[COMMITTEE PRINT]

NOTICE: This bill is a draft for use of the Committee and its Staff only, in preparation for markup.

Calendar No. 000

115TH CONGRESS 1ST SESSION

S. 0000

[Report No. 115–000]

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

IN THE SENATE OF THE UNITED STATES

November 17, 2017 (11:44 a.m.)

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

A BILL

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

Be it enacted by the Senate and House of Representa-

atives of the United States of America in Congress assembled,
That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes, namely:

TITLE I
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interests in lands, and performance of other functions, including maintenance of facilities, as authorized by law, in the management of lands and their resources under the jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and assessment of mineral potential of public lands pursuant to section 1010(a) of Public Law 96–487 (16 U.S.C. 3150(a)), $1,094,492,000, to remain available until expended, including all such amounts as are collected from permit processing fees, as authorized but made subject to future appropriation by section 35(d)(3)(A)(i) of the Mineral Leasing Act (30 U.S.C. 191), except that amounts from permit processing fees may be used for any bureau-related expenses associ-
ated with the processing of oil and gas applications for
permits to drill and related use of authorizations.

In addition, $39,696,000 is for Mining Law Adminis-
tration program operations, including the cost of admin-
istering the mining claim fee program, to remain available
until expended, to be reduced by amounts collected by the
Bureau and credited to this appropriation from mining
claim maintenance fees and location fees that are hereby
authorized for fiscal year 2018, so as to result in a final
appropriation estimated at not more than $1,094,492,000,
and $2,000,000, to remain available until expended, from
communication site rental fees established by the Bureau
for the cost of administering communication site activities.

LAND ACQUISITION

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out sections 205,
206, and 318(d) of Public Law 94–579, including admin-
istrative expenses and acquisition of lands or waters, or
interests therein, $24,916,000, to be derived from the
Land and Water Conservation Fund and to remain avail-
able until expended.

Of the unobligated balances available for this account
from prior appropriations, $1,769,000 are permanently re-
scinded: Provided, That no amounts may be rescinded
from amounts that were designated by the Congress as
an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, operation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $101,431,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 2605).

RANGE IMPROVEMENTS

For rehabilitation, protection, and acquisition of lands and interests therein, and improvement of Federal rangelands pursuant to section 401 of the Federal Land
Policy and Management Act of 1976 (43 U.S.C. 1751), notwithstanding any other Act, sums equal to 50 percent of all moneys received during the prior fiscal year under sections 3 and 15 of the Taylor Grazing Act (43 U.S.C. 315b, 315m) and the amount designated for range improvements from grazing fees and mineral leasing receipts from Bankhead-Jones lands transferred to the Department of the Interior pursuant to law, but not less than $10,000,000, to remain available until expended: Provided, That not to exceed $600,000 shall be available for administrative expenses.

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

For administrative expenses and other costs related to processing application documents and other authorizations for use and disposal of public lands and resources, for costs of providing copies of official public land documents, for monitoring construction, operation, and termination of facilities in conjunction with use authorizations, and for rehabilitation of damaged property, such amounts as may be collected under Public Law 94–579 (43 U.S.C. 1701 et seq.), and under section 28 of the Mineral Leasing Act (30 U.S.C. 185), to remain available until expended: Provided, That, notwithstanding any provision to the contrary of section 305(a) of Public Law 94–579 (43 U.S.C. 1735(a)), any moneys that have been or will be received
pursuant to that section, whether as a result of forfeiture, compromise, or settlement, if not appropriate for refund pursuant to section 305(c) of that Act (43 U.S.C. 1735(c)), shall be available and may be expended under the authority of this Act by the Secretary to improve, protect, or rehabilitate any public lands administered through the Bureau of Land Management which have been damaged by the action of a resource developer, purchaser, permittee, or any unauthorized person, without regard to whether all moneys collected from each such action are used on the exact lands damaged which led to the action:

Provided further, That any such moneys that are in excess of amounts needed to repair damage to the exact land for which funds were collected may be used to repair other damaged public lands.

MISCELLANEOUS TRUST FUNDS

In addition to amounts authorized to be expended under existing laws, there is hereby appropriated such amounts as may be contributed under section 307 of Public Law 94–579 (43 U.S.C. 1737), and such amounts as may be advanced for administrative costs, surveys, appraisals, and costs of making conveyances of omitted lands under section 211(b) of that Act (43 U.S.C. 1721(b)), to remain available until expended.
ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the operations funded under this Act by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities, including with States. Appropriations for the Bureau shall be available for purchase, erection, and dismantlement of temporary structures, and alteration and maintenance of necessary buildings and appurtenant facilities to which the United States has title; up to $100,000 for payments, at the discretion of the Secretary, for information or evidence concerning violations of laws administered by the Bureau; miscellaneous and emergency expenses of enforcement activities authorized or approved by the Secretary and to be accounted for solely on the Secretary’s certificate, not to exceed $10,000: Provided, That notwithstanding Public Law 90–620 (44 U.S.C. 501), the Bureau may, under cooperative cost-sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share the cost of printing either in cash or in services, and the Bureau determines the cooperator is capable of meeting accepted quality standards: Provided further, That projects to be funded pursuant to a written commitment by a State government to provide an identi-
fied amount of money in support of the project may be carried out by the Bureau on a reimbursable basis. Appropriations herein made shall not be available for the destruction of healthy, unadopted, wild horses and burros in the care of the Bureau or its contractors or for the sale of wild horses and burros that results in their destruction for processing into commercial products: Provided further, That section 35 of the Mineral Leasing Act (30 U.S.C. 191) shall be applied for fiscal year 2018 as if the following were inserted after the period in subsection (d)(4):

“(5) There is appropriated to the Fee Account established in subsection (e)(3)(B)(ii) of this section, out of any money in the Treasury not otherwise appropriated, $26,000,000 for fiscal year 2018, to remain available until expended, for the processing of applications for permit to drill and related use authorizations, to be reduced by amounts collected by the Bureau and transferred to such Fee Account pursuant to subsection (d)(3)(A)(ii) of this section, so as to result in a final fiscal year 2018 appropriation from the general fund estimated at not more than $0. Any offsetting receipts received in excess of $26,000,000 in fiscal year 2018 that would have otherwise been transferred to the Fee Account estab-
lished in subsection (c)(3)(B)(ii) of this section pursuant to subsection (d)(3)(A)(ii) of this section shall instead be deposited in the general fund of the Treasury.”.

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, $1,245,831,000, to remain available until September 30, 2019: Provided, That not to exceed $17,122,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (c)(2)(A), (c)(2)(B)(i), or (c)(2)(B)(ii)); of which not to exceed $3,270,000 shall be used for any activity regarding the designation of critical habitat, pursuant to subsection (a)(3), excluding litigation support, for species listed pursuant to subsection (a)(1) prior to October 1, 2015; of which not to exceed $1,498,000 shall be used for any activity regarding petitions to list species that are indigenous to the United
1 States pursuant to subsections (b)(3)(A) and (b)(3)(B); and, of which not to exceed $501,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) for species that are not indigenous to the United States.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition of lands and interests therein; $16,540,000, to remain available until expended.

LAND ACQUISITION

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the United States Fish and Wildlife Service, $55,439,000, to be derived from the Land and Water Conservation Fund and to remain available until expended: Provided, That none of the funds appropriated for specific land acquisition projects may be used to pay for any ad-
ministrative overhead, planning or other management costs.

Of the unobligated balances available for this account from prior appropriations, $4,572,000 are permanently rescinded: Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535), $37,333,000, to remain available until expended, of which $17,695,000 is to be derived from the Cooperative Endangered Species Conservation Fund; and of which $19,638,000 is to be derived from the Land and Water Conservation Fund.

Of the unobligated balances available for this account from appropriations made for fiscal years prior to the fiscal year 2013, $3,000,000 are permanently rescinded: Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Reso-
olution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL WILDLIFE REFUGE FUND

For expenses necessary to implement the Act of October 17, 1978 (16 U.S.C. 715s), $13,228,000.

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), $40,000,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

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

MULTINATIONAL SPECIES CONSERVATION FUND

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $63,571,000, to remain available until expended: Provided, That of the amount provided herein, $4,209,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: Provided further, That $6,362,000 is for a competitive grant program to implement approved plans for States, territories, and other jurisdictions and at the discretion of affected States, the regional Associations of fish and wildlife agencies, not subject to the remaining provisions of this appropriation: Provided further, That the Secretary shall, after deducting $10,571,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and
the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: Provided further, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: Provided further, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: Provided further, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed 65 percent of the total costs of such projects: Provided further, That the non-Federal share of such projects may not be derived from Federal grant programs: Provided further, That any amount apportioned in 2018 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2019, shall be reapportioned, together with funds appropriated in 2020, in the manner provided herein.
The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: Provided, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: Provided further, That the Service may
accept donated aircraft as replacements for existing aircraft: *Provided further,* That notwithstanding 31 U.S.C. 3302, all fees collected for non-toxic shot review and approval shall be deposited under the heading “United States Fish and Wildlife Service—Resource Management” and shall be available to the Secretary, without further appropriation, to be used for expenses of processing of such non-toxic shot type or coating applications and revising regulations as necessary, and shall remain available until expended.

**NATIONAL PARK SERVICE**

**OPERATION OF THE NATIONAL PARK SYSTEM**

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, $2,411,791,000, of which $10,032,000 for planning and interagency coordination in support of Everglades restoration and $124,461,000 for maintenance, repair, or rehabilitation projects for constructed assets shall remain available until September 30, 2019: *Provided,* That funds appropriated under this heading in this Act are available for the purposes of section 5 of Public Law 95–348.
NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance and review, international park affairs, statutory or contractual aid for other activities, and grant administration, not otherwise provided for, $63,049,000: Provided, That of the funds provided, $500,000 is available for implementation of subchapter II of Public Law 99–498, as amended, (20 U.S.C. 4441 et seq.).

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (division A of subtitle III of title 54, United States Code), $77,910,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2019, of which $3,000,000 is for competitive grants for the restoration of historic properties of national, State and local significance listed on or eligible for inclusion on the National Register of Historic Places, to be made without imposing the usage or direct grant restrictions of section 101(e)(3) (16 U.S.C. 470a(e)(3)(A)) of the National Historical Preservation Act: Provided, That of the funds provided for the Historic Preservation Fund, $500,000 is for competitive grants for the survey and nomination of properties to the National
Register of Historic Places and as National Historic Landmarks associated with communities currently under-represented, as determined by the Secretary, $13,000,000 is for competitive grants to preserve the sites and stories of the Civil Rights movement, and $3,000,000 is for grants to Historically Black Colleges and Universities:

Provided further, That such competitive grants shall be made without imposing the matching requirements in section 302902(b)(3) of title 54, United States Code to States and Indian tribes as defined in chapter 3003 of such title, Native Hawaiian organizations, local governments, including Certified Local Governments, and non-profit organizations.

CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, including modifications authorized by section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r–8), and compliance and planning for programs and areas administered by the National Park Service, $221,704,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, for any project initially funded in fiscal year 2018 with a future phase indicated in the National Park Service 5-Year Line Item Construction Plan, a single procurement may be issued
which includes the full scope of the project: Provided further, That the solicitation and contract shall contain the clause availability of funds found at 48 CFR 52.232–18: Provided further, That National Park Service Donations, Park Concessions Franchise Fees, and Recreation Fees may be made available for the cost of adjustments and changes within the original scope of effort for projects funded by the National Park Service Construction appropriation: Provided further, That the Secretary of the Interior shall consult with the Committees on Appropriations, in accordance with current reprogramming thresholds, prior to making any charges authorized by this section.

LAND AND WATER CONSERVATION FUND

(RESCission)

The contract authority provided for fiscal year 2018 by section 200308 of title 54, United States Code, is rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $180,199,000, to be derived from the Land and Water Conservation Fund and
to remain available until expended, of which $124,000,000
is for the State assistance program and of which
$10,000,000 shall be for the American Battlefield Protec-
tion Program grants as authorized by chapter 3081 of title
54, United States Code.

Of the unobligated balances for this account from
prior appropriations, $4,500,000 are permanently re-
scinded: Provided, That no amounts may be rescinded
from amounts that were designated by the Congress as
an emergency requirement pursuant to the Concurrent
Resolution on the Budget or the Balanced Budget and

CENTENNIAL CHALLENGE

For expenses necessary to carry out the provisions
of section 101701 of title 54, United States Code, relating
to challenge cost share agreements, $20,000,000, to re-
main available until expended, for Centennial Challenge
projects and programs: Provided, That not less than 50
percent of the total cost of each project or program shall
be derived from non-Federal sources in the form of do-
nated cash, assets, or a pledge of donation guaranteed by
an irrevocable letter of credit.
ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 101917(c)(2) of title 54, United States Code, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.

For the costs of administration of the Land and Water Conservation Fund grants authorized by section 105(a)(2)(B) of the Gulf of Mexico Energy Security Act of 2006 (Public Law 109–432), the National Park Service may retain up to 3 percent of the amounts which are authorized to be disbursed under such section, such retained amounts to remain available until expended.
National Park Service funds may be transferred to the Federal Highway Administration (FHWA), Department of Transportation, for purposes authorized under 23 U.S.C. 204. Transfers may include a reasonable amount for FHWA administrative support costs.

UNITED STATES GEOLOGICAL SURVEY
SURVEYS, INVESTIGATIONS, AND RESEARCH

For expenses necessary for the United States Geological Survey to perform surveys, investigations, and research covering topography, geology, hydrology, biology, and the mineral and water resources of the United States, its territories and possessions, and other areas as authorized by 43 U.S.C. 31, 1332, and 1340; classify lands as to their mineral and water resources; give engineering supervision to power permittees and Federal Energy Regulatory Commission licensees; administer the minerals exploration program (30 U.S.C. 641); conduct inquiries into the economic conditions affecting mining and materials processing industries (30 U.S.C. 3, 21a, and 1603; 50 U.S.C. 98g(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,085,167,000, to remain available until September 30, 2019; of which $70,933,913 shall remain available until expended for satellite operations; and of which $7,266,000 shall be available until expended for de-
ferred maintenance and capital improvement projects that exceed $100,000 in cost: Provided, That none of the funds provided for the ecosystem research activity shall be used to conduct new surveys on private property, unless specifically authorized in writing by the property owner: Provided further, That no part of this appropriation shall be used to pay more than one-half the cost of topographic mapping or water resources data collection and investigations carried on in cooperation with States and municipalities.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities of the United States Geological Survey such sums as are necessary shall be available for contracting for the furnishing of topographic maps and for the making of geophysical or other specialized surveys when it is administratively determined that such procedures are in the public interest; construction and maintenance of necessary buildings and appurtenant facilities; acquisition of lands for gauging stations, observation wells, and seismic equipment; expenses of the United States National Committee for Geological Sciences; and payment of compensation and expenses of persons employed by the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: Provided, That
activities funded by appropriations herein made may be
accomplished through the use of contracts, grants, or co-
operative agreements as defined in section 6302 of title
31, United States Code: *Provided further*, That the United
States Geological Survey may enter into contracts or coop-
erative agreements directly with individuals or indirectly
with institutions or nonprofit organizations, without re-
gard to 41 U.S.C. 6101, for the temporary or intermittent
services of students or recent graduates, who shall be con-
sidered employees for the purpose of chapters 57 and 81
of title 5, United States Code, relating to compensation
for travel and work injuries, and chapter 171 of title 28,
United States Code, relating to tort claims, but shall not
be considered to be Federal employees for any other pur-
poses.

**BUREAU OF OCEAN ENERGY MANAGEMENT**

**OCEAN ENERGY MANAGEMENT**

**(INCLUDING RESCISSION OF FUNDS)**

For expenses necessary for granting leases, case-
ments, rights-of-way and agreements for use for oil and
gas, other minerals, energy, and marine-related purposes
on the Outer Continental Shelf and approving operations
related thereto, as authorized by law; for environmental
studies, as authorized by law; for implementing other laws
and to the extent provided by Presidential or Secretarial
delegation; and for matching grants or cooperative agreements, $171,000,000, of which $114,166,000 is to remain available until September 30, 2019 and of which $56,834,000 is to remain available until expended: Provided, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Ocean Energy Management pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: Provided further, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2018 appropriation estimated at not more than $114,166,000: Provided further, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

Of the unobligated balances available for this account, $15,000,000 are permanently rescinded.
BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

(INCLUDING RESCISSION OF FUNDS)

For expenses necessary for the regulation of operations related to leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf, as authorized by law; for enforcing and implementing laws and regulations as authorized by law and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $136,411,000, of which $108,540,000 is to remain available until September 30, 2019 and of which $27,871,000 is to remain available until expended: Provided, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Safety and Environmental Enforcement pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: Provided further, That the sum herein appropriated shall be reduced as such collections

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are received during the fiscal year, so as to result in a final fiscal year 2018 appropriation estimated at not more than $108,540,000.

For an additional amount, $50,000,000, to remain available until expended, to be reduced by amounts collected by the Secretary and credited to this appropriation, which shall be derived from non-refundable inspection fees collected in fiscal year 2018, as provided in this Act: Provided, That to the extent that amounts realized from such inspection fees exceed $50,000,000, the amounts realized in excess of $50,000,000 shall be credited to this appropriation and remain available until expended: Provided further, That for fiscal year 2018, not less than 50 percent of the inspection fees expended by the Bureau of Safety and Environmental Enforcement will be used to fund personnel and mission-related costs to expand capacity and expedite the orderly development, subject to environmental safeguards, of the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), including the review of applications for permits to drill.

Of the unobligated balances available for this account, $12,000,000 are permanently rescinded.
OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $12,700,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $115,804,000, to remain available until September 30, 2019: Provided, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, for costs to review, administer, and enforce permits issued by the Office pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257), $40,000, to remain available until expended: Provided, That fees assessed and collected by the Office pursuant to such section 507 shall be credited to this account as discretionary offsetting collections, to remain available until expended:
Provided further, That the sum herein appropriated from the general fund shall be reduced as collections are received during the fiscal year, so as to result in a fiscal year 2018 appropriation estimated at not more than $115,804,000.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $21,479,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: Provided, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided further, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That amounts provided under this heading may be used for the travel and per diem expenses of
State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, $115,000,000, to remain available until expended, for grants to States for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions in the report accompanying this Act: Provided, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): Provided further, That of such additional amount, $75,000,000 shall be distributed in equal amounts to the 3 Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section, $30,000,000 shall be distributed in equal amounts to the 3 Appalachian States with the subsequent greatest amount of unfunded needs to meet such priorities, and $10,000,000 shall be for grants to federally recognized Indian Tribes without regard to their status as certified or uncertified under the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)), for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions in the report accompanying this Act and shall be used for economic and community development.
in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977: 

Provided further, That such additional amount shall be allocated to States and Indian Tribes within 60 days after the date of enactment of this Act.

BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5301 et seq.), the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), $2,365,373,000, to remain available until September 30, 2019, except as otherwise provided herein; of which not to exceed $8,500 may be for official reception and representation expenses; of which not to exceed $76,000,000 shall be for welfare assistance payments: Provided, That in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: Provided further, That federally rec-
recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: Provided further, That not to exceed $656,637,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2018, and shall remain available until September 30, 2019: Provided further, That not to exceed $51,861,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: Provided further, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.) and section 1128 of the Education Amendments of 1978 (25 U.S.C. 2008), not to exceed $80,168,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with grants approved prior to July 1, 2018: Provided further, That any forestry funds allocated to a federally recognized tribe which remain unobligated as of September 30, 2019, may be transferred during fiscal year 2020 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder’s trust fund account: Provided further, That
any such unobligated balances not so transferred shall expire on September 30, 2020: *Provided further*, That in order to enhance the safety of Bureau field employees, the Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel.

**CONTRACT SUPPORT COSTS**

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Bureau of Indian Affairs for fiscal year 2018, such sums as may be necessary, which shall be available for obligation through September 30, 2019: *Provided*, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

**CONSTRUCTION**

*(INCLUDING TRANSFER OF FUNDS)*

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483, $206,024,000, to remain available until expended: *Provided*, That such amounts as
may be available for the construction of the Navajo Indian
Irrigation Project may be transferred to the Bureau of
Reclamation: Provided further, That not to exceed 6 per-
cent of contract authority available to the Bureau of In-
dian Affairs from the Federal Highway Trust Fund may
be used to cover the road program management costs of
the Bureau: Provided further, That any funds provided for
the Safety of Dams program pursuant to the Act of No-
vember 2, 1921 (25 U.S.C. 13), shall be made available
on a nonreimbursable basis: Provided further, That for fis-
cal year 2018, in implementing new construction, replace-
ment facilities construction, or facilities improvement and
repair project grants in excess of $100,000 that are pro-
vided to grant schools under Public Law 100–297, as
amended, the Secretary of the Interior shall use the Ad-
ministrative and Audit Requirements and Cost Principles
for Assistance Programs contained in 43 CFR part 12,
as the regulatory requirements: Provided further, That
such grants shall not be subject to section 12.61 of 43
CFR; the Secretary and the grantee shall negotiate and
determine a schedule of payments for the work to be per-
formed: Provided further, That in considering grant appli-
cations, the Secretary shall consider whether such grantee
would be deficient in assuring that the construction
projects conform to applicable building standards and
codes and Federal, tribal, or State health and safety
standards as required by section 1125(b) of title XI of
Public Law 95–561 (25 U.S.C. 2005(b)), with respect to
organizational and financial management capabilities:

Provided further, That if the Secretary declines a grant
application, the Secretary shall follow the requirements
contained in 25 U.S.C. 2506(f) of Public Law 100–297
(25 U.S.C. 2504(f)): Provided further, That any disputes
between the Secretary and any grantee concerning a grant
shall be subject to the disputes provision in section
5208(e) of Public Law 107–110 (25 U.S.C. 2507(e)): Pro-
vided further, That in order to ensure timely completion
of construction projects, the Secretary may assume control
of a project and all funds related to the project, if, within
18 months of the date of enactment of this Act, any grant-
ee receiving funds appropriated in this Act or in any prior
Act, has not completed the planning and design phase of
the project and commenced construction: Provided further,
That this appropriation may be reimbursed from the Of-
fice of the Special Trustee for American Indians appro-
priation for the appropriate share of construction costs for
space expansion needed in agency offices to meet trust re-
form implementation.
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INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses for implementation of Indian land and water claim settlements pursuant to Public Laws 99–264, 100–580, 101–618, 111–11, 111–291, and 114–322, and for implementation of other land and water rights settlements, $45,045,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $9,272,000, of which $1,252,000 is for administrative expenses, as authorized by the Indian Financing Act of 1974: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed or insured, not to exceed $123,565,389.

ADMINISTRATIVE PROVISIONS

The Bureau of Indian Affairs may carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.
Notwithstanding Public Law 87–279 (25 U.S.C. 15), the Bureau of Indian Affairs may contract for services in support of the management, operation, and maintenance of the Power Division of the San Carlos Irrigation Project.

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

In the event any tribe returns appropriations made available by this Act to the Bureau of Indian Affairs, this action shall not diminish the Federal Government’s trust responsibility to that tribe, or the government-to-government relationship between the United States and that tribe, or that tribe’s ability to access future appropriations.

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

No funds available to the Bureau of Indian Education shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau of Indian Education school system as of October 1, 1995, except that the Secretary of the Interior may waive this prohibition to support expansion of up to one additional grade when the Secretary determines such waiver is needed to support accomplishment of the mission of the Bureau of Indian Education. Appropriations made available in this or any prior Act for schools funded by the Bureau shall be available, in accordance with the Bureau’s funding formula, only to the schools in the Bureau school system as of September 1, 1996, and to any school or school program that was reinstated in fiscal year 2012.

Funds made available under this Act may not be used to establish a charter school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to oper-
ate during that period, but only if the charter school pays
to the Bureau a pro rata share of funds to reimburse the
Bureau for the use of the real and personal property (in-
cluding buses and vans), the funds of the charter school
are kept separate and apart from Bureau funds, and the
Bureau does not assume any obligation for charter school
programs of the State in which the school is located if
the charter school loses such funding. Employees of Bu-
reau-funded schools sharing a campus with a charter
school and performing functions related to the charter
school’s operation and employees of a charter school shall
not be treated as Federal employees for purposes of chap-
ter 171 of title 28, United States Code.

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

Funds available under this Act may not be used to
establish satellite locations of schools in the Bureau school
system as of September 1, 1996, except that the Secretary
may waive this prohibition in order for an Indian tribe
to provide language and cultural immersion educational programs for non-public schools located within the jurisdictional area of the tribal government which exclusively serve tribal members, do not include grades beyond those currently served at the existing Bureau-funded school, provide an educational environment with educator presence and academic facilities comparable to the Bureau-funded school, comply with all applicable Tribal, Federal, or State health and safety standards, and the Americans with Disabilities Act, and demonstrate the benefits of establishing operations at a satellite location in lieu of incurring extraordinary costs, such as for transportation or other impacts to students such as those caused by busing students extended distances: Provided, That no funds available under this Act may be used to fund operations, maintenance, rehabilitation, construction or other facilities-related costs for such assets that are not owned by the Bureau: Provided further, That the term “satellite school” means a school location physically separated from the existing Bureau school by more than 50 miles but that forms part of the existing school in all other respects.
For necessary expenses for management of the Department of the Interior and for grants and cooperative agreements, as authorized by law, $124,182,000, to remain available until September 30, 2019; of which not to exceed $15,000 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which $10,242,000 for the Office of Valuation Services is to be derived from the Land and Water Conservation Fund and shall remain available until expended.

ADMINISTRATIVE PROVISIONS

For fiscal year 2018, up to $400,000 of the payments authorized by chapter 69 of title 31, United States Code, may be retained for administrative expenses of the Payments in Lieu of Taxes Program: Provided, That the amounts provided under this Act specifically for the Payments in Lieu of Taxes program are the only amounts available for payments authorized under chapter 69 of title 31, United States Code: Provided further, That in the event the sums appropriated for any fiscal year for pay-
ments pursuant to this chapter are insufficient to make
the full payments authorized by that chapter to all units
of local government, then the payment to each local gov-
ernment shall be made proportionally: Provided further,
That the Secretary may make adjustments to payment to
individual units of local government to correct for prior
overpayments or underpayments: Provided further, That
no payment shall be made pursuant to that chapter to oth-
erwise eligible units of local government if the computed
amount of the payment is less than $100.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories
under the jurisdiction of the Department of the Interior
and other jurisdictions identified in section 104(e) of Pub-
lic Law 108–188, $94,236,000, of which: (1) $84,806,000
shall remain available until expended for territorial assist-
ance, including general technical assistance, maintenance
assistance, disaster assistance, coral reef initiative activi-
ties, and brown tree snake control and research; grants
to the judiciary in American Samoa for compensation and
expenses, as authorized by law (48 U.S.C. 1661(c));
grants to the Government of American Samoa, in addition
to current local revenues, for construction and support of
governmental functions; grants to the Government of the
Virgin Islands, as authorized by law; grants to the Government of Guam, as authorized by law; and grants to the Government of the Northern Mariana Islands, as authorized by law (Public Law 94–241; 90 Stat. 272); and (2) $9,430,000 shall be available until September 30, 2019, for salaries and expenses of the Office of Insular Affairs: Provided, That all financial transactions of the territorial and local governments herein provided for, including such transactions of all agencies or instrumentalities established or used by such governments, may be audited by the Government Accountability Office, at its discretion, in accordance with chapter 35 of title 31, United States Code: Provided further, That Northern Mariana Islands Covenant grant funding shall be provided according to those terms of the Agreement of the Special Representatives on Future United States Financial Assistance for the Northern Mariana Islands approved by Public Law 104–134: Provided further, That the funds for the program of operations and maintenance improvement are appropriated to institutionalize routine operations and maintenance improvement of capital infrastructure with territorial participation and cost sharing to be determined by the Secretary based on the grantee’s commitment to timely maintenance of its capital assets: Provided further, That any appropriation for disaster assistance under this head-
ing in this Act or previous appropriations Acts may be
used as non–Federal matching funds for the purpose of
hazard mitigation grants provided pursuant to section 404
of the Robert T. Stafford Disaster Relief and Emergency
Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

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

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Sec-
retary may transfer discretionary funds or mandatory
funds provided under section 104(e) of Public Law 108–
188 and Public Law 104–134, that are allocated for
Guam, to the Secretary of Agriculture for the subsidy cost
of direct or guaranteed loans, plus not to exceed three per-
cent of the amount of the subsidy transferred for the cost
of loan administration, for the purposes authorized by the
Rural Electrification Act of 1936 and section 306(a)(1)
of the Consolidated Farm and Rural Development Act for
construction and repair projects in Guam, and such funds
shall remain available until expended: Provided, That such
costs, including the cost of modifying such loans, shall be
as defined in section 502 of the Congressional Budget Act
of 1974: Provided further, That such loans or loan guaran-
tees may be made without regard to the population of the
area, credit elsewhere requirements, and restrictions on
the types of eligible entities under the Rural Electrifica-
tion Act of 1936 and section 306(a)(1) of the Consolidated
Farm and Rural Development Act: Provided further, That
any funds transferred to the Secretary of Agriculture shall
be in addition to funds otherwise made available to make
or guarantee loans under such authorities.

Office of the Solicitor

Salaries and Expenses

For necessary expenses of the Office of the Solicitor,
$65,675,000.

Office of Inspector General

Salaries and Expenses

For necessary expenses of the Office of Inspector
General, $49,952,000.
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Office of the Special Trustee for American Indians

Federal Trust Programs
(Including Transfer of Funds)

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, $119,400,000, to remain available until expended, of which not to exceed $18,990,000 from this or any other Act, may be available for historical accounting: Provided, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs and Bureau of Indian Education, “Operation of Indian Programs” account; the Office of the Solicitor, “Salaries and Expenses” account; and the Office of the Secretary, “Departmental Operations” account: Provided further, That funds made available through contracts or grants obligated during fiscal year 2018, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 450 et seq.), shall remain available until expended by the contractor or grantee: Provided further, That, notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 15 months and has a balance of $15

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or less: Provided further, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: Provided further, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: Provided further, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose: Provided further, That the Secretary shall not be required to reconcile Special Deposit Accounts with a balance of less than $500 unless the Office of the Special Trustee receives proof of ownership from a Special Deposit Accounts claimant: Provided further, That, notwithstanding section 102 of the American Indian Trust Fund Management Reform Act of 1994 (Public Law 103–412) or any other provision of law, the Secretary may aggregate the trust accounts of individuals whose whereabouts are unknown for a continuous period of at least five years and shall not be required to generate periodic statements of performance for the individual accounts: Provided further, That, with respect to the eighth proviso, the Secretary shall continue to maintain sufficient records to determine
the balance of the individual accounts, including any ac-
crued interest and income, and such funds shall remain
available to the individual account holders.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, fire
suppression operations, fire science and research, emer-
gency rehabilitation, fuels management activities, and
rural fire assistance by the Department of the Interior,
$938,087,000, to remain available until expended, of
which not to exceed $8,427,000 shall be for the renovation
or construction of fire facilities: Provided, That such funds
are also available for repayment of advances to other ap-
propriation accounts from which funds were previously
transferred for such purposes: Provided further, That of
the funds provided $184,000,000 is for fuels management
activities: Provided further, That of the funds provided
$20,470,000 is for burned area rehabilitation: Provided
further, That persons hired pursuant to 43 U.S.C. 1469
may be furnished subsistence and lodging without cost
from funds available from this appropriation: Provided
further, That notwithstanding 42 U.S.C. 1856d, sums re-
ceived by a bureau or office of the Department of the Inte-
rior for fire protection rendered pursuant to 42 U.S.C.
1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: *Provided further,* That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for fuels management activities, and for training and monitoring associated with such fuels management activities on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: *Provided further,* That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further,* That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of fuels management activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154), or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: *Provided further,* That

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in implementing this section, the Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: Provided further, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: Provided further, That the Secretary of the Interior may use wildland fire appropriations to enter into leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: Provided further, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects:
1 Provided further, That funds provided for wildfire suppression shall be available for support of Federal emergency response actions: Provided further, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

For an additional amount, $11,594,000 for wildfire suppression operations to meet the emergency and unpredictable aspects of wildland firefighting including support, response, and emergency stabilization activities, other emergency management activities, and funds necessary to repay any transfers needed for these costs, to remain available until expended: Provided, That all such funds are also available for transfer to other appropriations accounts to repay amounts previously transferred for wildfire suppression: Provided further, That such funds shall only become available if funds previously provided for wildland fire suppression will be exhausted imminently and the Sec-
Secretary of the Department of the Interior notifies the Committees on Appropriations of the House of Representatives and the Senate in writing of the need for these additional funds: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amount shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

CENTRAL HAZARDOUS MATERIALS FUND

For necessary expenses of the Department of the Interior and any of its component offices and bureaus for the response action, including associated activities, performed pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.), $10,010,000, to remain available until expended.

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, restoration activities, and onshore oil spill preparedness by the Department of the Interior necessary to carry out the provisions of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), and 54 U.S.C. 100721 et seq., $7,767,000, to remain available until expended.

WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, information technology improvements of general benefit to the Department, cybersecurity, and the consolidation of facilities and operations throughout the Department, $61,494,000, to remain available until expended: Provided, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93–638: Provided further, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the National Indian Program Training Center to State, local and tribal government employees or persons or organiza-
tions engaged in cultural, educational, or recreational ac-
tivities (as defined in section 3306(a) of title 40, United
States Code) at the prevailing rate for similar space, facili-
ties, equipment, or services in the vicinity of the National
Indian Program Training Center: Provided further, That
all funds received pursuant to the two preceding provisos
shall be credited to this account, shall be available until
expended, and shall be used by the Secretary for necessary
expenses of the National Indian Program Training Center:
Provided further, That the Secretary may enter into grants
and cooperative agreements to support the Office of Nat-
ural Resources Revenue’s collection and disbursement of
royalties, fees, and other mineral revenue proceeds, as au-
thorized by law.

ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from avail-
able resources within the Working Capital Fund, aircraft
which may be obtained by donation, purchase or through
available excess surplus property: Provided, That existing
aircraft being replaced may be sold, with proceeds derived
or trade-in value used to offset the purchase price for the
replacement aircraft.
PAYMENTS IN LIEU OF TAXES

For necessary expenses for payments authorized by chapter 69 of title 31, United States Code, $465,000,000 shall be available for fiscal year 2018.

OFFICE OF NATURAL RESOURCES REVENUE

For necessary expenses for management of the collection and disbursement of royalties, fees, and other mineral revenue proceeds, and for grants and cooperative agreements, as authorized by law, $137,757,000, to remain available until September 30, 2019; of which $41,727,000 shall remain available until expended for the purpose of mineral revenue management activities: Provided, That notwithstanding any other provision of law, $15,000 shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments.

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

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

Sec. 101. Appropriations made in this title shall be available for expenditure or transfer (within each bureau or office), with the approval of the Secretary, for the emergency reconstruction, replacement, or repair of aircraft,
buildings, utilities, or other facilities or equipment damaged or destroyed by fire, flood, storm, or other unavoidable causes: Provided, That no funds shall be made available under this authority until funds specifically made available to the Department of the Interior for emergencies shall have been exhausted: Provided further, That all funds used pursuant to this section must be replenished by a supplemental appropriation, which must be requested as promptly as possible.

EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

Sec. 102. The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on

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lands under the jurisdiction of the Secretary, pursuant to
the authority in section 417(b) of Public Law 106–224
(7 U.S.C. 7717(b)); for emergency reclamation projects
under section 410 of Public Law 95–87; and shall trans-
fer, from any no year funds available to the Office of Sur-
face Mining Reclamation and Enforcement, such funds as
may be necessary to permit assumption of regulatory au-
thority in the event a primacy State is not carrying out
the regulatory provisions of the Surface Mining Act: Pro-
vided, That appropriations made in this title for wildland
fire operations shall be available for the payment of obliga-
tions incurred during the preceding fiscal year, and for
reimbursement to other Federal agencies for destruction
of vehicles, aircraft, or other equipment in connection with
their use for wildland fire operations, with such reimburse-
ment to be credited to appropriations currently available
at the time of receipt thereof: Provided further, That for
wildland fire operations, no funds shall be made available
under this authority until the Secretary determines that
funds appropriated for “wildland fire suppression” shall
be exhausted within 30 days: Provided further, That all
funds used pursuant to this section must be replenished
by a supplemental appropriation, which must be requested
as promptly as possible: Provided further, That such re-
plenishment funds shall be used to reimburse, on a pro
rata basis, accounts from which emergency funds were
transferred.

AUTHORIZED USE OF FUNDS

SEC. 103. Appropriations made to the Department
of the Interior in this title shall be available for services
as authorized by section 3109 of title 5, United States
Code, when authorized by the Secretary, in total amount
not to exceed $500,000; purchase and replacement of
motor vehicles, including specially equipped law enforce-
ment vehicles; hire, maintenance, and operation of air-
craft; hire of passenger motor vehicles; purchase of re-
prints; payment for telephone service in private residences
in the field, when authorized under regulations approved
by the Secretary; and the payment of dues, when author-
ized by the Secretary, for library membership in societies
or associations which issue publications to members only
or at a price to members lower than to subscribers who
are not members.

AUTHORIZED USE OF FUNDS, INDIAN TRUST
MANAGEMENT

SEC. 104. Appropriations made in this Act under the
headings Bureau of Indian Affairs and Bureau of Indian
Education, and Office of the Special Trustee for American
Indians and any unobligated balances from prior appro-
priations Acts made under the same headings shall be
available for expenditure or transfer for Indian trust management and reform activities. Total funding for historical accounting activities shall not exceed amounts specifically designated in this Act for such purpose.

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2018. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

SEC. 106. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of
transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

OUTER CONTINENTAL SHELF INSPECTION FEES

SEC. 107. (a) In fiscal year 2018, the Secretary shall collect a nonrefundable inspection fee, which shall be deposited in the “Offshore Safety and Environmental Enforcement” account, from the designated operator for facilities subject to inspection under 43 U.S.C. 1348(c).

(b) Annual fees shall be collected for facilities that are above the waterline, excluding drilling rigs, and are in place at the start of the fiscal year. Fees for fiscal year 2018 shall be:

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

(2) $17,000 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and
(3) $31,500 for facilities with more than 10 wells, with any combination of active or inactive wells.

(c) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2018. Fees for fiscal year 2018 shall be:

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

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

(d) The Secretary shall bill designated operators under subsection (b) within 60 days, with payment required within 30 days of billing. The Secretary shall bill designated operators under subsection (c) within 30 days of the end of the month in which the inspection occurred, with payment required within 30 days of billing.

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT REORGANIZATION

Sec. 108. The Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may transfer funds among and between the successor offices and bureaus affected by the reorganization only in conformance with the reprogramming guidelines described in the report accompanying this Act.
CONTRACTS AND AGREEMENTS FOR WILD HORSE AND BURRO HOLDING FACILITIES

SEC. 109. Notwithstanding any other provision of this Act, the Secretary of the Interior may enter into multiyear cooperative agreements with nonprofit organizations and other appropriate entities, and may enter into multiyear contracts in accordance with the provisions of section 3903 of title 41, United States Code (except that the 5-year term restriction in subsection (a) shall not apply), for the long-term care and maintenance of excess wild free roaming horses and burros by such organizations or entities on private land. Such cooperative agreements and contracts may not exceed 10 years, subject to renewal at the discretion of the Secretary.

MASS MARKING OF SALMONIDS

SEC. 110. The United States Fish and Wildlife Service shall, in carrying out its responsibilities to protect threatened and endangered species of salmon, implement a system of mass marking of salmonid stocks, intended for harvest, that are released from federally operated or federally financed hatcheries including but not limited to fish releases of coho, chinook, and steelhead species. Marked fish must have a visible mark that can be readily identified by commercial and recreational fishers.
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EXHAUSTION OF ADMINISTRATIVE REVIEW

SEC. 111. Paragraph (1) of section 122(a) of division E of Public Law 112–74 (125 Stat. 1013) is amended by striking “fiscal years 2012 through 2020,” in the first sentence and inserting “fiscal year 2012 and each fiscal year thereafter.”

WILDLANDS FUNDING PROHIBITION

SEC. 112. None of the funds made available in this Act or any other Act may be used to implement, administer, or enforce Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010: Provided, That nothing in this section shall restrict the Secretary’s authorities under sections 201 and 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711 and 1712).

CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

SEC. 113. Notwithstanding any other provision of law, during fiscal year 2018, in carrying out work involving cooperation with State, local, and tribal governments or any political subdivision thereof, Indian Affairs may record obligations against accounts receivable from any such entities, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year.
SAGE-GROUSE

SEC. 114. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

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

(2) a proposed rule for the Columbia basin distinct population segment of greater sage-grouse.

HUMANE TRANSFER OF EXCESS ANIMALS

SEC. 115. Notwithstanding any other provision of law, the Secretary of the Interior may transfer excess wild horses or burros that have been removed from the public lands to other Federal, State, and local government agencies for use as work animals: Provided, That the Secretary may make any such transfer immediately upon request of such Federal, State, or local government agency: Provided further, That any excess animal transferred under this provision shall lose its status as a wild free-roaming horse or burro as defined in the Wild Free-Roaming Horses and Burros Act: Provided further, That any Federal, State, or local government agency receiving excess wild horses or burros as authorized in this section shall not: destroy the horses or burros in a way that results in their destruction into commercial products; sell or otherwise transfer the
horses or burros in a way that results in their destruction for processing into commercial products; or euthanize the horses or burros except upon the recommendation of a licensed veterinarian, in cases of severe injury, illness, or advanced age.

REPUBLIC OF PALAU

SEC. 116. (a) IN GENERAL.—Subject to subsection (c), the United States Government, through the Secretary of the Interior shall provide to the Government of Palau for fiscal year 2018 grants in amounts equal to the annual amounts specified in subsections (a), (c), and (d) of section 211 of the Compact of Free Association between the Government of the United States of America and the Government of Palau (48 U.S.C. 1931 note) (referred to in this section as the “Compact”).

(b) PROGRAMMATIC ASSISTANCE.—Subject to subsection (c), the United States shall provide programmatic assistance to the Republic of Palau for fiscal year 2018 in amounts equal to the amounts provided in subsections (a) and (b)(1) of section 221 of the Compact.

(c) LIMITATIONS ON ASSISTANCE.—(1) IN GENERAL.—The grants and programmatic assistance provided under subsections (a) and (b) shall be provided to the same extent and in the same manner as the grants and assistance were provided in fiscal year 2009.
(2) TRUST FUND.—If the Government of Palau withdraws more than $5,000,000 from the trust fund established under section 211(f) of the Compact, amounts to be provided under subsections (a) and (b) shall be withheld from the Government of Palau.

(3) STATUS OF PAYMENTS.—Amounts provided to the Government of Palau by the Government of the United States in fiscal year 2018 in this section shall be considered as funding to implement the Compact Review Agreement and appendices signed by the United States and the Republic of Palau on September 3, 2010, in connection with section 432 of the Compact of Free Association with Palau (Public Law 99–658; 48 U.S.C. 1931 note).

(d) ADDITIONAL FUNDS FOR COMPACT OF FREE ASSOCIATION.—There is appropriated $110,753,000 for an additional amount for “Compact of Free Association”, which shall become available on October 1, 2018, and shall remain available until expended for use in meeting the financial obligations of the Government of the United States under the Agreement between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review, signed on September 3, 2010, with the funding schedule therein modified by the Parties as necessary and appropriate (“Compact Review Agree-
ment”): Provided, That funds may not be made available under this section prior to the Compact Review Agreement and its appendices entering into force.

DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES PROGRAM

SEC. 117. (a) Notwithstanding any other provision of law relating to Federal grants and cooperative agreements, the Secretary of the Interior is authorized to make grants to, or enter into cooperative agreements with, private nonprofit organizations designated by the Secretary of Labor under title V of the Older Americans Act of 1965 to utilize the talents of older Americans in programs authorized by other provisions of law administered by the Secretary and consistent with such provisions of law.

(b) Prior to awarding any grant or agreement under subsection (a), the Secretary shall ensure that the agreement would not—

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

(2) result in the use of an individual under the Department of the Interior Experienced Services Program for a job or function in a case in which a Federal employee is in a layoff status from the same
or substantially equivalent job within the Department; or

(3) affect existing contracts for services.

COLTSVILLE NATIONAL HISTORICAL PARK

Sec. 118. Section 3032(b)(2)(B) of Public Law 113–291 (16 U.S.C. 410qqq) is amended by striking “East Armory” and inserting “Colt Armory Complex”.

JAY S. HAMMOND WILDERNESS

Sec. 119. (a) DESIGNATION.—The approximately 2,600,000 acres of National Wilderness Preservation System land located within the Lake Clark National Park and Preserve designated by section 701(6) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 1132 note; Public Law 96–487) shall be known and designated as the “Jay S. Hammond Wilderness”.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the wilderness area referred to in subsection (a) shall be deemed to be a reference to the “Jay S. Hammond Wilderness”.

REISSUANCE OF FINAL RULES

Sec. 120. Before the end of the 60-day period beginning on the date of the enactment of this Act, the Secretary of the Interior shall reissue the final rule published on December 28, 2011 (76 Fed. Reg. 81666 et seq.) and
the final rule published on September 10, 2012 (77 Fed.
Reg. 55530 et seq.), without regard to any other provision
of statute or regulation that applies to issuance of such
rules. Such reissuance (including this section) shall not be
subject to judicial review.

LESSER PRAIRIE-CHICKEN

Sec. 121. None of the funds made available by this
Act shall be used to draft, propose, finalize, implement,
enforce, or carry out any rulemaking on the status of the
lesser prairie-chicken (Tympanuchus pallidicinctus) under
section 4 of the Endangered Species Act of 1973 (16
U.S.C. 1531 et seq.).

EXTENSION OF AUTHORITIES

Sec. 122. Division II of Public Law 104–333 (54
U.S.C. 320101), as amended by Public Law 114–113 sec-
tion 116(b)(2), is amended in each of sections 208, 310,
and 607, by striking “2017” and inserting “2019”.

INCORPORATION BY REFERENCE

Sec. 123. (a) The following provisions of S. 1460
(Energy and Natural Resources Act of 2017) of the 115th
Congress, as placed on the calendar of the Senate on June
29, 2017, are hereby enacted into law:

(1) Section 4640 (Repeal of prior limitation on
compensation of the Secretary of the Interior).
(2) Section 7130 (Modification of the Second Division Memorial).

(3) Section 7134 (Ste. Genevieve National Historical Park).

(b) In publishing this Act in slip form and in the United States Statutes at large pursuant to section 112 of title 1, United States Code, the Archivist of the United States shall include after the date of approval at the end an appendix setting forth the text of the sections of the bill referred to in subsection (a).

MINERAL WITHDRAWAL SUBJECT TO VALID EXISTING RIGHTS

Sec. 124. (a) The mineral estate identified in Bureau of Land Management contracts number CA 20139 and CA 22901 is hereby withdrawn from all forms of mineral entry authority of the Secretary, subject to valid existing rights.

PROTECTION OF CRITICAL INFRASTRUCTURE INFORMATION

Sec. 125. (a) The Trans-Alaskan Pipeline Authorization Act (TAPAA) (Public 93–153, as amended; 43 U.S.C. 1651 et seq.), is amended to add at the end thereof the following new section:
“PROTECTION OF TRANS-ALASKA PIPELINE SYSTEM

CRITICAL INFRASTRUCTURE INFORMATION

“Sec. 208. Any information about critical infrastructure, as defined in 42 U.S.C. 5195c(e), concerning the Trans-Alaska Pipeline System or its components, facilities, and equipment is exempt from release under the Freedom of Information Act (5 U.S.C. 552 et seq.) pursuant to 5 U.S.C. 552(b)(3).”.

TITLE II

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

(INCLUDING RESCISSION OF FUNDS)

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, $661,029,000, to remain available until September 30, 2019: Provided, That of the funds included under this heading, $4,100,000 shall be for Research: National Priorities as specified in the Report accompanying this Act: Provided further, That of unobligated balances from appropriations made available under
this heading, $27,000,000 are permanently rescinded:

Provided further, That no amounts may be rescinded pursuant to the preceding proviso from amounts made available in the first proviso for Research: National Priorities.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

(INCLUDING RESCISSION OF FUNDS)

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; implementation of a coal combustion residual permit program under section 2301 of the Water and Waste Act of 2016; and not to exceed $19,000 for official reception and representation expenses, $2,521,543,000, to remain available until September 30, 2019: Provided, That of the funds included under this heading, $12,700,000 shall be for Environmental Protection: National Priorities as specified in the Report accompanying this Act: Provided further, That of the funds included under this heading,
$443,857,000 shall be for Geographic Programs specified in the Report accompanying this Act: Provided further, That of the unobligated balances from appropriations made available under this heading, $41,000,000 are permanently rescinded: Provided further, That no amounts may be rescinded pursuant to the preceding proviso from amounts made available in the first proviso for Environmental Protection: National Priorities, from amounts made available in the second proviso for Geographic Programs, or from the National Estuary Program (33 U.S.C. 1330).

In addition, $10,000,000 to remain available until expended, for necessary expenses of activities described in section 26(b)(1) of the Toxic Substances Control Act (15 U.S.C. 2625(b)(1)): Provided, That fees collected pursuant to that section of that Act and deposited in the “TSCA Service Fee Fund” as discretionary offsetting receipts in fiscal year 2018 shall be retained and used for necessary salaries and expenses in this appropriation and shall remain available until expended: Provided further, That the sum herein appropriated in this paragraph from the general fund for fiscal year 2018 shall be reduced by the amount of discretionary offsetting receipts received during fiscal year 2018, so as to result in a final fiscal year 2018 appropriation from the general fund estimated at not more
than $0: Provided further, That to the extent that amounts
realized from such receipts exceed $10,000,000, those
amount in excess of $10,000,000 shall be deposited in the
“TSCA Service Fee Fund” as discretionary offsetting re-
cceipts in fiscal year 2018, shall be retained and used for
necessary salaries and expenses in this account, and shall
remain available until expended: Provided further, That of
the funds included in the first paragraph under this head-
ing, the Chemical Risk Review and Reduction program
project shall be allocated for this fiscal year, excluding the
amount of any fees appropriated, not less than the amount
of appropriations for that program project for fiscal year
2014.

HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM
FUND

For necessary expenses to carry out section 3024 of
the Solid Waste Disposal Act (42 U.S.C. 6939g), includ-
ing the development, operation, maintenance, and upgrad-
ing of the hazardous waste electronic manifest system es-
tablished by such section, $3,674,000, to remain available
until expended: Provided, That the sum herein appro-
piated from the general fund shall be reduced as offset-
ting collections under such section 3024 are received dur-
ing fiscal year 2018, which shall remain available until ex-
pended and be used for necessary expenses in this appro-
prietion, so as to result in a final fiscal year 2018 appro-
riation from the general fund estimated at not more than
$0: Provided further, That to the extent such offsetting
collections received in fiscal year 2018 exceed $3,674,000,
those excess amounts shall remain available until ex-
mented and be used for necessary expenses in this appro-
riation.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector
General in carrying out the provisions of the Inspector
General Act of 1978, $40,000,000, to remain available
until September 30, 2019.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, al-
teration, and purchase of fixed equipment or facilities of,
or for use by, the Environmental Protection Agency,
$34,467,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehen-
sive Environmental Response, Compensation, and Liabil-
ity Act of 1980 (CERCLA), including sections 111(c)(3),
(e)(5), (e)(6), and (e)(4) (42 U.S.C. 9611)
$1,090,735,000, to remain available until expended, con-
sisting of such sums as are available in the Trust Fund
on September 30, 2017, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,090,735,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, $8,778,000 shall be paid to the “Office of Inspector General” appropriation to remain available until September 30, 2019, and $15,496,000 shall be paid to the “Science and Technology” appropriation to remain available until September 30, 2019.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For necessary expenses to carry out leaking underground storage tank cleanup activities authorized by subtitle I of the Solid Waste Disposal Act, $91,941,000, to remain available until expended, of which $66,572,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; $25,369,000 shall be for carrying out the other provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue
Code: Provided, That the Administrator is authorized to use appropriations made available under this heading to implement section 9013 of the Solid Waste Disposal Act to provide financial assistance to federally recognized Indian tribes for the development and implementation of programs to manage underground storage tanks.

**INLAND OIL SPILL PROGRAMS**

For expenses necessary to carry out the Environmental Protection Agency’s responsibilities under the Oil Pollution Act of 1990, $18,209,000, to be derived from the Oil Spill Liability trust fund, to remain available until expended.

**STATE AND TRIBAL ASSISTANCE GRANTS**

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,553,041,000, to remain available until expended, of which—

(1) $1,394,000,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which $864,000,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: Provided, That for fiscal
year 2018, to the extent there are sufficient eligible project applications and projects are consistent with State Intended Use Plans, not less than 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: Provided further, That for fiscal year 2018, funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: Provided further, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall not apply to amounts included as principal in loans made by such fund in fiscal year 2018 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for sepa-
rately from other assets in the fund, and used for eligible purposes of the fund, including administration: Provided further, That for fiscal year 2018, notwithstanding the provisions of subsections (g)(1), (h), and (l) of section 201 of the Federal Water Pollution Control Act, grants made under title II of such Act for American Samoa, Guam, the commonwealth of the Northern Marianas, the United States Virgin Islands, and the District of Columbia may also be made for the purpose of providing assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: Provided further, That for fiscal year 2018, notwithstanding the provisions of such subsections (g)(1), (h), and (l) of section 201 and section 518(c) of the Federal Water Pollution Control Act, funds reserved by the Administrator for grants under section 518(c) of the Federal Water Pollution Control Act may also be used to provide assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed
project for the construction of treatment works; and
(2) for the construction, repair, or replacement of
privately owned treatment works serving one or
more principal residences or small commercial estab-
ishments: Provided further, That for fiscal year
2018, notwithstanding any provision of the Federal
Water Pollution Control Act and regulations issued
pursuant thereof, up to a total of $2,000,000 of the
funds reserved by the Administrator for grants
under section 518(c) of such Act may also be used
for grants for training, technical assistance, and
educational programs relating to the operation and
management of the treatment works specified in sec-
tion 518(c) of such Act: Provided further, That for
fiscal year 2018, funds reserved under section
518(c) of such Act shall be available for grants only
to Indian tribes, as defined in section 518(h) of such
Act and former Indian reservations in Oklahoma (as
determined by the Secretary of the Interior) and Na-
tive Villages as defined in Public Law 92–203: Pro-
vided further, That for fiscal year 2018, notwith-
standing the limitation on amounts in section 518(c)
of the Federal Water Pollution Control Act, up to a
total of 2 percent of the funds appropriated, or
$30,000,000, whichever is greater, and notwith-
standing the limitation on amounts in section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated, or $20,000,000, whichever is greater, for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: **Provided further,** That for fiscal year 2018, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Federal Water Pollution Control Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: **Provided further,** That for fiscal year 2018, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: **Provided
further, That 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and 20 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act, or where such debt was incurred prior to the date of enactment of this Act if the State, with concurrence from the Administrator, determines that such funds could be used to help address a threat to public health from heightened exposure to lead in drinking water or if a Federal or State emergency declaration has been issued due to a threat to public health from heightened exposure to lead in a municipal drinking water supply before the date of enactment of this Act: Provided further, That in a State in which such an emergency declaration has been
issued, the State may use more than 20 percent of the funds made available under this title to the State for Drinking Water State Revolving Fund capitalization grants to provide additional subsidy to eligible recipients;

(2) $10,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consultation with the appropriate border commission: Provided, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure;
(3) $20,000,000 shall be for grants to the State of Alaska to address drinking water and wastewater infrastructure needs of rural and Alaska Native Villages: Provided, That of these funds: (A) the State of Alaska shall provide a match of 25 percent; (B) no more than 5 percent of the funds may be used for administrative and overhead expenses; and (C) the State of Alaska shall make awards consistent with the Statewide priority list established in conjunction with the Agency and the U.S. Department of Agriculture for all water, sewer, waste disposal, and similar projects carried out by the State of Alaska that are funded under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301) or the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) which shall allocate not less than 25 percent of the funds provided for projects in regional hub communities;

(4) $80,000,000 shall be to carry out section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including grants, interagency agreements, and associated program support costs: Provided, That not more than 25 percent of the amount appropriated to carry out section 104(k) of
CERCLA shall be used for site characterization, assessment, and remediation of facilities described in section 101(39)(D)(ii)(II) of CERCLA: *Provided further*, That at least 10 percent shall be allocated for assistance in persistent poverty counties: *Provided further*, That for purposes of this section, the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates;

(5) $40,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(6) $30,000,000 shall be for targeted airshed grants in accordance with the terms and conditions of the report accompanying this Act;

(7) $4,000,000 shall be to carry out the water quality program authorized in section 5004(d) of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322);

(8) $20,000,000 shall be for grants for small and disadvantaged communities authorized in section 2104 of the Water Infrastructure Improvements for the Nation Act (Public Law 114–322); and
(9) $1,091,041,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which:

$47,745,000 shall be for carrying out section 128 of CERCLA; $9,646,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; $1,498,000 shall be for grants to States under section 2007(f)(2) of the Solid Waste Disposal Act, which shall be in addition to funds appropriated under the heading “Leaking Underground Storage Tank Trust Fund Program” to carry out the provisions of the Solid Waste Disposal Act specified in section 9508(c) of the Internal Revenue Code other than section 9003(h) of the Solid Waste Disposal Act; $17,848,000 of the funds available for grants under section 106 of the Federal...
Water Pollution Control Act shall be for State participation in national- and State-level statistical surveys of water resources and enhancements to State monitoring programs; $10,000,000 shall be for multipurpose grants, including interagency agreements: 

*Provided*, That hereafter, notwithstanding other applicable provisions of law, the funds appropriated for the Indian Environmental General Assistance Program shall be available to federally recognized tribes for solid waste and recovered materials collection, transportation, backhaul, and disposal services.

**WATER INFRASTRUCTURE FINANCE AND INNOVATION PROGRAM ACCOUNT**

For the cost of direct loans and for the cost of guaranteed loans, as authorized by the Water Infrastructure Finance and Innovation Act of 2014, $25,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans, including capitalized interest, and total loan principal, including capitalized interest, any part of which is to be guaranteed, not to exceed $3,049,000,000.
In addition, fees authorized to be collected pursuant to sections 5029 and 5030 of the Water Infrastructure Finance and Innovation Act of 2014 shall be deposited in this account, to remain available until expended, for the purposes provided in such sections.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, notwithstanding section 5033 of the Water Infrastructure Finance and Innovation Act of 2014, $5,000,000, to remain available until September 30, 2019.

**ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL PROTECTION AGENCY**

*(INCLUDING TRANSFERS AND RESCISSION OF FUNDS)*

For fiscal year 2018, notwithstanding 31 U.S.C. 6303(1) and 6305(1), the Administrator of the Environmental Protection Agency, in carrying out the Agency’s function to implement directly Federal environmental programs required or authorized by law in the absence of an acceptable tribal program, may award cooperative agreements to federally recognized Indian tribes or Intertribal consortia, if authorized by their member tribes, to assist the Administrator in implementing Federal environmental programs for Indian tribes required or authorized by law, except that no such cooperative agreements may be award-
ed from funds designated for State financial assistance agreements.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate pesticide registration service fees in accordance with section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended by Public Law 112–177, the Pesticide Registration Improvement Extension Act of 2012.


The Administrator is authorized to transfer up to $300,000,000 of the funds appropriated for the Great Lakes Restoration Initiative under the heading “Environmental Programs and Management” to the head of any Federal department or agency, with the concurrence of such head, to carry out activities that would support the Great Lakes Restoration Initiative and Great Lakes Water Quality Agreement programs, projects, or activities; to enter into an interagency agreement with the head of such Federal department or agency to carry out these activities; and to make grants to governmental entities, non-profit organizations, institutions, and individuals for plan-
ning, research, monitoring, outreach, and implementation in furtherance of the Great Lakes Restoration Initiative and the Great Lakes Water Quality Agreement.

The Science and Technology, Environmental Programs and Management, Office of Inspector General, Hazardous Substance Superfund, and Leaking Underground Storage Tank Trust Fund Program accounts are available for the construction, alteration, repair, rehabilitation, and renovation of facilities, provided that the cost does not exceed $150,000 per project.

For fiscal year 2018, and notwithstanding section 518(f) of the Federal Water Pollution Control Act (33 U.S.C. 1377(f)), the Administrator is authorized to use the amounts appropriated for any fiscal year under section 319 of the Act to make grants to Indian tribes pursuant to sections 319(h) and 518(e) of that Act.

The Administrator is authorized to use the amounts appropriated under the heading “Environmental Programs and Management” for fiscal year 2018 to provide grants to implement the Southeastern New England Watershed Restoration Program.

Notwithstanding the limitation on amounts in section 320(i) of the Federal Water Pollution Control Act, funds made available under this title for the National Estuary Program shall be used for the development, implementa-
tion, and monitoring of comprehensive conservation and management plans.

Of the unobligated balances available for the “State and Tribal Assistance Grants” account, $64,000,000 are hereby permanently rescinded: Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985 or from amounts that were made available by subsection (a) of section 196 of the Continuing Appropriations Act, 2017 (division C of Public Law 114–223), as amended by the Further Continuing and Security Assistance Appropriations Act, 2017 (Public Law 114–254).

TITLE III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

Forest Service

Forest and Rangeland Research

For necessary expenses of forest and rangeland research as authorized by law, $282,420,000, to remain available through September 30, 2021: Provided, That of the funds provided, $77,000,000 is for the forest inventory and analysis program.
STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, and conducting an international program as authorized, $306,546,000, to remain available through September 30, 2021, as authorized by law; of which $58,920,000 is to be derived from the Land and Water Conservation Fund to be used for the Forest Legacy Program, to remain available until expended.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for hazardous fuels management on or adjacent to such lands, $1,881,319,000, to remain available through September 30, 2021: Provided, That of the funds provided, $39,285,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): Provided further, That of the funds provided, $365,500,000 shall be for forest products: Provided further, That of the funds provided, $392,500,000 shall be for hazardous fuels management activities, of which not to exceed $15,000,000 may be used to make grants, using any au-
authorities available to the Forest Service under the “State and Private Forestry” appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: Provided further, That $15,000,000 may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels management activities, and for training or monitoring associated with such hazardous fuels management activities on Federal land, or on non-Federal land if the Secretary determines such activities benefit resources on Federal land: Provided further, That funds made available to implement the Community Forestry Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the “State and Private Forestry” appropriations: Provided further, That notwithstanding section 33 of the Bankhead Jones Farm Tenant Act (7 U.S.C. 1012), the Secretary of Agriculture, in calculating a fee for grazing on a National Grassland, may provide a credit of up to 50 percent of the calculated fee to a Grazing Association or direct permittee for a conservation practice approved by the Secretary in advance of the fiscal year in which the cost of the conservation practice is incurred. And, that the amount credited shall remain available to
the Grazing Association or the direct permittee, as appropriate, in the fiscal year in which the credit is made and each fiscal year thereafter for use on the project for conservation practices approved by the Secretary.

CAPITAL IMPROVEMENT AND MAINTENANCE

For necessary expenses of the Forest Service, not otherwise provided for, $401,162,000, to remain available through September 30, 2021, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, decommissioning of roads that are no longer needed, including unauthorized roads that are not part of the transportation system, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: Provided, That funds becoming available in fiscal year 2018 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated.

LAND ACQUISITION

(INCLUDING REVERSION OF FUNDS)

For expenses necessary to carry out the provisions of chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or wa-
ters, or interest therein, in accordance with statutory au-

thority applicable to the Forest Service, $69,487,000, to

be derived from the Land and Water Conservation Fund

and to remain available until expended.

Of the unobligated balances available for this account

from prior appropriations, $5,000,000 are permanently re-

scinded: Provided, That no amounts may be rescinded

from amounts that were designated by the Congress as

an emergency requirement pursuant to the Concurrent

Resolution on the Budget or the Balanced Budget and


ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL

ACTS

For acquisition of lands within the exterior bound-

aries of the Cache, Uinta, and Wasatch National Forests,

Utah; the Toiyabe National Forest, Nevada; the Angeles,

San Bernardino, Sequoia, and Cleveland National Forests,

California; and the Ozark and Ouachita National Forests,

Arkansas, as authorized by law, $850,000, to be derived

from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived

from funds deposited by State, county, or municipal gov-

ernments, public school districts, or other public school au-

thorities, and for authorized expenditures from funds de-

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the Western States, pursuant to section 401(b)(1) of Public Law 94–579, to remain available through September 30, 2021, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $45,000, to remain available through September 30, 2021, to be derived from the fund established pursuant to the above Act.
MANAGEMENT OF NATIONAL FOREST LANDS FOR

SUBSISTENCE USES


WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency wildland fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, $2,380,338,000, to remain available through September 30, 2021: Provided, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: Provided further, That any unobligated funds appropriated in a previous fiscal year for hazardous fuels management may be transferred to the “National Forest System” account: Provided further, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies.
or disasters to the extent such reimbursements by the For-
est Service for non-fire emergencies are fully repaid by the
responsible emergency management agency: Provided fur-
ther, That funds provided shall be available for support
to Federal emergency response: Provided further, That the
costs of implementing any cooperative agreement between
the Federal Government and any non-Federal entity may
be shared, as mutually agreed on by the affected parties:
Provided further, That funds designated for wildfire sup-
pression, shall be assessed for cost pools on the same basis
as such assessments are calculated against other agency
programs.

For an additional amount, $495,182,000 for wildfire
suppression operations to meet the emergency and unpre-
dictable aspects of wildland firefighting including support,
response, and emergency stabilization activities, other
emergency management activities, and funds necessary to
repay any transfers needed for these costs, to remain
available until expended: Provided, That all such funds are
also available for transfer to other appropriations accounts
to repay amounts previously transferred for wildfire sup-
pression: Provided further, That such funds shall only be-
come available if funds previously provided for wildland
fire suppression will be exhausted imminently and the Sec-
retary of Agriculture notifies the Committees on Appro-
appropriations of the House of Representatives and the Senate in writing of the need for these additional funds: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, except that such amount shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

ADMINISTRATIVE PROVISIONS—FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250);
(4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary’s notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the heading “Wildland Fire Management” and “FLAME Wildfire Suppression Reserve Fund” will be obligated within 30 days: Provided, That all funds used pursuant to this paragraph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Not more than $50,000,000 of funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior for wildland fire management, hazardous fuels management, and State fire assistance when such transfers would facilitate and expedite wildland fire management programs and projects.
Notwithstanding any other provision of this Act, the Forest Service may transfer unobligated balances of discretionary funds appropriated to the Forest Service by this Act to or within the National Forest System Account, or reprogram funds to be used for the purposes of hazardous fuels management and urgent rehabilitation of burned-over National Forest System lands and water, such transferred funds shall remain available through September 30, 2021: Provided, That none of the funds transferred pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That this section does not apply to funds appropriated to the FLAME Wildfire Suppression Reserve Fund or funds derived from the Land and Water Conservation Fund.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and range-land research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with U.S., private, and international organizations. The
Forest Service, acting for the International Program, may sign direct funding agreements with foreign governments and institutions as well as other domestic agencies (including the U.S. Agency for International Development, the Department of State, and the Millennium Challenge Corporation), U.S. private sector firms, institutions and organizations to provide technical assistance and training programs overseas on forestry and rangeland management.

Funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

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

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in ac-
cordance with the reprogramming procedures contained in the report accompanying this Act.

Not more than $82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than $14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges, of which $875,000 shall be used to fund the Office of the Under Secretary for Natural Resources and Environment. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture’s National Information Technology Center and the Department of Agriculture’s International Technology Service.

Of the funds available to the Forest Service, up to $5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993, Public Law 103–82, as amended by Public Lands Corps Healthy Forests Restoration Act of 2005, Public Law 109–154.
Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: Provided,

That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: Provided further, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match funds made available by the Forest Service on at least a one-for-one basis: Provided further, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Pursuant to section 2(b)(2) of Public Law 98–244, up to $3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation
projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: Provided, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: Provided further, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

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

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

The Forest Service shall not assess funds for the purpose of performing fire, administrative, and other facilities maintenance and decommissioning.
Notwithstanding any other provision of law, of any appropriations or funds available to the Forest Service, not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar matters unrelated to civil litigation. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the sums requested for transfer.

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

Notwithstanding any other provision of this Act, through the Office of Budget and Program Analysis, the Forest Service shall report no later than 30 business days following the close of each fiscal quarter all current and prior year unobligated balances, by fiscal year, budget line item and account, to the House and Senate Committees on Appropriations.
The Forest Service shall submit, through the Office of Budget and Program Analysis, to the Office of Management and Budget a proposed system of administrative control of funds for its accounts, as described in 31 U.S.C. 1514, not later than December 31, 2017.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $3,759,258,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) and 238b, for services furnished by the Indian Health Service: Provided, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That $2,000,000
shall be available for grants or contracts with public or private institutions to provide alcohol or drug treatment services to Indians, including alcohol detoxification services: Provided further, That $930,484,000 for Purchased/Referred Care, including $53,000,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: Provided further, That, of the funds provided, up to $36,000,000 shall remain available until expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: Provided further, That, of the funds provided, $11,000,000 shall remain available until expended to supplement funds available for operational costs at tribal clinics operated under an Indian Self-Determination and Education Assistance Act compact or contract where health care is delivered in space acquired through a full service lease, which is not eligible for maintenance and improvement and equipment funds from the Indian Health Service, and $29,000,000 shall be for costs related to or resulting from accreditation emergencies, of which up to $4,000,000 may be used to supplement amounts otherwise available for Purchased and Referred Care: Provided further, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and

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1616a) during the preceding fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of the Act (25 U.S.C. 1616a–1) and shall remain available until expended and, notwithstanding section 108A(c) of the Act (25 U.S.C. 1616a–1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of the Act (25 U.S.C. 1613a and 1616a): Provided further, That the amounts made available within this account for the Substance Abuse and Suicide Prevention Program, for the Domestic Violence Prevention Program, for the Zero Suicide Initiative, for the housing subsidy authority for civilian employees, for aftercare pilots at Youth Regional Treatment Centers, to improve collections from public and private insurance at Indian Health Service and tribally operated facilities, and for accreditation emergencies shall be allocated at the discretion of the Director of the Indian Health Service and shall remain available until expended: Provided further, That funds provided in this Act may be used for annual contracts and grants that fall within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall re-
main available until expended for the purpose of achieving
compliance with the applicable conditions and require-
ments of titles XVIII and XIX of the Social Security Act,
except for those related to the planning, design, or con-
struction of new facilities: Provided further, That funding
contained herein for scholarship programs under the In-
dian Health Care Improvement Act (25 U.S.C. 1613)
shall remain available until expended: Provided further,
That amounts received by tribes and tribal organizations
under title IV of the Indian Health Care Improvement Act
shall be reported and accounted for and available to the
receiving tribes and tribal organizations until expended:
Provided further, That the Bureau of Indian Affairs may
collect from the Indian Health Service, tribes and tribal
organizations operating health facilities pursuant to Pub-
lic Law 93–638, such individually identifiable health infor-
mation relating to disabled children as may be necessary
for the purpose of carrying out its functions under the
Individuals with Disabilities Education Act (20 U.S.C.
1400 et seq.): Provided further, That the Indian Health
Care Improvement Fund may be used, as needed, to carry
out activities typically funded under the Indian Health Fa-
cilities account.
CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for contract support costs associated with Indian Self-Determination and Education Assistance Act agreements with the Indian Health Service for fiscal year 2018, such sums as may be necessary: Provided further, That, notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $563,658,000, to remain available until expended: Provided, That, notwithstanding any other provision of law,
funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: Provided further, That not to exceed $500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: Provided further, That not to exceed $2,700,000 from this account and the “Indian Health Services” account may be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing inter-agency agreement between the Indian Health Service and the General Services Administration: Provided further, That not to exceed $500,000 may be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.
ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: Provided, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: Provided further, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Devel-
operation to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638: Provided further, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: Provided further, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall
be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law:

Provided further, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended:

Provided further, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance:

Provided further, That the Indian Health Service may provide to civilian medical personnel serving in
hospitals operated by the Indian Health Service housing
allowances equivalent to those that would be provided to
members of the Commissioned Corps of the United States
Public Health Service serving in similar positions at such
hospitals: Provided further, That the appropriation struc-
ture for the Indian Health Service may not be altered
without advance notification to the House and Senate
Committees on Appropriations.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

SCIENCES

For necessary expenses for the National Institute of
Environmental Health Sciences in carrying out activities
set forth in section 311(a) of the Comprehensive Environ-
mental Response, Compensation, and Liability Act of
1980 (42 U.S.C. 9660(a)) and section 126(g) of the
Superfund Amendments and Reauthorization Act of 1986,
$77,349,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE

REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

HEALTH

For necessary expenses for the Agency for Toxic Sub-
stances and Disease Registry (ATSDR) in carrying out
activities set forth in sections 104(i) and 111(c)(4) of the
Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, $74,691,000: Provided, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: Provided further, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: Provided further, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2018, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Envi-
ronmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $3,000,000: Provided, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $11,000,000: Provided, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: Provided further, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the
position of Inspector General of the Board: Provided further, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

Office of Navajo and Hopi Indian Relocation

Salaries and Expenses

(including transfer of funds)

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $14,970,000, to remain available until expended: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be provided with more than
one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to section 11 of Public Law 93–531 (88 Stat. 1716): *Provided further*, That $200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Office of Navajo and Hopi Indian Relocation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

**INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT**

**PAYMENT TO THE INSTITUTE**

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by part A of title XV of Public Law 99–498 (20 U.S.C. 4411 et seq.), $9,835,000, which shall become available on July 1, 2018, and shall remain available until September 30, 2019.

**SMITHSONIAN INSTITUTION**

**SALARIES AND EXPENSES**

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields
of art, science, and history; development, preservation, and
documentation of the National Collections; presentation of
public exhibits and performances; collection, preparation,
dissemination, and exchange of information and publica-
tions; conduct of education, training, and museum assist-
ance programs; maintenance, alteration, operation, lease
agreements of no more than 30 years, and protection of
buildings, facilities, and approaches; not to exceed
$100,000 for services as authorized by 5 U.S.C. 3109; and
purchase, rental, repair, and cleaning of uniforms for em-
ployees, $729,444,000, to remain available until Sep-
tember 30, 2019, except as otherwise provided herein; of
which not to exceed $6,908,000 for the instrumentation
program, collections acquisition, exhibition reinstallation,
and the repatriation of skeletal remains program shall re-
main available until expended; and including such funds
as may be necessary to support American overseas re-
search centers: Provided, That funds appropriated herein
are available for advance payments to independent con-
tractors performing research services or participating in
official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and
alteration of facilities owned or occupied by the Smithso-
nian Institution, by contract or otherwise, as authorized
by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $149,000,000, to remain available until expended, of which not to exceed $10,000 shall be for services as authorized by 5 U.S.C. 3109.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and
repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $133,961,000, to remain available until September 30, 2019, of which not to exceed $3,620,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for operating lease agreements of no more than 10 years, with no extensions or renewals beyond the 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, $22,564,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.
JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $23,740,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $13,000,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $10,500,000, to remain available until September 30, 2019.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965,
$149,849,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $149,848,000 to remain available until expended, of which $139,148,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and $10,700,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including $8,500,000 for the purposes of section 7(h):

Provided, That appropriations for carrying out section 10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, devises of money, and other property accepted by the chairman or by grantees of the National Endowment for the Humanities under the provisions of sections 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
ceeding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: Provided, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: Provided further, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: Provided further, That the Chairperson of the National Endowment for the Arts may approve grants of up to $10,000, if in the aggregate the amount of such grants does not exceed 5 percent of the sums appropriated for grantmaking purposes per year: Provided further, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses of the Commission of Fine Arts under chapter 91 of title 40, United States Code, $2,762,000: 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: Provided further,
10 That one-tenth of one percent of the funds provided under
11 this heading may be used for official reception and rep-
12 resentation expenses.

13 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS
14 For necessary expenses as authorized by Public Law
15 99–190 (20 U.S.C. 956a), $2,000,000.

16 ADVISORY COUNCIL ON HISTORIC PRESERVATION
17 SALARIES AND EXPENSES
18 For necessary expenses of the Advisory Council on
19 Historic Preservation (Public Law 89–665), $6,400,000.

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, $7,948,000: Provided, That one-quarter of 1 per-
cent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $57,000,000, of which $1,215,000 shall remain available until September 30, 2020, for the Museum’s equipment replacement program; and of which $2,500,000 for the Museum’s repair and rehabilitation program and $1,264,000 for the Museum’s outreach initiatives program shall remain available until expended.

DWIGHT D. EISENHOWER MEMORIAL COMMISSION

SALARIES AND EXPENSES

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

CAPITAL CONSTRUCTION

For necessary expenses of the Dwight D. Eisenhower Memorial Commission for design and construction of a memorial in honor of Dwight D. Eisenhower, as authorized by Public Law 106–79, $15,000,000, to remain available until expended: Provided, That the contract with re-
spect to the procurement shall contain the “availability of funds” clause described in section 52.232.18 of title 48, Code of Federal Regulations: Provided further, That the funds appropriated herein shall be deemed to satisfy the criteria for issuing a permit contained in 40 U.S.C. 8906(a)(4) and (b).

WOMEN’S SUFFRAGE CENTENNIAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Women’s Suffrage Centennial Commission, as authorized by the Women’s Suffrage Centennial Commission Act (section 431(a)(3) of division G of Public Law 115–31), $1,000,000, to remain available until expended.

WORLD WAR I CENTENNIAL COMMISSION

SALARIES AND EXPENSES

Notwithstanding section 9 of the World War I Centennial Commission Act, as authorized by the World War I Centennial Commission Act (Public Law 112–272) and the Carl Levin and Howard P. “Buck” McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), for necessary expenses of the World War I Centennial Commission, $3,500,000, to remain available until expended: Provided, That in addition to the authority provided by section 6(g) of such Act, the World War I Commission may accept money, in-kind personnel services,
contractual support, or any appropriate support from any executive branch agency for activities of the Commission.

TITLE IV
GENERAL PROVISIONS
(INCLUDING TRANSFERS OF FUNDS)
RESTRICTION ON USE OF FUNDS

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

OBLIGATION OF APPROPRIATIONS

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

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications.
1 and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

MINING APPLICATIONS

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

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

(c) REPORT.—On September 30, 2019, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and
Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Director of the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

LIMITATION

SEC. 406. Amounts provided by this Act for fiscal year 2018 under the headings “Department of Health and Human Services, Indian Health Service, Contract Support Costs” and “Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education, Contract Support Costs” are the only amounts available for contract support costs arising out of self-determination or self-governance contracts, grants, compacts, or annual funding agreements for fiscal year 2018 with the Bureau of Indian Affairs or the Indian Health Service: Provided, That such amounts provided by this Act are not available for payment of claims for contract support costs for prior years, or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

FOREST MANAGEMENT PLANS

SEC. 407. The Secretary of Agriculture shall not be considered to be in violation of section 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Plan-
ning Act (16 U.S.C. 1600 et seq.) or any other law: *Provided*, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

**PROHIBITION WITHIN NATIONAL MONUMENTS**

**SEC. 408.** No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

**LIMITATION ON TAKINGS**

**SEC. 409.** Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: *Provided*, That this provision shall not apply

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to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

TIMBER SALE REQUIREMENTS

Sec. 410. No timber sale in Alaska’s Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service’s appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

PROHIBITION ON NO-BID CONTRACTS

Sec. 411. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless

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such contract is entered into in accordance with the re-
quirements of Chapter 33 of title 41, United States Code,
or Chapter 137 of title 10, United States Code, and the
Federal Acquisition Regulation, unless—

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

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

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

POSTING OF REPORTS

SEC. 412. (a) Any agency receiving funds made avail-
able in this Act, shall, subject to subsections (b) and (c),
post on the public website of that agency any report re-
quired to be submitted by the Congress in this or any
other Act, upon the determination by the head of the agen-

(b) Subsection (a) shall not apply to a report if—
(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

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

NATIONAL ENDOWMENT FOR THE ARTS GRANT

GUIDELINES

Sec. 413. Of the funds provided to the National Endowment for the Arts:

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.
(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

PRIORITIES

SEC. 414. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term “underserved population” means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

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

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

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

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

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

(3) the Chairperson shall report to the Con-
gress annually and by State, on grants awarded by
the Chairperson in each grant category under section 5 of such Act; and

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

STATUS OF BALANCES OF APPROPRIATIONS

SEC. 415. The Department of the Interior, the Environmental Protection Agency, the Forest Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity.

PROHIBITION ON USE OF FUNDS

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

GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 417. Notwithstanding any other provision of law, none of the funds made available in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.
Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

MODIFICATION OF AUTHORITIES


FUNDING PROHIBITION

SEC. 419. None of the funds made available by this or any other Act may be used to regulate the lead content of ammunition, ammunition components, or fishing tackle under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other law.

CONTRACTING AUTHORITIES

SEC. 420. Section 412 of division E of Public Law 112–74, as last amended by section 421 of division G of Public Law 114–113, shall be applied by substituting “fiscal year 2018” for “fiscal year 2017”.

CHESAPEAKE BAY INITIATIVE

SEC. 421. Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461 note) is amended by striking “2017” and inserting “2019”.

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EXTENSION OF GRAZING PERMITS


FUNDING PROHIBITION

SEC. 423. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

CLARIFICATION OF EXEMPTIONS

SEC. 424. None of the funds made available in this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).
FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT ACT


USE OF AMERICAN IRON AND STEEL

SEC. 426. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j–12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

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

(b) Subsection (a) shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency (in this section referred to as the “Administrator”) finds that—
(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(e) If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

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

MIDWAY ISLAND

SEC. 427. None of the funds made available by this Act may be used to destroy any buildings or structures on Midway Island that have been recommended by the United States Navy for inclusion in the National Register of Historic Places (54 U.S.C. 302101).

POLICIES RELATING TO BIOMASS ENERGY

SEC. 428. For fiscal year 2018 and each fiscal year thereafter, to support the key role that forests in the United States can play in addressing the energy needs of the United States, the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency shall, consistent with their missions, jointly—

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

(A) is consistent across all Federal departments and agencies; and

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

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(2) establish clear and simple policies for the use of forest biomass as an energy solution, including policies that—

(A) reflect the carbon-neutrality of forest bioenergy and recognize biomass as a renewable energy source, provided the use of forest biomass for energy production does not cause conversion of forests to non-forest use;

(B) encourage private investment throughout the forest biomass supply chain, including in—

(i) working forests;

(ii) harvesting operations;

(iii) forest improvement operations;

(iv) forest bioenergy production;

(v) wood products manufacturing; or

(vi) paper manufacturing;

(C) encourage forest management to improve forest health; and

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

JOHN F. KENNEDY CENTER REAUTHORIZATION

SEC. 429. Section 13 of the John F. Kennedy Center Act (20 U.S.C. 76r) is amended by striking subsections (a) and (b) and inserting the following:
“(a) MAINTENANCE, REPAIR, AND SECURITY.—

There is authorized to be appropriated to the Board to carry out section 4(a)(1)(H), $23,740,000 for fiscal year 2018.

“(b) CAPITAL PROJECTS.—There is authorized to be appropriated to the Board to carry out subparagraphs (F) and (G) of section 4(a)(1), $13,000,000 for fiscal year 2018.”.

AVAILABILITY OF VACANT GRAZING ALLOTMENTS

SEC. 430. The Secretary of the Interior, with respect to public lands administered by the Bureau of Land Management, and the Secretary of Agriculture, with respect to the National Forest System lands, shall make vacant grazing allotments available to a holder of a grazing permit or lease issued by either Secretary if the lands covered by the permit or lease or other grazing lands used by the holder of the permit or lease are unusable because of drought or wildfire, as determined by the Secretary concerned. The terms and conditions contained in a permit or lease made available pursuant to this section shall be the same as the terms and conditions of the most recent permit or lease that was applicable to the vacant grazing allotment made available. Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) shall
not apply with respect to any Federal agency action under this section.

CONSULTATION FOR FOREST MANAGEMENT PROJECTS

SEC. 431. Notwithstanding Cottonwood Environmental Law Center v. United States Forest Service, 789 F.3d 1075 (9th Cir. 2015), a Federal agency shall not be required to reinitiate consultation under section 7(a)(2) of the Endangered Species Act (16 U.S.C. 1536(a)(2)) on a completed Federal action that does not authorize ground-disturbing activities if subsequently a species is listed, critical habitat is designated, or new pertinent information on a listed species becomes available. A land management plan approved, amended, or revised under section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604) shall not be considered a continuing action for which re-initiation of consultation under section 7(a)(2) of the Endangered Species Act (16 U.S.C. 1536(a)(2)) is required.

LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANSFERS OF EXCESS EQUIPMENT AND SUPPLIES FOR WILDFIRES

SEC. 432. The Secretary of the Interior is authorized to enter into grants and cooperative agreements with local cooperators to provide for wildland fire training and equipment, including supplies and communication devices. Not-
withstanding 121(c) of title 40, United States Code, or section 521 of title 40, United States Code, the Secretary of the Interior is further authorized to transfer title to excess Department of the Interior firefighting equipment to local cooperators under these agreements.

FLOOD CONTROL

SEC. 433. (a) Notwithstanding the final determination of the Environmental Protection Agency entitled “Final Determination of the Assistant Administrator for Water Pursuant to Section 404(c) of the Clean Water Act Concerning the Proposed Yazoo Backwater Area Pumps Project in Issaquena County, MS” (73 Fed. Reg. 54398 (September 19, 2008)), or any other provision of law, the Secretary of the Army shall, immediately and without delay or administrative or judicial review, construct or provide for the construction of “Alternative 5” as described in the Reformulation Main Report and Final Supplemental Environmental Impact Statement released by the Corps of Engineers in November 2007, in order to achieve the flood control objectives authorized under subsection (b) under the heading “LOWER MISSISSIPPI RIVER” under section 3 of the Act of August 18, 1941 (55 Stat. 642; chapter 377).

(b) For purposes of subsection (a), the Secretary of the Army shall prioritize initiation of the pump supply

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contract, which shall be carried out by awarding con-
tinuing contracts in accordance with section 10 of the Act 

WATERS OF THE UNITED STATES

SEC. 434. (a) AUTHORIZATION.—The Administrator 
of the Environmental Protection Agency and the Secretary 
of the Army may withdraw the Waters of the United 
States rule without regard to any provision of statute or 
regulation that establishes a requirement for such with-
drawal.

(b) EFFECT OF WITHDRAWAL.—Except as otherwise 
provided by any Act or rule that takes effect after the date 
of enactment of this Act, if the Administrator of the Envi-
ronmental Protection Agency and the Secretary of the 
Army withdraw the Waters of the United States rule 
under subsection (a), the Administrator and Secretary 
shall implement the provisions of law under which such 
rule was issued in accordance with the regulations and 
guidance in effect under such provisions immediately be-
fore the effective date of such rule.

(c) DEFINITIONS.—In this section the term “Waters 
of the United States rule” means the final rule issued by 
the Administrator of the Environmental Protection Agen-
cy and the Secretary of the Army entitled “Clean Water

SMALL REMOTE INCINERATORS

Sec. 435. Notwithstanding any other provision of law, none of the funds appropriated by this Act may be used to implement or enforce Clean Air Act regulations at 40 CFR part 60, subparts CCCC and DDDD with respect to units in the State of Alaska that are defined as “small, remote incinerator” units in those regulations.

ALASKA NATIVE REGIONAL HEALTH ENTITIES

Sec. 436. Section 424 of the Consolidated Appropriations Act, 2014 (Public Law 113–76) is amended by striking “2018” and inserting “2019”.

TREATMENT OF CERTAIN HOSPITALS

Sec. 437. The “Parallel Low-Volume Hospital Payment Adjustment Regarding Hospitals Operated by the Indian Health Services (IHS) or a Tribe” provisions described in the final rule published by the Centers for Medicare & Medicaid Services in the Federal Register on August 14, 2017, and entitled “Medicare Program; Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and the Long-Term Care Hospital Prospective Payment System and Policy Changes and Fiscal Year 2018 Rates; Quality Reporting Requirements for Specific Providers; Medicare and Medicaid Electronic Health
Record (EHR) Incentive Program Requirements for Eligible Hospitals, Critical Access Hospitals, and Eligible Professionals; Provider-Based Status of Indian Health Service and Tribal Facilities and Organizations; Costs Reporting and Provider Requirements; Agreement Termination Notices” (82 Fed Reg. 37990; 38188–38189), shall apply with respect to discharges occurring in fiscal year 2014 and subsequent fiscal years.

RECREATION FEES


TITLE V

WILDFIRE DISASTER FUNDING

WILDFIRE DISASTER FUNDING AUTHORITY

Sec. 501. (a) Disaster Funding.—Section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)) is amended—

(1) in clause (i)—

(A) in subclause (I), by striking “and” at the end and inserting “plus”;

(B) in subclause (II), by striking the period at the end and inserting “; less”; and
(C) by adding the following:

“(III) the additional new budget authority provided in an appropriation Act for wildfire suppression operations pursuant to subparagraph (E) for the preceding fiscal year.”; and

(2) by adding at the end the following:

“(v) Beginning in fiscal year 2020, and for each fiscal year thereafter, the calculation of the ‘average funding provided for disaster relief over the previous 10 years’ shall include for each year within that average the additional new budget authority provided in an appropriation Act for wildfire suppression operations pursuant to subparagraph (E) for the preceding fiscal year.”.

(b) WILDFIRE SUPPRESSION.—Section 251(b)(2) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)) is amended by adding at the end the following:

“(E) WILDFIRE SUPPRESSION.—

“(i) DEFINITIONS.—In this subpara-
“(I) ADDITIONAL NEW BUDGET AUTHORITY.—The term ‘additional new budget authority’ means the amount provided for a fiscal year in an appropriation Act that is—

“(aa) in excess of 100 percent of the average costs for wildfire suppression operations over the previous 10 years; and

“(bb) specified to pay for the costs of wildfire suppression operations.

“(II) WILDFIRE SUPPRESSION OPERATIONS.—The term ‘wildfire suppression operations’ means the emergency and unpredictable aspects of wildland firefighting, including—

“(aa) support, response, and emergency stabilization activities;

“(bb) other emergency management activities; and

“(cc) the funds necessary to repay any transfers needed for the costs of wildfire suppression operations.
“(ii) ADDITIONAL NEW BUDGET AUTHORITY.—If a bill or joint resolution making appropriations for a fiscal year is enacted that specifies an amount for wildfire suppression operations in the Wildland Fire Management accounts at the Department of Agriculture or the Department of the Interior, then the adjustments for that fiscal year shall be the amount of additional new budget authority provided in that Act for wildfire suppression operations for that fiscal year, but shall not exceed $2,007,000,000 in additional new budget authority for fiscal years 2018 through 2027.

“(iii) AVERAGE COST CALCULATION.—The average costs for wildfire suppression operations over the previous 10 years shall be calculated annually and reported in the budget of the President submitted under section 1105(a) of title 31, United States Code, for each fiscal year.”.

REPORTING REQUIREMENTS

SEC. 502. (a) SUPPLEMENTAL APPROPRIATIONS.—If the Secretary of the Interior or the Secretary of Agri-
culture determines that supplemental appropriations are necessary for a fiscal year for wildfire suppression operations, a request for the supplemental appropriations shall promptly be submitted to Congress.

(b) NOTICE OF NEED FOR ADDITIONAL FUNDS.— Prior to the obligation of any of the additional new budget authority for wildfire suppression operations specified for purposes of section 251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(E)(ii)), the Secretary of the Interior or the Secretary of Agriculture, as applicable, shall submit to the Committees on Appropriations and the Budget of the House of Representatives and the Committees on Appropriations and the Budget of the Senate written notification that describes—

(1) that the amount for wildfire suppression operations to meet the terms of section 251(b)(2)(E) of that Act for that fiscal year will be exhausted imminently; and

(2) the need for additional new budget authority for wildfire suppression operations.

(c) ACCOUNTING, REPORTS AND ACCOUNTABILITY.—

(1) ACCOUNTING AND REPORTING REQUIREMENTS.—For each fiscal year, the Secretary of the Interior and the Secretary of Agriculture shall ac-
count for and report on the amounts used from the additional new budget authority for wildfire suppression operations provided to the Secretary of the Interior or Secretary of Agriculture, as applicable, in an appropriations Act pursuant to section 251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(E)(ii)).

(2) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than 180 days after the end of the fiscal year for which additional new budget authority is used, pursuant to section 251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(E)(ii)), the Secretary of the Interior or the Secretary of Agriculture, as applicable, shall—

(i) prepare an annual report with respect to the additional new budget authority;

(ii) submit to the Committees on Appropriations, the Budget, and Natural Resources of the House of Representatives and the Committees on Appropriations, the Budget, and Energy and Natural Re-
sources of the Senate the annual report prepared under clause (i); and

(iii) make the report prepared under clause (i) available to the public.

(B) COMPONENTS.—The annual report prepared under subparagraph (A) shall—

(i) document risk-based factors that influenced management decisions with respect to wildfire suppression operations;

(ii) analyze a statistically significant sample of large fires, including an analysis for each fire of—

(I) cost drivers;

(II) the effectiveness of risk management techniques and whether fire operations strategy tracked the risk assessment;

(III) any resulting ecological or other benefits to the landscape;

(IV) the impact of investments in wildfire suppression operations preparedness;

(V) effectiveness of wildfire suppression operations, including an anal-
ysis of resources lost versus dollars invested;

(VI) effectiveness of any fuel treatments on fire behavior and suppression expenditures;

(VII) levels of exposure experienced by firefighters;

(VIII) suggested corrective actions; and

(IX) any other factors the Secretary of the Interior or Secretary of Agriculture determines to be appropriate;

(iii) include an accounting of overall fire management and spending by the Department of the Interior or the Department of Agriculture, which shall be analyzed by fire size, cost, regional location, and other factors;

(iv) describe any lessons learned in the conduct of wildfire suppression operations; and

(v) include any other elements that the Secretary of the Interior or the Sec-
retary of Agriculture determines to be nec-

essary.

SENSE OF THE SENATE

SEC. 503. It is the sense of the Senate that—

(1) the amendments made by section 501 fall

within the exclusive jurisdiction of the Committee on

the Budget; and

(2) the final version of an amendment made by

section 501 that makes an adjustment for new budg-
et authority should be prepared in consultation with

the Committee on the Budget of the Senate.

WILDFIRE RISK REDUCTION PROJECTS

SEC. 504. (a) IN GENERAL.—Amounts made avail-
able in an annual appropriations Act for wildfire suppres-
sion operations to meet the terms of section 251(b)(2)(E)
of the Balanced Budget and Emergency Deficit Control
Act of 1985 (2 U.S.C. 901(b)(2)(E)) for a fiscal year that
are not expended for that fiscal year may be available to
the Secretary concerned for wildfire risk reduction
projects in accordance with subsection (b).

(b) PROJECT PRIORITIES.—In providing amounts
made available to the Secretary concerned under sub-
section (a), the Secretary concerned shall give priority to
projects that are—

(1) conducted in areas that—
(A) are within or adjacent to—

(i) at-risk communities (as defined in section 204(b)(1)); or

(ii) high-value watersheds;

(B) have very high wildfire hazard potential; and

(C) are in Fire Regime Group I, II, or III;

and

(2) designed to achieve 1 or more of the goals established in the report of the Secretaries entitled “The National Strategy: the Final Phase of the Development of the National Cohesive Wildland Fire Management Strategy” and dated April 2014—

(A) to create fire-adapted communities;

(B) to restore and maintain resilient landscapes; and

(C) to achieve safe, effective fire response.

c ADDITIONAL NEW BUDGET AUTHORITY.—

(1) Amounts referenced in subsection (a) may only be available for wildfire risk reduction projects if no additional new budget authority for wildfire suppression operations specified for purposes of section 251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C.
901(b)(2)(E)(ii)) has been obligated for a fiscal year; and

(2) Once an amount is made available for wildfire risk reduction projects for a fiscal year, no additional new budget authority for wildfire suppression operations specified for that purpose by that Act may be obligated thereafter for that fiscal year.

(d) Annual Reports.—The Secretary concerned shall submit with the annual budget of the United States submitted by the President under section 1105 of title 31, United States Code, a list of projects to be implemented using amounts made available to the Secretary concerned under subsection (a).

ENVIRONMENTAL ANALYSIS FOR CERTAIN FOREST MANAGEMENT ACTIVITIES

SEC. 505. (a) Application to Certain Environmental Assessments and Environmental Impact Statements.—This section shall apply in any case in which the Secretary of Agriculture or the Secretary of the Interior (referred to in this section as the “Secretary concerned”) prepares an environmental assessment or an environmental impact statement pursuant to section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) for a forest management activity—

(1) that is—
(A) developed—

(i) through a collaborative process that—

(I) includes a diverse and balanced stakeholder representation;

(II) establishes clear expectations and goals;

(III) strives for maximum transparency in the decisionmaking process;

(IV) encourages stakeholders to function as representatives;

(V) fosters long-term participation;

(VI) recognizes timeframes and resources; and

(VII) enhances agency decision-making;

(ii) under the Collaborative Forest Landscape Restoration Program established under section 4003 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303); or

(iii) by a resource advisory committee (as defined in section 201 of the Secure
or
(B) covered by a community wildfire protection plan; and

(2) the primary purpose of which is—

(A) the reduction of hazardous fuel loads;
(B) the installation of fuel and fire breaks appropriate for the forest type;
(C) the protection of a municipal water supply system or a municipal watershed on condition class 3 Federal land (as described in section 102(a)(2) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6512(a)(2));
(D) the improvement of wildlife habitat to meet management and conservation goals; or
(E) a combination of 2 or more of the purposes described in subparagraphs (A) through (D).

(b) CONSIDERATION OF ALTERNATIVES.—In an environmental assessment or environmental impact statement described in subsection (a), the Secretary concerned shall study, develop, and describe only the following 2 alternatives:
(1) The forest management activity, as proposed under subsection (a).

(2) The alternative of no action.

(c) EXCLUSIONS.—This section shall not apply to—

(1) any component of the National Wilderness Preservation System;

(2) any congressionally designated wilderness study area;

(3) any research natural area; or

(4) any National Forest System land or public land on which the removal of vegetation is prohibited by Act of Congress.

(d) ROAD BUILDING.—

(1) PERMANENT ROADS.—A forest management activity carried out under this section shall not include the construction of any new, permanent road.

(2) EXISTING ROADS.—The Secretary concerned may carry out any necessary maintenance of, repairs to, or reconstruction of an existing permanent road under a forest management activity carried out under this section.

(3) TEMPORARY ROADS.—The Secretary concerned shall decommission any temporary road constructed under a forest management activity carried out under this section by not later than the date
that is 3 years after the date on which the project is completed.

(e) LAND AND RESOURCE MANAGEMENT PLANS.—All forest management activities carried out under this section shall be consistent with the applicable land and resource management plan.

(f) JUDICIAL REVIEW.—Section 106 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6516) shall apply to a forest management activity carried out under this section in the same manner as that section applies to an authorized hazardous fuel reduction project under that Act.

(g) EFFECT OF SECTION.—Nothing in this section affects, or otherwise biases, the use by the Secretary concerned of any other statutory or administrative authority (including any categorical exclusion available under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)) to carry out 1 or more forest management activities under this section.

DEFINITION OF FOREST, RANGELAND, AND WATERSHED RESTORATION SERVICES


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STEWARDSHIP END RESULT CONTRACTING

SEC. 507. (a) CANCELLATION CEILINGS FOR STEWARDSHIP END RESULT CONTRACTING PROJECTS.—Section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c) is amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following:

“(h) CANCELLATION CEILINGS.—

“(1) IN GENERAL.—The Chief and the Director may obligate funds to cover any potential cancellation or termination costs for an agreement or contract under subsection (b) in stages that are economically or programmatically viable.

“(2) ADVANCE NOTICE TO CONGRESS OF CANCELLATION CEILING IN EXCESS OF $25,000,000.—Not later than 30 days before entering into a multiyear agreement or contract under subsection (b) that includes a cancellation ceiling in excess of $25,000,000, but does not include proposed funding for the costs of cancelling the agreement or contract up to the cancellation ceiling established in the agreement or contract, the Chief or the Director, as applicable, shall submit to the Committees on En-

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ergy and Natural Resources and Agriculture, Nutrition, and Forestry of the Senate and the Committees on Natural Resources and Agriculture of the House of Representatives a written notice that includes—

“(A) a description of the cancellation ceiling amounts proposed for each program year in the agreement or contract;

“(B) the reasons for which the proposed cancellation ceiling amounts under subparagraph (A) were selected;

“(C) a description of the extent to which the costs of contract cancellation are not included in the budget for the agreement or contract; and

“(D) an assessment of the financial risk of not including budgeting for the costs of agreement or contract cancellation.

“(3) TRANSMITTAL OF NOTICE TO OMB.—Not later than 14 days after the date on which written notice is provided under paragraph (2), the Chief or the Director, as appropriate, shall transmit to the Director of the Office of Management and Budget a copy of the notice.”.

(b) EXCESS OFFSET VALUE.—Section 604(g)(2) of the Healthy Forests Restoration Act of 2003 (16 U.S.C.
6591e(g)(2)) is amended by striking subparagraphs (A) and (B) and inserting the following:

“(A) use the excess to satisfy any outstanding liabilities for cancelled agreements or contracts; or

“(B) if there are no outstanding liabilities under subparagraph (A), apply the excess to other authorized stewardship projects.”.

(e) Submission of Existing Annual Report.—

Subsection (j) of section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591e) (as redesignated by subsection (a)(1)(A)), is amended, in the matter preceding paragraph (1), by striking “report to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives” and inserting “submit to the congressional committees described in subsection (h)(2) a report”.

TONGASS NATIONAL FOREST

SEC. 508. (a) Transition to Young Growth Management.—The Secretary of Agriculture (referred to in this section as the “Secretary”) shall not accelerate the transition to a timber sale program on the Tongass National Forest that is based primarily on young growth management, as required by the document entitled “Land

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(b) Revision of Land and Resource Management Plan.—

(1) In general.—Not later than January 31, 2018, the Secretary shall publish in the Federal Register a Notice of Intent to revise or amend, as determined by the Secretary, the land and resource management plan for the Tongass National Forest.

(2) Requirements.—The Secretary shall include in the revision or amendment under paragraph (1) the following:

(A)(i) A comprehensive inventory of the approximately 360,000 acres of young growth stands in the Tongass National Forest, including stand-level field work in the young growth stands; and

(ii) an analysis of the inventory that predicts the supply of economic young growth available and the sustainable harvest rates necessary to transition to a timber sale program based primarily on young growth management, including—

(I) an analysis of each age class of timber inventoried; and
(II) updates to and expansion of growth and yield studies—

(aa) to verify and update existing inventory and growth data;

(bb) to identify potential reductions to suitable and available acres due to impacts to operability in a stand; and

(cc) to improve the forecasting of—

(AA) yields in young growth stands; and

(BB) economic options concerning the stands inventoried.

(B) Changes in the management direction of the Tongass National Forest to ensure that any transition to a timber sale program based primarily on young growth management be accomplished in a timeframe and in a manner that maintains an economically viable timber industry in Southeast Alaska.

(C) An exemption from the Roadless Area Conservation Rule established under part 294 of title 36, Code of Federal Regulations (and
successor regulations), of the Tongass National Forest.

(D) Modifications to the old growth habitat conservation strategy included in the land and resource management plan described in paragraph (1).

(3) EFFECTIVENESS OF 2008 PLAN.—During the period beginning on the date of enactment of this Act and ending on the date on which the land and resource management plan is revised or amended under paragraph (1), the document entitled “Land and Resource Management Plan – Tongass National Forest” and dated January 2008 shall be effective with respect to timber management on the Tongass National Forest, including the transition to a timber sale program on the Tongass National Forest that is based primarily on young growth management.

ROADLESS AREA CONSERVATION RULE

APPLICATION OF ROADLESS AREA CONSERVATION RULE

Sec. 509. The Roadless Area Conservation Rule established under part 294 of title 36, Code of Federal Regulations (or successor regulations), shall not apply with respect to any National Forest System land in the State of Alaska.
This Act may be cited as the “Department of the Interior, Environment, and Related Agencies Appropriations Act, 2018”.

November 17, 2017 (11:44 a.m.)
A BILL

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2018, and for other purposes.

Read twice and placed on the calendar.

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