in other regions
21 of the Forest Service or other States.

22 (h) EXPANSION OF INITIATIVE.—

23 (1) IN GENERAL.—The Secretary may elect to
24 include the Seeley Ranger District of the Lolo Na-
25 tional Forest in the Initiative, if—

1 (A) the Seeley Ranger District no longer
2 receives funding under section 4003(b)(1)(B) of
3 the Omnibus Public Land Management Act of
4 2009 (16 U.S.C. 7303(b)(1)(B)); and

5 (B) a local collaborative group for the Dis-
6 trict requests inclusion in the Initiative.

7 (2) REQUIREMENTS.—On the election by the
8 Secretary to include the Seeley Ranger District in
9 the Initiative, the requirements of the Initiative
10 under this title shall apply to the District.

11 (i) TERMINATION DATE.—

12 (1) IN GENERAL.—The Initiative shall termi-
13 nate on the later of—

14 (A) the date that is 15 years after the date
15 of enactment of this Act; or

16 (B) the date on which the Secretary deter-
17 mines that the performance requirements under
18 subsection (b) have been achieved.

19 (2) EFFECT.—Nothing in this subsection af-
20 fects a valid contract in effect on the termination
21 date under paragraph (1).

22 **SEC. 604. AUTHORIZED FOREST AND WATERSHED RES-**
23 **TORATION PROJECTS.**

24 (a) IMPLEMENTATION.—

1 (1) IN GENERAL.—The Secretary shall annually
2 implement 1 or more authorized forest and water-
3 shed restoration projects on the eligible land.

4 (2) LANDSCAPE-SCALE PROJECTS.—The Sec-
5 retary shall implement in 1 or more watershed areas
6 authorized forest and watershed restoration projects
7 that provide landscape-scale work with the goal of
8 minimizing entries into the watershed.

9 (3) STEWARDSHIP CONTRACTS.—

10 (A) IN GENERAL.—To the maximum ex-
11 tent practicable, the Secretary shall enter into
12 stewardship contracts or agreements to carry
13 out authorized forest and watershed restoration
14 projects.

15 (B) STEWARDSHIP CONTRACT PRIOR-
16 ITIES.—In developing a stewardship contract
17 under subparagraph (A), the Secretary shall,
18 after consultation with the relevant collabo-
19 rative groups or resource advisory committees
20 identified under section 103(c)(1), prioritize
21 areas consistent with the priorities described in
22 paragraph (4).

23 (4) PRIORITY.—Consistent with the purposes of
24 this title, the Secretary shall give priority to carrying

1 out authorized forest and watershed restoration
2 projects in areas—

3 (A) in which the road density exceeds 1.5
4 miles per square mile;

5 (B) in the wildland-urban interface (as de-
6 fined in section 101 of the Healthy Forests
7 Restoration Act of 2003 (16 U.S.C. 6511)) that
8 are at risk of wildfire that threatens public in-
9 frastructure or private property;

10 (C) in which fish and wildlife habitat
11 connectivity is compromised as a result of past
12 management practices; and

13 (D) that contain forests that are at risk
14 from insect epidemics or high-severity wildfires.

15 (5) ENVIRONMENTAL REVIEW.—An environ-
16 mental review of authorized forest and watershed
17 restoration projects shall be carried out in accord-
18 ance with section 104 of the Healthy Forests Res-
19 toration Act of 2003 (16 U.S.C. 6515), except
20 that—

21 (A) the review shall also address—

22 (i) the activities necessary to meet the
23 purposes and requirements of this title;
24 and

1 (ii) the site-specific impacts of an au-
2 thorized forest and watershed restoration
3 project;

4 (B) on signing of a record of decision or
5 finding of no significant impact for the author-
6 ized forest and watershed restoration project,
7 the Secretary shall implement the authorized
8 forest and watershed restoration project; and

9 (C) if the Secretary or a court determines
10 that additional review is warranted due to sig-
11 nificant new circumstances after implementa-
12 tion of an authorized forest and watershed res-
13 toration project has begun, the additional anal-
14 ysis shall not interrupt the implementation of
15 the activities that are not subject to the addi-
16 tional review, in accordance with the National
17 Environmental Policy Act of 1969 (42 U.S.C.
18 4321 et seq.).

19 (b) PROJECT REQUIREMENTS.—

20 (1) RIPARIAN HABITAT PROTECTION.—

21 (A) IN GENERAL.—Except as provided in
22 subparagraph (B), the Secretary shall comply
23 with INFISH in carrying out each authorized
24 forest and watershed restoration project.

1 (B) MODIFICATIONS.—The Secretary may
2 modify INFISH if the Secretary determines,
3 after taking into consideration the best avail-
4 able science, that the modifications would meet
5 or exceed the intent and goals of INFISH.

6 (2) ROADS.—In carrying out any authorized
7 forest and watershed restoration project under this
8 title, the Secretary shall—

9 (A) not construct any permanent road, un-
10 less—

11 (i) the Secretary determines that the
12 road is a justifiable realignment of a per-
13 manent road to restore or improve the eco-
14 logical structure, composition, and function
15 and the natural processes of the affected
16 forest or watershed; and

17 (ii) the replaced road bed is decom-
18 missioned by removing the road prism; and

19 (B) decommission any temporary road con-
20 structed to carry out the land management
21 project by the conclusion of the contract.

22 (3) ROAD DENSITY.—

23 (A) IN GENERAL.—Except as provided in
24 subparagraph (B), the Secretary, at the conclu-
25 sion of an authorized forest and watershed res-

1 toration project, shall achieve a road density
2 maximum of 1.5 linear miles per square mile,
3 averaged over the watershed area.

4 (B) EXCEPTIONS.—Notwithstanding sub-
5 paragraph (A), the maximum road density pro-
6 vided in an applicable land management plan
7 shall apply if—

8 (i) the applicable land management
9 plan requires a road density maximum that
10 is less than that required under subpara-
11 graph (A); or

12 (ii) the authorized forest and water-
13 shed restoration project is carried out in
14 an area governed by an interagency grizzly
15 bear conservation plan.

16 (C) APPLICABLE LAW.—For purposes of
17 determining compliance with the maximum road
18 density under subparagraph (A), the Secretary
19 shall use the definitions of the terms “National
20 Forest System road” and “unauthorized road
21 or trail” provided in section 212.1 of title 36,
22 Code of Federal Regulations (or a successor
23 regulation).

24 (D) METHOD.—The road density estab-
25 lished under subparagraph (A) may be accom-

1 plished through a combination of decommis-
2 sioning and year-round permanent closure, ex-
3 cept that the Secretary shall prioritize for de-
4 commissioning any roads adversely affecting
5 water quality or fish habitat.

6 (4) VEGETATION MANAGEMENT.—The Sec-
7 retary shall design authorized forest and watershed
8 restoration projects to produce commercial and non-
9 commercial wood products, consistent with the pur-
10 poses of this title.

11 **SEC. 605. MISCELLANEOUS.**

12 (a) IN GENERAL.—Except as otherwise provided in
13 this title, the Secretary shall administer the National For-
14 ests subject to the Initiative in accordance with applicable
15 law.

16 (b) AGENCY PARTICIPATION.—The Secretary may, in
17 accordance with applicable law, permit a Field Manager
18 from each applicable Bureau of Land Management office,
19 the Seeley Lake District Ranger of the Lolo National For-
20 est, and the Lincoln District Ranger of the Helena Na-
21 tional Forest to serve on the Board of Directors of the
22 Blackfoot Challenge in the official capacities of the Bu-
23 reau of Land Management and the districts, respectively.

24 (c) BIOMASS.—To help improve forest restoration ac-
25 tivities by using and creating markets for small-diameter

1 material and low-valued trees removed from forest restora-
2 tion activities in the State, the Secretary may provide
3 grants through the Woody Biomass Utilization Grant Pro-
4 gram or any other biomass program in accordance with
5 applicable law.

6 **TITLE VII—DESIGNATION OF**
7 **WILDERNESS AND SPECIAL**
8 **MANAGEMENT AREAS IN**
9 **MONTANA**

10 **SEC. 701. PURPOSES.**

11 The purposes of this title are—

12 (1) to protect and enhance motorized rec-
13 reational opportunities in the Beaverhead-Deerlodge
14 National Forest, the Lolo National Forest, and the
15 Kootenai National Forest; and

16 (2) to protect and enhance the wild heritage
17 and backcountry traditions of the State through—

18 (A) the addition of certain land to the Na-
19 tional Wilderness Preservation System; and

20 (B) the management of other land in a
21 manner that preserves existing primitive and
22 semi-primitive recreational activities.

23 **SEC. 702. DEFINITIONS.**

24 In this title:

1 (1) BEAVERHEAD-DEERLODGE NATIONAL FOR-
2 EST.—The term “Beaverhead-Deerlodge National
3 Forest” means the National Forest that is—

4 (A) comprised of—

5 (i) the Beaverhead National Forest;

6 and

7 (ii) the Deerlodge National Forest;

8 and

9 (B) managed by the Secretary concerned
10 as a single administrative unit.

11 (2) DESIGNATED ROAD, TRAIL, OR AREA.—The
12 term “designated road, trail, or area” has the mean-
13 ing given the term in section 212.1 of title 36, Code
14 of Federal Regulations (or a successor regulation).

15 (3) FOREST PLAN.—The term “forest plan”
16 means a land and resource management plan pre-
17 pared in accordance with section 6 of the Forest and
18 Rangeland Renewable Resources Planning Act of
19 1974 (16 U.S.C. 1604).

20 (4) SECRETARY CONCERNED.—The term “Sec-
21 retary concerned” means—

22 (A) the Secretary of Agriculture, acting
23 through the Chief of the Forest Service, with
24 respect to National Forest System land; and

1 (B) the Secretary of the Interior, with re-
2 spect to land managed by the Bureau of Land
3 Management (including land held for the ben-
4 efit of an Indian tribe).

5 (5) STATE.—The term “State” means the State
6 of Montana.

7 **SEC. 703. DESIGNATION OF WILDERNESS AREAS.**

8 (a) LAND ADMINISTERED BY THE FOREST SERV-
9 ICE.—In furtherance of the purposes of the Wilderness
10 Act (16 U.S.C. 1131 et seq.), the following areas in the
11 State are designated as wilderness areas and as compo-
12 nents of the National Wilderness Preservation System:

13 (1) ANACONDA PINTLAR WILDERNESS ADDI-
14 TIONS.—Certain land in the Beaverhead-Deerlodge
15 National Forest, comprising approximately 65,407
16 acres, as generally depicted on the map entitled
17 “Anaconda-Pintlar Wilderness Additions” and dated
18 September 13, 2010, is incorporated in, and shall be
19 considered to be a part of, the Anaconda-Pintlar
20 Wilderness.

21 (2) BOB MARSHALL WILDERNESS ADDITIONS.—
22 Certain land in the Lolo National Forest, comprising
23 approximately 40,072 acres generally depicted as the
24 “North Fork Blackfoot-Monture Creek Wilderness
25 Addition (Bob Marshall Addition)” and approxi-

1 mately 7,792 acres generally depicted as the “Griz-
2 zly Basin of the Swan Range Wilderness Addition”
3 on the map entitled “Bob Marshall, Mission Moun-
4 tains and Scapegoat Wilderness Additions and
5 Otatsy Recreation Management Area” and dated
6 September 13, 2010, is incorporated in, and shall be
7 considered to be a part of, the Bob Marshall Wilder-
8 ness.

9 (3) DOLUS LAKES WILDERNESS.—Certain land
10 in the Beaverhead-Deerlodge National Forest, com-
11 prising approximately 9,407 acres, as generally de-
12 picted on the map entitled “Dolus Lakes Wilder-
13 ness” and dated September 13, 2010, which shall be
14 known as the “Dolus Lakes Wilderness”.

15 (4) EAST PIONEERS WILDERNESS.—Certain
16 land in the Beaverhead-Deerlodge National Forest,
17 comprising approximately 77,438 acres, as generally
18 depicted on the map entitled “East Pioneers Wilder-
19 ness” and dated September 13, 2010, which shall be
20 known as the “East Pioneers Wilderness”.

21 (5) ELECTRIC PEAK WILDERNESS.—Certain
22 land in the Beaverhead-Deerlodge National Forest,
23 comprising approximately 5,670 acres, as generally
24 depicted on the map entitled “Electric Peak Wilder-
25 ness and Thunderbolt Creek Recreation Manage-

1 ment Area” and dated September 13, 2010, which
2 shall be known as the “Electric Peak Wilderness”.

3 (6) HIGHLANDS WILDERNESS.—Certain land in
4 the Beaverhead-Deerlodge National Forest, com-
5 prising approximately 15,659 acres, as generally de-
6 picted on the map entitled “Highlands Wilderness
7 Area and Special Management Area” and dated
8 September 13, 2010, which shall be known as the
9 “Highlands Wilderness”.

10 (7) ITALIAN PEAKS WILDERNESS.—Certain
11 land in the Beaverhead-Deerlodge National Forest,
12 comprising approximately 29,677 acres, as generally
13 depicted on the map entitled “Italian Peaks Wilder-
14 ness” and dated September 13, 2010, which shall be
15 known as the “Italian Peaks Wilderness”.

16 (8) LEE METCALF WILDERNESS ADDITIONS.—
17 Certain land in the Beaverhead-Deerlodge National
18 Forest, comprising approximately 17,201 acres, as
19 generally depicted on the map entitled “Lee Metcalf
20 Wilderness Additions” and dated September 13,
21 2010, is incorporated in, and shall be considered to
22 be a part of, the Lee Metcalf Wilderness.

23 (9) LIMA PEAKS WILDERNESS.—Certain land in
24 the Beaverhead-Deerlodge National Forest, com-
25 prising approximately 35,012 acres, as generally de-

1 picted on the map entitled “Lima Peaks Wilderness”
2 and dated September 13, 2010, which shall be
3 known as the “Lima Peaks Wilderness”.

4 (10) MISSION MOUNTAINS WILDERNESS ADDI-
5 TION.—Certain land in the Lolo National Forest,
6 which comprises approximately 4,460 acres, as gen-
7 erally depicted as the “West Fork Clearwater Wil-
8 derness Addition” on the map entitled “Bob Mar-
9 shall, Mission Mountains and Scapegoat Wilderness
10 Additions and Otatsy Recreation Management Area”
11 and dated September 13, 2010, is incorporated in,
12 and shall be considered to be a part of, the Mission
13 Mountains Wilderness designated by Public Law 93–
14 632 (88 Stat. 2153).

15 (11) MOUNT JEFFERSON WILDERNESS.—Cer-
16 tain land in the Beaverhead-Deerlodge National For-
17 est, comprising approximately 4,469 acres, as gen-
18 erally depicted on the map entitled “Mount Jeffer-
19 son Wilderness” and dated September 13, 2010,
20 which shall be known as the “Mount Jefferson Wil-
21 derness”.

22 (12) QUIGG PEAK WILDERNESS.—Certain land
23 in the Beaverhead-Deerlodge National Forest, com-
24 prising approximately 8,275 acres, as generally de-
25 picted on the map entitled “Quigg Peak Wilderness”

1 and dated September 13, 2010, which shall be
2 known as the “Quigg Peak Wilderness”.

3 (13) RODERICK WILDERNESS.—Certain land in
4 the Kootenai National Forest, which comprises ap-
5 proximately 29,467 acres, as generally depicted as
6 the “Roderick Wilderness Area” on the map entitled
7 “Roderick Wilderness and Special Management Area
8 and Three Rivers Special Management Area” and
9 dated September 13, 2010, which shall be known as
10 the “Roderick Wilderness”.

11 (14) SAPPHIRES WILDERNESS.—Certain land in
12 the Beaverhead-Deerlodge National Forest, com-
13 prising approximately 43,101 acres, as generally de-
14 picted on the map entitled “Sapphires Wilderness”
15 and dated September 13, 2010, which shall be
16 known as the “Sapphires Wilderness”.

17 (15) SCAPEGOAT WILDERNESS ADDITIONS.—
18 Certain land in the Lolo National Forest, which
19 comprises approximately 30,967 acres, as generally
20 depicted as the “North Fork Blackfoot-Monture
21 Creek Wilderness Addition (Scapegoat Addition)” on
22 the map entitled “Bob Marshall, Mission Mountains
23 and Scapegoat Wilderness Additions and Otatsy
24 Recreation Management Area” and dated September
25 13, 2010, is incorporated in, and shall be considered

1 to be a part of, the Scapegoat Wilderness designated
2 by Public Law 92–395 (86 Stat. 578).

3 (16) SNOWCREST WILDERNESS.—Certain land
4 in the Beaverhead-Deerlodge National Forest, com-
5 prising approximately 91,561 acres, as generally de-
6 picted on the map entitled “Snowcrest Wilderness”
7 and dated September 13, 2010, which shall be
8 known as the “Snowcrest Wilderness”.

9 (17) STONY MOUNTAIN WILDERNESS.—Certain
10 land in the Beaverhead-Deerlodge National Forest,
11 comprising approximately 14,213 acres, as generally
12 depicted on the map entitled “Stony Mountain Wil-
13 derness” and dated September 13, 2010, which shall
14 be known as the “Stony Mountain Wilderness”.

15 (18) WEST BIG HOLE WILDERNESS.—Certain
16 land in the Beaverhead-Deerlodge National Forest,
17 comprising approximately 44,156 acres, as generally
18 depicted on the map entitled “West Big Hole Wil-
19 derness and Recreation Management Area” and
20 dated September 13, 2010, which shall be known as
21 the “West Big Hole Wilderness”.

22 (19) WEST PIONEERS WILDERNESS.—Certain
23 land in the Beaverhead-Deerlodge National Forest,
24 comprising approximately 26,560 acres, as generally
25 depicted on the map entitled “West Pioneers Wilder-

1 ness and Recreation Management Area” and dated
2 September 13, 2010, which shall be known as the
3 “West Pioneers Wilderness”.

4 (b) LAND ADMINISTERED BY THE BUREAU OF LAND
5 MANAGEMENT.—In furtherance of the purposes of the
6 Wilderness Act (16 U.S.C. 1131 et seq.), the following
7 areas in the State are designated as wilderness areas and
8 as components of the National Wilderness Preservation
9 System:

10 (1) BLACKTAIL MOUNTAINS WILDERNESS.—
11 Certain public land administered by the Bureau of
12 Land Management, comprising approximately
13 10,675 acres, as generally depicted on the map enti-
14 tled “Blacktail Mountains Wilderness” and dated
15 July 27, 2010, which shall be known as the
16 “Blacktail Mountains Wilderness”.

17 (2) CENTENNIAL MOUNTAINS WILDERNESS.—
18 Certain public land administered by the Bureau of
19 Land Management, comprising approximately
20 23,700 acres, as generally depicted on the map enti-
21 tled “Centennial Mountains Wilderness” and dated
22 June 1, 2012, which shall be known as the “Centen-
23 nial Mountains Wilderness”.

24 (3) RUBY MOUNTAINS WILDERNESS.—Certain
25 public land administered by the Bureau of Land

1 Management, comprising approximately 16,300
2 acres, as generally depicted on the map entitled
3 “Ruby Mountains Wilderness” and dated July 27,
4 2010, which shall be known as the “Ruby Mountains
5 Wilderness”.

6 (4) EAST FORK BLACKTAIL WILDERNESS.—Cer-
7 tain public land administered by the Bureau of Land
8 Management, comprising approximately 6,125 acres,
9 as generally depicted on the map entitled “East
10 Fork Blacktail Wilderness” and dated July 27,
11 2010, which shall be known as the “East Fork
12 Blacktail Wilderness”.

13 (5) HUMBUG SPIRES WILDERNESS.—Certain
14 public land administered by the Bureau of Land
15 Management, comprising approximately 8,900 acres,
16 as generally depicted on the map entitled “Humbug
17 Spires Wilderness” and dated July 27, 2010, which
18 shall be known as the “Humbug Spires Wilderness”.

19 (c) TRANSFER OF ADMINISTRATIVE JURISDIC-
20 TION.—Administrative jurisdiction over certain public
21 land administered by the Bureau of Land Management,
22 comprising approximately 663 acres, as generally known
23 as “Farlin Creek Administrative Transfer” depicted on
24 the map entitled “East Pioneers Wilderness” and dated
25 September 13, 2010, is transferred to the Secretary of Ag-

1 riculture, and is incorporated in, and shall be considered
2 to be a part of, the East Pioneers Wilderness designated
3 by subsection (a)(4).

4 **SEC. 704. ADMINISTRATION OF WILDERNESS AREAS.**

5 (a) MANAGEMENT.—Subject to valid existing rights,
6 each area designated as wilderness by section 203 shall
7 be administered by the Secretary concerned in accordance
8 with the Wilderness Act (16 U.S.C. 1131 et seq.), except
9 that—

10 (1) any reference in that Act to the effective
11 date shall be considered to be a reference to the date
12 of enactment of this Act; and

13 (2) with respect to public land administered by
14 the Bureau of Land Management, any reference in
15 that Act to the Secretary of Agriculture shall be con-
16 sidered to be a reference to the Secretary of the In-
17 terior.

18 (b) MAPS AND LEGAL DESCRIPTIONS.—

19 (1) IN GENERAL.—As soon as practicable after
20 the date of enactment of this Act, the Secretary con-
21 cerned shall file a map and a legal description of
22 each wilderness area and potential wilderness area
23 designated by this section, with—

24 (A) the Committee on Energy and Natural
25 Resources of the Senate; and

1 (B) the Committee on Natural Resources
2 of the House of Representatives.

3 (2) FORCE OF LAW.—The maps and legal de-
4 scriptions filed under paragraph (1) shall have the
5 same force and effect as if included in this title, ex-
6 cept that the Secretary concerned may correct typo-
7 graphical errors in the maps and legal descriptions.

8 (3) PUBLIC AVAILABILITY.—Each map and
9 legal description filed under paragraph (1) shall be
10 on file and available for public inspection in the ap-
11 propriate offices of the Forest Service and the Bu-
12 reau of Land Management.

13 (c) INCORPORATION OF ACQUIRED LAND AND INTER-
14 ESTS.—Any land within the boundary of a wilderness area
15 designated by section 203 that is acquired by the United
16 States shall—

17 (1) become part of the wilderness area in which
18 the land is located; and

19 (2) be managed in accordance with this section,
20 the Wilderness Act (16 U.S.C. 1131 et seq.), and
21 any other applicable law.

22 (d) WITHDRAWAL.—Subject to valid existing rights,
23 the Federal land designated as wilderness by section 203
24 is withdrawn from all forms of—

1 (1) entry, appropriation, or disposal under the
2 public land laws;

3 (2) location, entry, and patent under the mining
4 laws; and

5 (3) disposition under all laws pertaining to min-
6 eral and geothermal leasing or mineral materials.

7 (e) FIRE, INSECTS, AND DISEASES.—In accordance
8 with section 4(d)(1) of the Wilderness Act (16 U.S.C.
9 1133(d)(1)), within the wilderness areas designated by
10 section 203, the Secretary concerned may take such meas-
11 ures as are necessary to control fire, insects, and diseases,
12 subject to such terms and conditions as the Secretary con-
13 cerned determines to be appropriate.

14 (f) ACCESS TO PRIVATE LAND.—In accordance with
15 section 5(a) of the Wilderness Act (16 U.S.C. 1134(a)),
16 the Secretary concerned shall provide any owner of private
17 land within the boundary of a wilderness area designated
18 by section 203 adequate access to the private land.

19 (g) FISH AND WILDLIFE.—

20 (1) IN GENERAL.—Nothing in this title affects
21 the jurisdiction or responsibilities of the State with
22 respect to fish and wildlife, including the regulation
23 of hunting, fishing, and trapping.

24 (2) MANAGEMENT ACTIVITIES.—In furtherance
25 of the purposes and principles of the Wilderness Act

1 (16 U.S.C. 1131 et seq.), the Secretary concerned
2 may carry out management activities to maintain or
3 restore fish and wildlife populations (including ac-
4 tivities to maintain and restore fish and wildlife
5 habitats to support the populations) in a wilderness
6 area designated by section 203 if the activities are—

7 (A) consistent with applicable wilderness
8 management plans; and

9 (B) carried out in accordance with applica-
10 ble guidelines and policies.

11 (h) SNOW SENSORS AND STREAM GAUGES.—Nothing
12 in this title prevents the installation or maintenance of
13 hydrological, meteorological, or climatological instrumen-
14 tation in a wilderness area designated by section 203 if
15 the Secretary concerned determines that the installation
16 or maintenance of the instrumentation is necessary to fur-
17 ther the scientific, educational, or conservation purposes
18 of the wilderness area.

19 (i) LIVESTOCK.—Within the wilderness areas, the
20 grazing of livestock in which grazing is established before
21 the date of enactment of this Act shall be allowed to con-
22 tinue, subject to such reasonable regulations, policies, and
23 practices as the Secretary concerned determines to be nec-
24 essary, in accordance with—

1 (1) section 4(d)(4) of the Wilderness Act (16
2 U.S.C. 1131(d)(4));

3 (2) with respect to wilderness areas adminis-
4 tered by the Secretary of Agriculture, the guidelines
5 described in House Report 96–617 of the 96th Con-
6 gress; and

7 (3) with respect to wilderness areas adminis-
8 tered by the Secretary of the Interior, the guidelines
9 described in Appendix A of House Report 101–405
10 of the 101st Congress.

11 (j) OUTFITTING AND GUIDE ACTIVITIES.—

12 (1) IN GENERAL.—In accordance with section
13 4(d)(5) of the Wilderness Act (16 U.S.C.
14 1133(d)(5)), commercial services (including author-
15 ized outfitting and guide activities) within the wil-
16 derness areas designated by section 203 may be per-
17 formed to the extent necessary for activities that are
18 proper for realizing the recreational or other wilder-
19 ness purposes of the wilderness areas.

20 (2) EFFECT.—Nothing in this title requires the
21 Secretary concerned to modify permits in effect as of
22 the date of enactment of this Act to provide outfit-
23 ting and guide services within the areas designated
24 as wilderness by section 203, if the Secretary con-
25 cerned determines that the activities are in compli-

1 ance with section 4(d)(5) of the Wilderness Act (16
2 U.S.C. 1133(d)(5)).

3 (k) ADJACENT MANAGEMENT.—

4 (1) IN GENERAL.—The designation of a wilder-
5 ness area by section 203 shall not create any protec-
6 tive perimeter or buffer zone around the wilderness
7 area.

8 (2) NONWILDERNESS ACTIVITIES.—The fact
9 that nonwilderness activities or uses can be seen or
10 heard from areas within a wilderness area des-
11 ignated by section 203 shall not preclude the con-
12 duct of the activities or uses outside the boundary
13 of the wilderness area.

14 (l) WATER IMPOUNDMENT STRUCTURES.—

15 (1) IN GENERAL.—The Secretary concerned
16 may issue a special use authorization to an owner of
17 a water storage, transport, or diversion facility lo-
18 cated within the areas designated as wilderness by
19 section 203 for the continued operation, mainte-
20 nance, and reconstruction of the facility if—

21 (A) the facility was in existence before the
22 date of the designation of the wilderness area;
23 and

24 (B) the Secretary concerned determines
25 that—

1 (i) the facility has been in substan-
2 tially continuous use to deliver water for
3 the beneficial use on the non-Federal land
4 of the owner since the date of the designa-
5 tion of the wilderness area;

6 (ii) the owner of the facility holds a
7 valid water right for use of the water
8 under State law, with a priority date that
9 predates the date of the designation of the
10 wilderness area; and

11 (iii) it is not practicable or feasible to
12 relocate the facility to land outside the
13 boundary of the wilderness and continue
14 the beneficial use of water on the non-Fed-
15 eral land recognized under State law.

16 (2) USE OF MOTORIZED EQUIPMENT AND
17 MECHANIZED TRANSPORT.—The special use author-
18 ization under paragraph (1) may allow for the use
19 of motorized equipment and mechanized transport if
20 the Secretary concerned determines, after con-
21 ducting a minimum tool analysis, that the use of
22 nonmotorized equipment and nonmechanized trans-
23 port is impracticable or infeasible.

24 (3) TERMS AND CONDITIONS.—The Secretary
25 concerned may include such terms and conditions in

1 the special use authorization under paragraph (1) as
2 the Secretary concerned determines appropriate to
3 protect the wilderness values of the area.

4 (m) SNOWCREST WILDERNESS AREA.—With respect
5 to the Snowcrest Wilderness Area—

6 (1) the continuation of reasonable motorized ac-
7 cess to maintain water infrastructure for cattle that
8 was constructed to protect fluvial Arctic Grayling
9 and other aquatic species in the Ruby River may
10 continue—

11 (A) subject to a permit; and

12 (B) in accordance with—

13 (i) section 4(d)(4) of the Wilderness
14 Act (16 U.S.C. 1133(d)(4)); and

15 (ii) the guidelines described in House
16 Report 96-617 of the 96th Congress; and

17 (2) the trailing of sheep across the Snowcrest
18 Wilderness area to reach existing grazing allotments
19 in the Gravelly Mountains may be continued for the
20 tenure of the allotments—

21 (A) subject to—

22 (i) a permit; and

23 (ii) a determination by the Secretary
24 of Agriculture (acting through the Forest
25 Supervisor) that the use of nonmechanized

1 transport is impracticable or infeasible;

2 and

3 (B) to the maximum extent practicable, in

4 accordance with the guidelines described in

5 House Report 96–617 of the 96th Congress.

6 **SEC. 705. RELEASE OF BUREAU OF LAND MANAGEMENT**

7 **STUDY AREAS.**

8 (a) FINDING.—Congress finds that, for purposes of
9 section 603 of the Federal Land Policy and Management
10 Act of 1976 (43 U.S.C. 1782), any portion of a wilderness
11 study area described in subsection (b) that is not des-
12 ignated as a wilderness area by section 203 or any other
13 Act enacted before the date of enactment of this Act has
14 been adequately studied for wilderness.

15 (b) DESCRIPTION OF STUDY AREAS.—The study
16 areas referred to in subsection (a) are—

17 (1) the Axolotl Lakes Wilderness Study Area;

18 (2) the Bell and Limekiln Canyons Wilderness
19 Study Area;

20 (3) the Blacktail Mountains Wilderness Study
21 Area;

22 (4) the Centennial Mountains Wilderness Study
23 Area;

24 (5) the Farlin Creek Wilderness Study Area;

1 (6) the Henneberry Ridge Wilderness Study
2 Area;

3 (7) the Hidden Pasture Wilderness Study Area;

4 (8) the Humbug Spires Wilderness Study Area;

5 and

6 (9) the Ruby Mountains Wilderness Study
7 Area.

8 (c) RELEASE.—Any study area described in sub-
9 section (b) that is not designated as a wilderness area by
10 section 203—

11 (1) is no longer subject to section 603(c) of the
12 Federal Land Policy and Management Act of 1976
13 (43 U.S.C. 1782(c)); and

14 (2) shall be managed in accordance with the ap-
15 plicable land management plans adopted under sec-
16 tion 202 of that Act (43 U.S.C. 1712).

17 **SEC. 706. RELEASE OF SAPPHIRE AND WEST PIONEER WIL-**
18 **DERNESS STUDY AREAS.**

19 (a) FINDINGS.—Congress finds that—

20 (1) the studies conducted under section 2 of the
21 Montana Wilderness Study Act of 1977 (Public Law
22 95–150; 91 Stat. 1243) regarding each study area
23 described in subsection (b) are adequate for the con-
24 sideration of the suitability of each study area for

1 inclusion as a component of the National Wilderness
2 Preservation System; and

3 (2) the Secretary of Agriculture is not re-
4 quired—

5 (A) to review the wilderness option for
6 each study area described in subsection (b)
7 prior to the revision of the forest plan required
8 for each land that comprises each study area in
9 accordance with the Forest and Rangeland Re-
10 newable Resources Planning Act of 1974 (16
11 U.S.C. 1600 et seq.); and

12 (B) to manage the portion of each study
13 area described in subsection (b) that is not des-
14 ignated as wilderness by section 203 to ensure
15 the suitability of the area for designation as a
16 component of the National Wilderness Preser-
17 vation System pending revision of the applicable
18 forest plan.

19 (b) DESCRIPTION OF STUDY AREAS.—The study
20 areas referred to in subsection (a) are those portions of
21 the following wilderness study areas which are not des-
22 ignated as wilderness by section 203:

23 (1) The portion of the Sapphire Wilderness
24 Study Area that is located on the Beaverhead-
25 Deerlodge National Forest, as described in section

1 2(4) of the Montana Wilderness Study Act of 1977
2 (Public Law 95–150; 91 Stat. 1243).

3 (2) The West Pioneer Wilderness Study Area,
4 as described in section 2(1) of the Montana Wilder-
5 ness Study Act of 1977 (Public Law 95–150; 91
6 Stat. 1243).

7 **SEC. 707. SPECIAL MANAGEMENT AND RECREATION MAN-**
8 **AGEMENT AREAS.**

9 (a) DESIGNATION.—To conserve, protect, and en-
10 hance the scenic, fish and wildlife, recreational,
11 backcountry heritage, and other natural resource values
12 of the areas, the following areas in the State are des-
13 ignated for special management by the Secretary con-
14 cerned in accordance with this section:

15 (1) HIGHLANDS SPECIAL MANAGEMENT
16 AREA.—Certain Federal land in the Beaverhead-
17 Deerlodge National Forest, comprising approxi-
18 mately 5,011 acres, as generally depicted on the
19 map entitled “Highlands Wilderness Area and Spe-
20 cial Management Area” and dated September 13,
21 2010, which is designated as the “Highlands Special
22 Management Area”.

23 (2) LOST CREEK RECREATION MANAGEMENT
24 AREA.—Certain Federal land in the Beaverhead-
25 Deerlodge National Forest, comprising approxi-

1 mately 14,589 acres, as generally depicted on the
2 map entitled “Lost Creek Recreation Management
3 Area” and dated September 13, 2010, which is des-
4 ignated as the “Lost Creek Recreation Management
5 Area”.

6 (3) OTATSY RECREATION MANAGEMENT
7 AREA.—Certain Federal land in the Lolo National
8 Forest, comprising approximately 1,859 acres, as
9 generally depicted on the map entitled “Bob Mar-
10 shall, Mission Mountains and Scapegoat Wilderness
11 Additions and Otatsy Recreation Management Area”
12 and dated September 13, 2010, which is designated
13 as the “Otatsy Recreation Management Area”.

14 (4) RODERICK SPECIAL MANAGEMENT AREA.—
15 Certain Federal land in the Kootenai National For-
16 est, comprising approximately 3,715 acres, as gen-
17 erally depicted on the map entitled “Roderick Wil-
18 derness and Special Management Area and Three
19 Rivers Special Management Area” and dated Sep-
20 tember 13, 2010, which is designated as the “Rod-
21 erick Special Management Area”.

22 (5) THREE RIVERS SPECIAL MANAGEMENT
23 AREA.—Certain Federal land in the Kootenai Na-
24 tional Forest, comprising approximately 71,994
25 acres, as generally depicted on the map entitled

1 “Roderick Wilderness and Special Management Area
2 and Three Rivers Special Management Area” and
3 dated September 13, 2010, which is designated as
4 the “Three Rivers Special Management Area”.

5 (6) THUNDERBOLT CREEK RECREATION MAN-
6 AGEMENT AREA.—Certain Federal land in the Bea-
7 verhead-Deerlodge National Forest, comprising ap-
8 proximately 19,641 acres, as generally depicted on
9 the map entitled “Electric Peak Wilderness and
10 Thunderbolt Creek Recreation Management Area”
11 and dated September 13, 2010, which is designated
12 as the “Thunderbolt Recreation Management Area”.

13 (7) TOBACCO ROOTS RECREATION MANAGE-
14 MENT AREA.—Certain Federal land in the Beaver-
15 head-Deerlodge National Forest, comprising approxi-
16 mately 29,186 acres, as generally depicted on the
17 map entitled “Tobacco Roots Recreation Manage-
18 ment Area” and dated September 13, 2010, which
19 is designated as the “Tobacco Roots Recreation
20 Management Area”.

21 (8) WEST BIG HOLE RECREATION MANAGE-
22 MENT AREA.—Certain Federal land in the Beaver-
23 head-Deerlodge National Forest comprising approxi-
24 mately 95,144 acres, as generally depicted on the
25 map entitled “West Big Hole Wilderness and Recre-

1 ation Management Area” and dated September 13,
2 2010, which is designated as the “West Big Hole
3 Recreation Management Area”.

4 (9) WEST PIONEERS RECREATION MANAGE-
5 MENT AREA.—Certain Federal land in the Beaver-
6 head-Deerlodge National Forest, comprising approxi-
7 mately 128,361 acres, as generally depicted on the
8 map entitled “West Pioneers Wilderness and Recre-
9 ation Management Area” and dated September 13,
10 2010, which is designated as the “West Pioneers
11 Recreation Management Area”.

12 (b) ADMINISTRATION.—

13 (1) APPLICABLE LAW.—

14 (A) IN GENERAL.—The Secretary con-
15 cerned shall administer each area designated by
16 subsection (a)—

17 (i) in furtherance of the purposes for
18 which the area is established; and

19 (ii) in accordance with—

20 (I) this section; and

21 (II) any laws (including regula-
22 tions) relating to the National Forest
23 System.

24 (B) CLOSURE OF TRAILS.—Nothing in this
25 title precludes the Secretary concerned from

1 closing any trail or area located in the areas
2 designated by subsection (a)—

3 (i) to protect a natural resource; or

4 (ii) to help ensure public safety.

5 (2) WITHDRAWAL.—Subject to valid existing
6 rights, any Federal land within an area designated
7 by subsection (a) (including any Federal land ac-
8 quired after the date of enactment of this Act for in-
9 clusion in an area designated by subsection (a)) is
10 withdrawn from all forms of—

11 (A) entry, appropriation, or disposal under
12 the public land laws;

13 (B) location, entry, and patent under the
14 mining laws; and

15 (C) disposition under all laws pertaining to
16 mineral and geothermal leasing or mineral ma-
17 terials.

18 (3) TIMBER HARVESTING.—

19 (A) IN GENERAL.—Except as provided in
20 subparagraph (B) or as authorized under sub-
21 section (c), timber harvesting shall not be per-
22 mitted within an area designated by subsection
23 (a).

24 (B) FIRE, INSECTS, AND DISEASES.—Tim-
25 ber harvesting may be permitted in an area des-

1 ignated by subsection (a) to the extent con-
2 sistent with protecting and preserving the pur-
3 poses of the areas designated by subsection (a)
4 for purposes relating to the necessary control of
5 fire, insects, and diseases.

6 (4) USE OF MOTORIZED OR MECHANIZED VEHI-
7 CLES.—

8 (A) IN GENERAL.—Nothing in this section
9 affects the use of motorized or mechanized vehi-
10 cles that the Secretary concerned determines is
11 necessary for administrative use or to respond
12 to an emergency.

13 (B) MECHANIZED VEHICLES, PEDES-
14 TRIANS, AND HORSE TRAVEL.—Except as au-
15 thorized under subsection (c), nothing in this
16 section prohibits—

17 (i) the use of mechanized vehicles, ac-
18 cess by pedestrians, or horse travel within
19 the areas designated by subsection (a); or

20 (ii) the construction of trails for use
21 by mechanized vehicles, pedestrians, and
22 horse travel within the areas designated by
23 subsection (a).

24 (5) FIREWOOD.—The Secretary concerned may
25 allow for the collection of firewood for noncommer-

1 cial personal use within the areas designated by sub-
2 section (a)—

3 (A) in accordance with any applicable laws;

4 and

5 (B) subject to such terms and conditions
6 as the Secretary concerned determines to be ap-
7 propriate.

8 (c) AREA SPECIFIC MANAGEMENT REQUIRE-
9 MENTS.—

10 (1) HIGHLANDS SPECIAL MANAGEMENT
11 AREA.—

12 (A) CAMPGROUND DEVELOPMENT.—No
13 permanent campground may be constructed
14 within the Highlands Special Management
15 Area.

16 (B) MOTORIZED AND MECHANIZED RECRE-
17 ATION.—Except as provided in subparagraph
18 (C), and as necessary for administrative use or
19 to respond to an emergency, the use of motor-
20 ized or mechanized vehicles within the High-
21 lands Special Management Area shall be pro-
22 hibited.

23 (C) TRANSMISSION TOWERS AND MUNIC-
24 IPAL WATER PIPELINES.—Nothing in this sec-
25 tion affects—

1 (i) the reasonable access of the gov-
2 ernment of the applicable county to oper-
3 ate and maintain the communication site
4 located on Table Mountain under a special
5 use permit issued by the Forest Service;
6 and

7 (ii) the reasonable access of the city of
8 Butte, Montana, to operate, maintain, and
9 if necessary, upgrade or replace the water
10 supply pipeline within the Highlands Spe-
11 cial Management Area in existence as of
12 the date of enactment of this Act for the
13 city of Butte (including the surrounding
14 community of the city of Butte).

15 (D) HELICOPTER LANDINGS.—Nothing in
16 this section precludes or restricts the authority
17 of the Secretary concerned to enter into agree-
18 ments with the Secretary of Defense or the
19 Montana National Guard to authorize limited
20 and scheduled landings of aircraft in the High-
21 lands Special Management Area.

22 (2) LOST CREEK, THUNDERBOLT, AND WEST
23 PIONEERS RECREATION MANAGEMENT AREAS.—

24 (A) MOTORIZED RECREATION.—Subject to
25 any terms and conditions the Secretary con-

1 cerned determines to be necessary, the use of
2 motorized vehicles within the Lost Creek, Thun-
3 derbolt, and West Pioneers Recreation Manage-
4 ment Areas shall be limited to—

5 (i) roads, trails, or areas that, as of
6 the date of enactment of this Act, are des-
7 ignated roads, trails, or areas; and

8 (ii) during periods of adequate snow
9 cover, the areas authorized for snowmobile
10 use as of the date of enactment of this Act.

11 (B) CAMPGROUND DEVELOPMENT.—No
12 permanent campground may be constructed
13 within the Lost Creek Recreation Area.

14 (3) OTATSY RECREATION MANAGEMENT
15 AREA.—

16 (A) MOTORIZED AND MECHANIZED RECRE-
17 ATION.—

18 (i) IN GENERAL.—The use of motor-
19 ized and mechanized vehicles in the Otatsy
20 Recreation Management Area shall be per-
21 mitted only on the roads, trails, and areas
22 that are designated for use by motorized
23 and mechanized vehicles by the manage-
24 ment plan required under subparagraph
25 (B).

1 (ii) INTERIM MANAGEMENT.—Until
2 the date on which the management plan
3 required under subparagraph (B) is ap-
4 proved, and subject to any terms and con-
5 ditions that the Secretary concerned deter-
6 mines to be necessary, the use of motorized
7 or mechanized vehicles in the Otatsy
8 Recreation Management Area shall be lim-
9 ited to the roads and trails designated for
10 such use as of the date of enactment of
11 this Act, except that during periods of ade-
12 quate snow cover, the use of snowmobiles
13 shall be allowed within the Otatsy Recre-
14 ation Management Area.

15 (B) MANAGEMENT PLAN.—The Secretary
16 concerned shall prepare a management plan for
17 the Otatsy Recreation Management Area as
18 part of the first revision of the applicable forest
19 plan that is carried out after the date of enact-
20 ment of this Act.

21 (4) THREE RIVERS AND RODERICK SPECIAL
22 MANAGEMENT AREAS.—

23 (A) MOTORIZED AND MECHANIZED RECRE-
24 ATION.—Except as provided in subparagraphs
25 (B) and (C), the use of motorized or mecha-

1 nized vehicles within the Three Rivers Special
2 Management Area and the Roderick Special
3 Management Area shall be limited to the roads
4 on which use by highway legal vehicles is per-
5 mitted as of the date of enactment of this Act.

6 (B) SNOWMOBILE AREA.—Subject to any
7 terms and conditions the Secretary concerned
8 determines to be necessary, during periods of
9 adequate snow cover, the use of snowmobiles
10 shall be allowed in the areas designated as “mo-
11 torized” in the map entitled “Roderick Wilder-
12 ness and Special Management Area and Three
13 Rivers Special Management Area” and dated
14 September 13, 2010.

15 (C) GAME CARTS.—The Secretary con-
16 cerned may authorize the use of nonmotorized
17 game carts in the area identified as “Roderick
18 Special Management Area” on the map de-
19 scribed in subparagraph (B).

20 (D) CAMPGROUND DEVELOPMENT.—No
21 permanent campground may be constructed in
22 the Three Rivers Special Management Area or
23 the Roderick Special Management Area.

24 (5) TOBACCO ROOTS RECREATION MANAGE-
25 MENT AREA.—Subject to any terms and conditions

1 that the Secretary concerned determines to be nec-
2 essary, the use of motorized vehicles shall be limited
3 to the roads and trails in the Tobacco Roots Recre-
4 ation Management Area designated for such use as
5 of the date of enactment of this Act.

6 (6) WEST BIG HOLE RECREATION MANAGE-
7 MENT AREA.—

8 (A) MOTORIZED RECREATION.—Subject to
9 any terms and conditions the Secretary con-
10 cerned determines to be necessary, the use of
11 motorized vehicles within the West Big Hole
12 Recreation Management Area shall be limited
13 to—

14 (i) the roads, trails, and areas that, as
15 of the date of enactment of this Act, are
16 designated roads, trails, or areas; and

17 (ii) during periods of adequate snow
18 cover, the areas authorized for snowmobile
19 use as of the date of enactment of this Act.

20 (B) TIMBER HARVEST.—The Secretary
21 concerned may authorize post and pole, fire-
22 wood, and fuel reduction timber projects in the
23 West Big Hole Recreation Management Area,
24 subject to such terms and conditions that the

1 Secretary concerned determines to be appro-
2 priate.

3 **SEC. 708. ALL-TERRAIN-VEHICLE STUDY AND REPORT.**

4 Not later than 1 year after the date of enactment
5 of this Act, the Secretary concerned shall study and report
6 on—

7 (1) the opportunities for expanded all-terrain
8 vehicle roads and trails across the Three Rivers Dis-
9 trict and adjacent areas on the Kootenai National
10 Forest;

11 (2) the interconnectedness of roads on private
12 or State land; and

13 (3) the opportunities for expanded access points
14 to existing trails.

15 This Act may be cited as the “Department of the In-
16 terior, Environment, and Related Agencies Appropriations
17 Act, 2013”.

Calendar No. 000

112TH CONGRESS
2^D SESSION

S. 0000

[Report No. 112-000]

A BILL

Making appropriations for Department of the Interior, Environment, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes.

SEPTEMBER 00, 2012

Read twice and placed on the calendar