[COMMITTEE PRINT]

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

Calendar No. 000

117TH CONGRESS 2D SESSION

S. 0000

[Report No. 117–000]

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2023, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY _____, 2022

Mr. MERKLEY, 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, 2023, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
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, 2023, 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)), $1,402,993,000, to remain available until September 30, 2024; of which $76,355,000 for annual maintenance and deferred maintenance programs and $156,600,000 for the wild horse and burro program, as authorized by Public Law 92–195 (16 U.S.C. 1331 et seq.), shall remain available until expended: Provided, That amounts in the fee account of the
BLM Permit Processing Improvement Fund may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use of authorizations: Provided further, That of the amounts made available under this heading, up to $1,000,000 may be made available for the purposes described in section 122(e)(1)(A) of division G of Public Law 115–21 (43 U.S.C. 1748e(e)(1)(A)): Provided further, That of the amounts made available under this heading, $3,500,000 is for projects specified for Land Management Priorities in the table titled “Congressionally Directed Spending Items” included in the explanatory statement accompanying this Act.

In addition, $51,000,000, to remain available until expended, is for conducting oil and gas inspection activities, to be reduced by amounts collected by the Bureau and credited to this appropriation from onshore oil and gas inspection fees that the Bureau shall collect, as provided for in this Act; and $39,696,000 is for Mining Law Administration program operations, including the cost of administering 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 2023, so as to result
in a final appropriation estimated at not more than $1,402,993,000, 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.

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; $128,696,000, 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.
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 of the Interior 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, ap-
praisals, 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 reimburs-
able agreements with public and private entities, including
with States. Appropriations for the Bureau shall be avail-
able for purchase, erection, and dismantlement of tem-
porary structures, and alteration and maintenance of nec-
essary 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 ac-
tivities 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 co-
operative cost-sharing and partnership arrangements au-
thorized 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 identified amount of money in support of the project may be carried out by the Bureau on a reimbursable basis.

**UNITED STATES FISH AND WILDLIFE SERVICE**

**RESOURCE MANAGEMENT**

**(INCLUDING TRANSFER OF FUNDS)**

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, $1,602,847,000, to remain available until September 30, 2024: *Provided*, That not to exceed $25,946,000 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), (e)(2)(B)(i), or (c)(2)(B)(ii)): *Provided further*, That of the amount appropriated under this heading, $25,641,000, to remain available until September 30, 2025, shall be for projects specified for Stewardship Priorities in the table titled “Congressionally Directed Spending Items” included in the ex-
planatory statement accompanying this Act: Provided further, That amounts in the preceding proviso may be transferred to the appropriate program, project, or activity under this heading and shall continue to only be available for the purposes and in such amounts as such funds were originally appropriated.

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; $46,418,000, to remain available until expended: Provided, That such amounts are available for the modernization of field communication capabilities, in addition to amounts otherwise made available for such purpose.

COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1535), $24,064,000, to remain available until expended, to be derived from the Cooperative Endangered Species Conservation Fund.
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.), $48,500,000, 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.), $5,500,000, 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,
1 American Samoa, and Indian Tribes under the provisions
2 of the Fish and Wildlife Act of 1956 and the Fish and
3 Wildlife Coordination Act, for the development and imple-
4 mentation of programs for the benefit of wildlife and their
5 habitat, including species that are not hunted or fished,
6 $76,500,000, to remain available until expended: Pro-
7 vided, That of the amount provided herein, $7,000,000 is
8 for a competitive grant program for Indian Tribes not sub-
9 ject to the remaining provisions of this appropriation: Pro-
10 vided further, That $8,500,000 is for a competitive grant
11 program to implement approved plans for States, territ-
12 ories, and other jurisdictions and at the discretion of af-
13 fected States, the regional Associations of fish and wildlife
14 agencies, not subject to the remaining provisions of this
15 appropriation: Provided further, That the Secretary shall,
16 after deducting $15,500,000 and administrative expenses,
17 apportion the amount provided herein in the following
18 manner: (1) to the District of Columbia and to the Com-
19 monwealth of Puerto Rico, each a sum equal to not more
20 than one-half of 1 percent thereof; and (2) to Guam,
21 American Samoa, the United States Virgin Islands, and
22 the Commonwealth of the Northern Mariana Islands, each
23 a sum equal to not more than one-fourth of 1 percent
24 thereof: Provided further, That the Secretary of the Inte-
25 rior 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 2023 to any State, territory, or other jurisdiction that remains unobligated as of September 30, 2024, shall be reapportioned, together with funds appropriated in 2025, in the manner provided herein.

ADMINISTRATIVE PROVISIONS

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and

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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 one dollar 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 the Secretary may recover costs for response, assessment, and damages to National Wildlife Refuge System resources from the actions of pri-
vate parties, or for costs as otherwise provided by Federal, State, or local law, regulation, or court order as a result of the destruction, loss of, or injury to any living or non-living National Wildlife Refuge System resource: Provided further, That the damages described in the preceding proviso shall include the following: compensation for the cost of replacing, restoring or acquiring the equivalent of the damaged National Wildlife Refuge System resource; and either the value of any significant loss of use of a National Wildlife Refuge System resource pending its restoration, replacement or acquisition of an equivalent resource or the value of the National Wildlife Refuge System resource in the event the resource cannot be replaced, restored or an equivalent acquired: Provided further, That any instrumentality, including but not limited to a vessel, vehicle, aircraft, or other equipment or mechanism that destroys, causes the loss of, or injures any living or non-living National Wildlife Refuge System resource or which causes the Secretary to undertake actions to prevent, minimize, or abate destruction, loss of, injury, or risk to such resource shall be liable in rem to the United States for response costs and damages resulting from such destruction, loss, injury, or risk to the same extent as a person is liable: Provided further, That in addition to any other authority to accept donations, the Secretary may accept donations
of money or services to meet expected, immediate, or ongo-
ing response costs and damages; response and assessment
costs and damages recovered by the Secretary and dona-
tions received under this provision shall be available to the
Secretary, without further appropriation, and shall remain
available until expended, for damage assessments con-
ducted, or for restoration and replacement of National
Wildlife Refuge System resources, and shall be managed
under the Natural Resource Damage Assessment and Res-
toration Fund as per 43 U.S.C. 1474b–1: Provided fur-
ther, That notwithstanding 31 U.S.C. 3302, all fees col-
clected for non-toxic shot review and approval shall be de-
posited under the heading “United States Fish and Wild-
life Service—Resource Management” and shall be avail-
able 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 nec-
essary, and shall remain available until expended: Pro-
vided further, That the second proviso under the heading
“United States Fish and Wildlife Service—Resource Man-
age” in title I of division E of Public Law 112–74
(16 U.S.C. 742l–1) is amended by striking “2012” and
inserting “2023” and striking “$400,000” and inserting
“$750,000”.

July 27, 2022 (7:54 a.m.)
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, $3,044,235,000, of which $11,661,000 for planning and interagency coordination in support of Everglades restoration and $135,980,000 for maintenance, repair, or rehabilitation projects for constructed assets and $188,184,000 for cyclic maintenance projects for constructed assets and cultural resources and $5,000,000 for uses authorized by section 101122 of title 54, United States Code shall remain available until September 30, 2024: Provided, That funds appropriated under this heading in this Act are available for the purposes of section 5 of Public Law 95–348: Provided further, That notwithstanding section 9 of the 400 Years of African-American History Commission Act (36 U.S.C. note prec. 101; Public Law 115–102), $3,300,000 of the funds provided under this heading shall be made available for the purposes specified by that Act: Provided further, That sections (7)(b) and (8) of that Act shall be amended by striking “July 1, 2023” and inserting “July 1, 2024”.

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In addition, for purposes described in section 2404 of Public Law 116–9, an amount equal to the amount deposited in this fiscal year into the National Park Medical Services Fund established pursuant to such section of such Act, to remain available until expended, shall be derived from such Fund.

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, and grant administration, not otherwise provided for, $85,428,000, to remain available until September 30, 2024, of which $2,919,000 shall be for projects specified for Statutory and Contractual Aid in the table titled “Congressionally Directed Spending Items” included in the explanatory statement accompanying this Act.

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), $191,904,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2024, of which $26,500,000 shall be for Save America’s Treasures grants for preservation of nationally significant sites, structures and artifacts as
authorized by section 7303 of the Omnibus Public Land
Management Act of 2009 (54 U.S.C. 3089): Provided,
That an individual Save America’s Treasures grant shall
be matched by non-Federal funds: Provided further, That
individual projects shall only be eligible for one grant: Pro-
vided further, That all projects to be funded shall be ap-
proved by the Secretary of the Interior in consultation
with the House and Senate Committees on Appropria-
tions: Provided further, That of the funds provided for the
Historic Preservation Fund, $1,250,000 is for competitive
grants for the survey and nomination of properties to the
National Register of Historic Places and as National His-
toric Landmarks associated with communities currently
under-represented, as determined by the Secretary;
$29,000,000 is for competitive grants to preserve the sites
and stories of the Civil Rights movement; $11,000,000 is
for grants to Historically Black Colleges and Universities;
$12,500,000 is for competitive grants for the restoration
of historic properties of national, State, and local signifi-
cance 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)
(54 U.S.C. 302904) of the National Historical Preserva-
tion Act; $10,000,000 is for a competitive grant program
to honor the semiquincentennial anniversary of the United
States by restoring and preserving state-owned sites and structures listed on the National Register of Historic Places that commemorate the founding of the nation; and $19,654,000 is for projects specified for the Historic Preservation Fund in the table titled “Congressionally Directed Spending Items” included in the explanatory statement accompanying this Act: 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, and related equipment, and compliance and planning for programs and areas administered by the National Park Service, $241,229,000, to remain available until expended: Provided, That notwithstanding any other provision of law, for any project initially funded in fiscal year 2023 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.

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, $15,000,000, to remain 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 donated 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 ex-
penditure 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. 203. Transfers may include a reasonable amount for FHWA administrative support costs.
UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

(INCLUDING TRANSFER OF FUNDS)

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(a)(1)) and related purposes as authorized by law; and to publish and disseminate data relative to the foregoing activities; $1,519,289,000, to remain available until September 30, 2024; of which $92,274,000 shall remain available until expended for satellite operations; and of which $74,840,000 shall be available until expended for deferred 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: Provided further, That of the amount appropriated under this heading, $2,130,000 shall be for projects specified for Special Initiatives in the table titled “Congressionaly Directed Spending Items” included in the explanatory statement accompanying this Act: Provided further, That amounts in the preceding proviso may be transferred to the appropriate program, project, or activity under this heading and shall continue to only be available for the purposes and in such amounts as such funds were originally appropriated.

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 equip-
ment; 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 cooperative 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 cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 6101, for the temporary or intermittent services of students or recent graduates, who shall be considered 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 purposes.

BUREAU OF OCEAN ENERGY MANAGEMENT

OCEAN ENERGY MANAGEMENT

For expenses necessary for granting and administering leases, easements, rights-of-way, and agreements for use for oil and gas, other minerals, energy, and ma-
rine-related purposes on the Outer Continental Shelf and
approving operations related thereto, as authorized by law;
for environmental studies, as authorized by law; for imple-
menting other laws and to the extent provided by Presi-
dential or Secretarial delegation; and for matching grants
or cooperative agreements, $232,550,000, of which
$195,550,000 is to remain available until September 30,
2024, and of which $37,000,000 is to remain available
until expended: Provided, That this total appropriation
shall be reduced by amounts collected by the Secretary of
the Interior and credited to this appropriation from addi-
tions 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 En-
ergy 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 re-
sult in a final fiscal year 2023 appropriation estimated
at not more than $195,550,000: Provided further, That
not to exceed $3,000 shall be available for reasonable ex-
penses related to promoting volunteer beach and marine
cleanup activities.
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, $175,886,000, of which $151,886,000 is to remain available until September 30, 2024, and of which $24,000,000 is to remain available until expended, including $5,000,000 for offshore decommissioning activities: Provided, That this total appropriation shall be reduced by amounts collected by the Secretary of the Interior 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 are received during the fiscal year, so as to re-
sult in a final fiscal year 2023 appropriation estimated
at not more than $156,886,000.

For an additional amount, $44,000,000, to remain
available until expended, to be reduced by amounts col-
lected by the Secretary and credited to this appropriation,
which shall be derived from non-refundable inspection fees
collected in fiscal year 2023, as provided in this Act: Pro-
vided, That to the extent that amounts realized from such
inspection fees exceed $44,000,000, the amounts realized
in excess of $44,000,000 shall be credited to this appro-
priation and remain available until expended: Provided
further, That for fiscal year 2023, not less than 50 percent
of the inspection fees expended by the Bureau of Safety
and Environmental Enforcement will be used to fund per-
sonnel 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.

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,
$15,099,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

Office of Surface Mining Reclamation and Enforcement

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $121,122,000, to remain available until September 30, 2024, of which $65,000,000 shall be available for State and Tribal regulatory grants: 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 2023 appropriation estimated at not more than $121,122,000.

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, $33,904,000, 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, $135,000,000, to remain available until expended, for grants to States and federally recognized Indian Tribes for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions described in the explanatory statement 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, $84,000,000 shall be distributed in equal amounts to the three Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section, $39,000,000 shall be distributed in equal amounts to the three Appalachian States with the subsequent greatest amount of unfunded needs to meet such priorities, and $12,000,000 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 described in the explanatory statement accompanying this Act and shall be used for economic and community development in conjunc-
tion 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.

Indian Affairs

Bureau of Indian Affairs

Operation of Indian Programs

(including transfers 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) and the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5301 et seq.), $1,973,633,000, to remain available until September 30, 2024, 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 $77,994,000 shall be for welfare assistance payments: Provided, That in cases of designated Federal disasters, the Secretary of the Interior may exceed such cap for welfare payments from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: Provided further, That federally 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 $64,913,000 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 of the amount appropriated under this heading, $4,240,000 shall be for projects specified for Special Initiatives (CDS) in the table titled “Congressionally Directed Spending Items” included in the explanatory statement accompanying this Act: Provided further, That any forestry funds allocated to a federally recognized Tribe which remain unobligated as of September 30, 2024, may be transferred during fiscal year 2025 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, 2025: 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: Provided further, That the Bureau of Indian Affairs may accept transfers of funds from United States Customs and Border Protection to supplement any other funding available for reconstruction or repair of roads owned by the Bureau of Indian
Affairs as identified on the National Tribal Transportation Facility Inventory, 23 U.S.C. 202(b)(1).

INDIAN LAND CONSOLIDATION

For the acquisition of fractional interests to further land consolidation as authorized under the Indian Land Consolidation Act Amendments of 2000 (Public Law 106–462), and the American Indian Probate Reform Act of 2004 (Public Law 108–374), $8,000,000, to remain available until expended: Provided, That any provision of the Indian Land Consolidation Act Amendments of 2000 (Public Law 106–462) that requires or otherwise relates to application of a lien shall not apply to the acquisitions funded herein.

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 and the Bureau of Indian Education for fiscal year 2023, such sums as may be necessary, which shall be available for obligation through September 30, 2024: Provided, That notwithstanding any other provision of law, no amounts made available under this heading shall be available for transfer to another budget account.
PAYMENTS FOR TRIBAL LEASES

For payments to Tribes and Tribal organizations for leases pursuant to section 105(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5324(l)) for fiscal year 2023, such sums as may be necessary, which shall be available for obligation through September 30, 2024: 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; $190,952,000, 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 any funds provided for the Safety of Dams program pursuant to the Act of November 2, 1921 (25 U.S.C. 13), shall be made available...
on a nonreimbursable basis: Provided further, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expansion needed in agency offices to meet trust reform implementation: Provided further, That of the funds made available under this heading, $10,000,000 shall be derived from the Indian Irrigation Fund established by section 3211 of the WIIN Act (Public Law 114–322; 130 Stat. 1749): Provided further, That amounts provided under this heading are available for the modernization of Federal field communication capabilities, in addition to amounts otherwise made available for such purpose.

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, 114–322 and 116–260, and for implementation of other land and water rights settlements, $825,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans, $13,884,000, to remain available until September 30, 2024, of which $2,680,000 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 $150,213,551.

BUREAU OF INDIAN EDUCATION

OPERATION OF INDIAN EDUCATION PROGRAMS

For expenses necessary for the operation of Indian education 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.), $1,144,451,000 to remain available until September 30, 2024, except as otherwise provided herein: Provided, That federally 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 $848,425,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2023, and shall remain available until September 30,
2024: Provided further, That notwithstanding any other
provision of law, including but not limited to the Indian
and section 1128 of the Education Amendments of 1978
(25 U.S.C. 2008), not to exceed $97,453,000 within and
only from such amounts made available for school oper-
ations shall be available for administrative cost grants as-
associated with grants approved prior to July 1, 2023: Pro-
vided further, That in order to enhance the safety of Bu-
reau field employees, the Bureau may use funds to pur-
chase uniforms or other identifying articles of clothing for
personnel.

EDUCATION CONSTRUCTION

For construction, repair, improvement, and mainte-
nance of buildings, utilities, and other facilities necessary
for the operation of Indian education programs, including
architectural and engineering services by contract; acquisi-
tion of lands, and interests in lands; $333,434,000 to re-
main available until expended: Provided, That in order to
ensure timely completion of construction projects, the Sec-
retary of the Interior may assume control of a project and
all funds related to the project, if, not later than 18
months after the date of the enactment of this Act, any
Public Law 100–297 (25 U.S.C. 2501 et seq.) grantee re-
ceiving funds appropriated in this Act or in any prior Act,
has not completed the planning and design phase of the project and commenced construction.

ADMINISTRATIVE PROVISIONS

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

Funds made available for Tribal Priority Allocations within Operation of Indian Programs and Operation of Indian Education Programs may be used to execute requested adjustments in Tribal priority allocations initiated by an Indian Tribe.

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, $112,675,000, to remain available until expended, of which not to exceed $17,867,000 from this or any other Act, may be available for historical accounting: Provided, That funds for trust management im-
provements and litigation support may, as needed, be
transferred to or merged with the Bureau of Indian Af-
fairs, “Operation of Indian Programs” and Bureau of In-
dian Education, “Operation of Indian Education Pro-
grams” accounts; the Office of the Solicitor, “Salaries and
Expenses” account; and the Office of the Secretary, “De-
partmental Operations” account: Provided further, That
funds made available through contracts or grants obli-
gated during fiscal year 2023, as authorized by the Indian
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 In-
dian trust account that has not had activity for at least
15 months and has a balance of $15 or less: Provided fur-
ther, 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 with-
drawn upon the express written request of the account
holder: Provided further, That not to exceed $100,000 is
available for the Secretary to make payments to correct
administrative errors of either disbursements from or de-
posits to Individual Indian Money or Tribal accounts after
September 30, 2002: Provided further, That erroneous
payments that are recovered shall be credited to and re-
main available in this account for this purpose: Provided

further, That the Secretary shall not be required to re-
concile 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 claim-
ant: 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 con-
tinuous period of at least 5 years and shall not be required
to generate periodic statements of performance for the in-
dividual accounts: Provided further, That with respect to
the preceding proviso, the Secretary shall continue to
maintain sufficient records to determine the balance of the
individual accounts, including any accrued interest and in-
come, and such funds shall remain available to the indi-
vidual account holders.

DEPARTMENTAL OFFICES

OFFICE OF THE SECRETARY

DEPARTMENTAL OPERATIONS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for management of the De-
partment of the Interior and for grants and cooperative
agreements, as authorized by law, $135,000,000, to re-
main available until September 30, 2024; of which not to
exceed $15,000 may be for official reception and represent-
tation expenses; of which up to $1,000,000 shall be avail-
able for workers compensation payments and unemploy-
ment compensation payments associated with the orderly
closure of the United States Bureau of Mines; and of
which $14,295,000 for Indian land, mineral, and resource
valuation activities shall remain available until expended:

Provided, That funds for Indian land, mineral, and re-
source valuation activities may, as needed, be transferred
to and merged with the Bureau of Indian Affairs “Oper-
ation of Indian Programs” and Bureau of Indian Edu-
cation “Operation of Indian Education Programs” ac-
counts and the Office of the Special Trustee “Federal
Trust Programs” account: Provided further, That funds
made available through contracts or grants obligated dur-
ing fiscal year 2023, as authorized by the Indian Self-Deter-
tination Act of 1975 (25 U.S.C. 5301 et seq.), shall
remain available until expended by the contractor or
grantee.

ADMINISTRATIVE PROVISIONS

For fiscal year 2023, 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 Pay-
ments 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 payments 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 government 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 otherwise 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 Public Law 108–188, $117,257,000, of which: (1) $107,040,000 shall remain available until expended for territorial assistance, including general technical assistance, maintenance assistance, disaster assistance, coral
reef initiative and natural resources activities, and brown
tree snake control and research; grants to the judiciary
in American Samoa for compensation and expenses, as au-
thorized by law (48 U.S.C. 1661(e)); grants to the Govern-
ment of American Samoa, in addition to current local rev-
ances, for construction and support of governmental func-
tions; 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 (Pub-
lic Law 94–241; 90 Stat. 272); and (2) $10,217,000 shall
be available until September 30, 2024, for salaries and
expenses of the Office of Insular Affairs: Provided, That
all financial transactions of the territorial and local gov-
ernments herein provided for, including such transactions
of all agencies or instrumentalities established or used by
such governments, may be audited by the Government Ac-
countability Office, at its discretion, in accordance with
chapter 35 of title 31, United States Code: Provided fur-
ther, 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 Mar-
iana 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 heading 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, $8,463,000, to remain available until expended, as provided for in sections 221(a)(2) and 233 of the Compact of Free Association 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: Provided, That of the funds appropriated under this heading, $6,000,000 is for deposit into the Compact Trust Fund of the Republic of the Marshall Islands as compensation authorized by Public Law 108–188 for adverse financial and economic impacts.
ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

At the request of the Governor of Guam, the Secretary 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 percent 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 guarantees 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 Electrification 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.
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OFFICE OF THE SOLICITOR

SALARIES AND EXPENSES

For necessary expenses of the Office of the Solicitor, $102,050,000, to remain available until September 30, 2024.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General, $68,000,000, to remain available until September 30, 2024.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, fire suppression operations, fire science and research, emergency rehabilitation, fuels management activities, and rural fire assistance by the Department of the Interior, $1,163,286,000, to remain available until expended, of which not to exceed $10,000,000 shall be for the renovation or construction of fire facilities: Provided, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That of the funds provided $267,000,000 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 received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: Provided further, That 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 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: 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: Provided further, That of the funds provided under this heading $383,657,000 shall be available for wildfire suppression operations, and is provided to meet the terms of section 4004(b)(5)(B) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year
2022, and section 1(g)(2) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022.

WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND
(INCLUDING TRANSFERS OF FUNDS)

In addition to the amounts provided under the heading “Department of the Interior—Department-Wide Programs—Wildland Fire Management” for wildfire suppression operations, $340,000,000, to remain available until transferred, is additional new budget authority as specified for purposes of section 4004(b)(5) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(g) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022: Provided, That such amounts may be transferred to and merged with amounts made available under the headings “Department of Agriculture—Forest Service—Wildland Fire Management” and “Department of the Interior—Department-Wide Programs—Wildland Fire Management” for wildfire suppression operations in the fiscal year in which such amounts are transferred: Provided further, That amounts may be transferred to the “Wildland Fire Management” accounts in the Department of Agriculture or the Department of the Interior only upon the notification of the House and
Senate Committees on Appropriations that all wildfire suppression operations funds appropriated under that heading in this and prior appropriations Acts to the agency to which the funds will be transferred will be obligated within 30 days: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided by law: Provided further, That, in determining whether all wildfire suppression operations funds appropriated under the heading “Wildland Fire Management” in this and prior appropriations Acts to either the Department of Agriculture or the Department of the Interior will be obligated within 30 days pursuant to the preceding proviso, any funds transferred or permitted to be transferred pursuant to any other transfer authority provided by law shall be excluded.

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.), $10,064,000, to remain available until expended.
ENERGY COMMUNITY REVITALIZATION PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of the Interior to inventory, assess, decommission, reclaim, respond to hazardous substance releases, remediate lands pursuant to section 40704 of Public Law 117–58 (30 U.S.C. 1245), and carry out the purposes of section 349 of the Energy Policy Act of 2005 (42 U.S.C. 15907), as amended, $20,000,000, to remain available until expended: Provided, That such amount shall be in addition to amounts otherwise available for such purposes: Provided further, That amounts appropriated under this heading are available for program management and oversight of these activities: Provided further, That the Secretary may transfer the funds provided under this heading in this Act to any other account in the Department to carry out such purposes, and may expend such funds directly, or through grants: Provided further, That these amounts are not available to fulfill Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 et seq.) obligations agreed to in settlement or imposed by a court, whether for payment of funds or for work to be performed.
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., $8,059,000, to remain available until expended.

WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, data management, information technology improvements of general benefit to the Department, cybersecurity, and the consolidation of facilities and operations throughout the Department, $112,198,000, 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 of the Interior 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 organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, 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 Natural Resource Revenue’s collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law.
ADMINISTRATIVE PROVISION

There is hereby authorized for acquisition from available 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.

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, $174,977,000, to remain available until September 30, 2024; of which $69,751,000 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 of the Interior 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 of the Interior, 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 of the Interior 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 ac-
tions related to potential or actual earthquakes, floods, volc...
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 replenishment 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 of the Interior, in total amount not to exceed $500,000; purchase and replacement of motor vehicles, including specially equipped law enforcement vehicles; hire, maintenance, and operation of aircraft; hire of passenger motor vehicles; purchase of reprints; payment for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; and the payment of dues, when authorized 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 appropriations 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. The Secretary shall notify the House and Senate Committees on Appropriations within 60 days of the expenditure or transfer of any funds under this section, including the amount expended or transferred and how the funds will be used.

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 2023. Under circumstances of dual
enrollment, overlapping service areas or inaccurate dis-
tribution 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 con-
sideration), or by exchange; and the Secretary is author-
ized to negotiate and enter into leases, subleases, conces-
sion contracts, or other agreements for the use of such
facilities on such terms and conditions as the Secretary
may determine reasonable: Provided, That for the pur-
poses of 54 U.S.C. 200306(a), such lands, waters, or in-
terests therein shall be considered to be within the exterior
boundary of a System unit authorized or established.
OUTER CONTINENTAL SHELF INSPECTION FEES

SEC. 107. (a) In fiscal year 2023, the Secretary of the Interior 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 2023 shall be—

(1) $11,725 for facilities with no wells, but with processing equipment or gathering lines;

(2) $18,984 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and

(3) $35,176 for facilities with more than 10 wells, with any combination of active or inactive wells.

(c) Fees shall be assessed for facilities that are above the waterline, excluding drilling rigs, and require follow-up inspections. Fees for fiscal year 2023 shall be—

(1) $5,863 for facilities with no wells, but with processing or gathering lines;

(2) $9,492 for facilities with 1 to 10 wells, with any combination of active or inactive wells; and
(3) $17,588 for facilities with more than 10 wells, with any combination of active or inactive wells.

(d) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2023. Fees for fiscal year 2023 shall be—

(1) $34,059 per inspection for rigs operating in water depths of 500 feet or more; and

(2) $18,649 per inspection for rigs operating in water depths of less than 500 feet.

(e) Fees for inspection of well operations conducted via non-rig units as outlined in title 30 CFR 250 subparts D, E, F, and Q shall be assessed for all inspections completed in fiscal year 2023. Fees for fiscal year 2023 shall be—

(1) $13,260 per inspection for non-rig units operating in water depths of 2,500 feet or more;

(2) $11,530 per inspection for non-rig units operating in water depths between 500 and 2,499 feet; and

(3) $4,470 per inspection for non-rig units operating in water depths of less than 500 feet.

(f) The Secretary shall bill designated operators under subsection (b) quarterly, with payment required within 30 days of billing. The Secretary shall bill des-
1    designated operators under subsections (c) and (d) within 30
2    days of the end of the month in which the inspection oc-
3    curred, with payment required within 30 days of billing.
4    The Secretary shall bill designated operators under sub-
5    section (e) with payment required by the end of the fol-
6    lowing quarter.
7
7    CONTRACTS AND AGREEMENTS FOR WILD HORSE AND
8    BURRO HOLDING FACILITIES
9
9    Sec. 108. Notwithstanding any other provision of
10    this Act, the Secretary of the Interior may enter into
11    multiyear cooperative agreements with nonprofit organiza-
12    tions and other appropriate entities, and may enter into
13    multiyear contracts in accordance with the provisions of
14    section 3903 of title 41, United States Code (except that
15    the 5-year term restriction in subsection (a) shall not
16    apply), for the long-term care and maintenance of excess
17    wild free roaming horses and burros by such organizations
18    or entities on private land. Such cooperative agreements
19    and contracts may not exceed 10 years, subject to renewal
20    at the discretion of the Secretary.
21
21    MASS MARKING OF SALMONIDS
22
22    Sec. 109. The United States Fish and Wildlife Serv-
23    ice shall, in carrying out its responsibilities to protect
24    threatened and endangered species of salmon, implement
25    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.

CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

SEC. 110. Notwithstanding any other provision of
law, during fiscal year 2023, in carrying out work involv-
ing 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.

DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES

PROGRAM

SEC. 111. (a) Notwithstanding any other provision
of law relating to Federal grants and cooperative agree-
ments, the Secretary of the Interior is authorized to make
grants to, or enter into cooperative agreements with, pri-

date 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 au-
thorized 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-overtime 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.

OBLIGATION OF FUNDS

Sec. 112. Amounts appropriated by this Act to the Department of the Interior shall be available for obligation and expenditure not later than 60 days after the date of enactment of this Act.

SEPARATION OF ACCOUNTS

Sec. 113. The Secretary of the Interior, in order to implement an orderly transition to separate accounts of the Bureau of Indian Affairs and the Bureau of Indian Education, may transfer funds among and between the successor offices and bureaus affected by the reorganiza-
tion only in conformance with the reprogramming guidelines described in this Act.

PAYMENTS IN LIEU OF TAXES (PILT)

Sec. 114. Section 6906 of title 31, United States Code, shall be applied by substituting “fiscal year 2023” for “fiscal year 2019”.

DISCLOSURE OF DEPARTURE OR ALTERNATE PROCEDURE APPROVAL

Sec. 115. (a) Subject to subsection (b), in any case in which the Bureau of Safety and Environmental Enforcement or the Bureau of Ocean Energy Management prescribes or approves any departure or use of alternate procedure or equipment, in regards to a plan or permit, under 30 CFR 585.103; 30 CFR 550.141; 30 CFR 550.142; 30 CFR 250.141; or 30 CFR 250.142, the head of such bureau shall post a description of such departure or alternate procedure or equipment use approval on such bureau’s publicly available website not more than 15 business days after such issuance.

(b) The head of each bureau may exclude confidential business information.

INTERAGENCY MOTOR POOL

Sec. 116. Notwithstanding any other provision of law or Federal regulation, federally recognized Indian Tribes or authorized Tribal organizations that receive Tribally-
Controlled School Grants pursuant to Public Law 100–297 may obtain interagency motor vehicles and related services for performance of any activities carried out under such grants to the same extent as if they were contracting under the Indian Self-Determination and Education Assistance Act.

DELAWARE WATER GAP AUTHORITY

SEC. 117. Section 4(b) of The Delaware Water Gap National Recreation Area Improvement Act, as amended by section 1 of Public Law 115–101, shall be applied by substituting “2023” for “2021”.

NATIONAL HERITAGE AREAS AND CORRIDORS

SEC. 118. (a) Section 109(a) of the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 (title I of Public Law 103–449), is amended by striking “$17,000,000” and inserting “$19,000,000”.

(b) Section 409(a) of the Steel Industry American Heritage Area Act of 1996 (title IV of division II of Public Law 104–333) is amended by striking “$20,000,000” and inserting “$22,000,000”.

(c) Section 608(a) of the South Carolina National Heritage Corridor Act of 1996 (title VI of division II of Public Law 104–333) is amended by striking “$17,000,000” and inserting “$19,000,000”.
(d) Subsection 157(h)(1) of the Wheeling National Heritage Area Act of 2000 (section 157 of Public Law 106–291) is amended by striking “$15,000,000” and inserting “$17,000,000”.

(e) Sections 411, 432, and 451 of title IV of the Consolidated Natural Resources Act of 2008 (Public Law 110–229), are each amended by striking “the date that is 15 years after the date of” and all that follows through the end of each section and inserting “September 30, 2024.”.

(f) Section 512 of the National Aviation Heritage Area Act (title V of division J of Public Law 108–447), is amended by striking “2022” and inserting “2024”.

(g) Section 608 of the Oil Region National Heritage Area Act (title VI of Public Law 108–447) is amended by striking “2022” and inserting “2024”.

(h) Section 125(a) of Public Law 98–398, as amended by section 402 of Public Law 109–338 (120 Stat. 1853), is amended by striking “$10,000,000” and inserting “$12,000,000”.

APPRAISER PAY AUTHORITY

Sec. 119. For fiscal year 2023, funds made available in this or any other Act or otherwise made available to the Department of the Interior for the Appraisal and Valuation Services Office may be used by the Secretary
of the Interior to establish higher minimum rates of basic pay for employees of the Department of the Interior in the Appraiser (GS–1171) job series at grades 11 through 15 carrying out appraisals of real property and appraisal reviews conducted in support of the Department’s realty programs at rates no greater than 15 percent above the minimum rates of basic pay normally scheduled, and such higher rates shall be consistent with subsections (e) through (h) of section 5305 of title 5, United States Code.

ONSHORE OIL AND GAS INSPECTION FEE

SEC. 120. (a) ONSHORE OIL AND GAS INSPECTION FEES.—The designated operator under each oil and gas lease on Federal or Indian lands, or under each unit and communitization agreement that includes one or more such Federal or Indian leases, that is subject to inspection under section 108(b) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1718(b)) and that is in force at the start of fiscal year 2022 shall pay a non-refundable annual inspection fee that the Bureau of Land Management (BLM) shall collect and deposit in the Management of Lands and Resources account.

(b) Fees for fiscal year 2023 shall be—

(1) $1,560 for each lease or unit or communitization agreement with 1 to 10 wells, with any combination of active or inactive wells;
(2) $7,000 for each lease or unit or communitization agreement with 11 to 50 wells, with any combination of active or inactive wells; and

(3) $14,000 for each lease or unit or communitization agreement with more than 50 wells, with any combination of active or inactive wells.

(e) BLM shall bill designated operators within 60 days of enactment of this Act, with payment required within 30 days of billing.

(d) PENALTY.—If the designated operator fails to pay the full amount of the fee as prescribed in this section, the Secretary may, in addition to utilizing any other applicable enforcement authority, assess civil penalties against the operator in the same manner as if this section were a mineral leasing law as defined in paragraph (8) of section 3 of Public Law 97–451 (30 U.S.C. 1702(8)), as amended.

(e) EXEMPTION FOR TRIBAL OPERATORS.—An operator that is a Tribe or is controlled by a Tribe is not subject to subsection (a) with respect to a lease, unit, or communitization agreement that is located entirely on the lands of such Tribe.

DECOMMISSIONING ACCOUNT

SEC. 121. The fifth and sixth provisos under the amended heading “Royalty and Offshore Minerals Man-
agement” for the Minerals Management Service in Public
1338a) are further amended by striking and replacing
them with—“Provided further, That notwithstanding sec-
tion 3302 of title 31, any moneys hereafter received as
a result of the forfeiture of a bond or other security by
an Outer Continental Shelf permittee, lessee, or right-of-
way holder that does not fulfill the requirements of its per-
mit, lease, or right-of-way or does not comply with the reg-
ulations of the Secretary, or as a bankruptcy distribution
or settlement associated with such failure or none compli-
ance, shall be credited to a separate account established
in the Treasury for decommissioning activities and shall
be available to the Bureau of Ocean Energy Management
without further appropriation or fiscal year limitation to
cover the cost to the United States of any improvement,
protection, rehabilitation, or decommissioning work ren-
dered necessary by the action or inaction that led to the
forfeiture or bankruptcy distribution or settlement, to re-
main available until expended: Provided further, That
amounts deposited into the decommissioning account may
be allocated to the Bureau of Safety and Environmental
Enforcement for such costs: Provided further, That any
moneys received for such costs currently held in the Ocean
Energy Management account shall be transferred to the
decommissioning account: *Provided further,* That any portion of the moneys so credited shall be returned to the bankruptcy estate, permittee, lessee, or right-of-way holder to the extent that the money is in excess of the amount expended in performing the work necessitated by the action or inaction which led to their receipt or, if the bond or security was forfeited for failure to pay the civil penalty, in excess of the civil penalty imposed.’’.

STATE CONSERVATION GRANTS

SEC. 122. For expenses necessary to carry out section 200305 of title 54, United States Code, the National Park Service may retain up to 7 percent of the State Conservation Grants program to provide to States, the District of Columbia, and insular areas, as matching grants to support state program administrative costs.

LOWELL NATIONAL HISTORIC PARK

SEC. 123. Section 103(a) of Public Law 95–290 (16 U.S.C. 410cc–13(a); 92 Stat. 292) is amended by striking paragraph (1) and redesignating paragraph (2) as paragraph (1).

VISITOR EXPERIENCE IMPROVEMENT AUTHORITY

SEC. 124. Section 101938 of title 54, United States Code, is amended by striking ‘‘7’’ and inserting ‘‘9’’.
BORDER MITIGATION

Sec. 125. The Secretary of the Interior is authorized to accept transfers of funds from the Secretary of Homeland Security for mitigation activities, including land acquisition, related to construction of border barriers on Federal lands and to supplement any other funding available for reconstruction or repair of roads owned by the Bureau of Indian Affairs as identified on the National Tribal Transportation Facility Inventory, 23 U.S.C. 202(b)(1).
TITLE II

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

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; hire, maintenance, and operation of aircraft; and other operating expenses in support of research and development, $853,388,000, to remain available until September 30, 2024: Provided, That of the funds included under this heading, $22,751,000 shall be for Research: National Priorities as specified in the explanatory statement accompanying this Act, of which $13,251,000 shall be for projects specified for Science and Technology in the table titled “Congressionally Directed Spending Items” included in the explanatory statement accompanying this Act.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

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 oper-
ation 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 $9,000 for official reception and representation expenses, $3,577,153,000, to remain available until September 30, 2024: Provided, That funds included under this heading may be used for environmental justice implementation and training grants, and associated program support costs: Provided further, That of the funds included under this heading—

(1) $30,700,000 shall be for Environmental Protection: National Priorities as specified in the explanatory statement accompanying this Act;

(2) $617,069,000 shall be for Geographic Programs as specified in the explanatory statement accompanying this Act; and

(3) $11,000,000, to remain available until expended, shall be for grants, including grants that may be awarded on a non-competitive basis, inter-agency agreements, and associated program support
costs to establish and implement a program to assist
Alaska Native Regional Corporations, Alaskan Na-
tive Villages, and intertribal consortia comprised of
Alaskan Native Villages to address contamination on
lands conveyed under or pursuant to the Alaska Na-
tive Claims Settlement Act (43 U.S.C. 1601 et seq.)
that were or are contaminated at the time of convey-
ance and are on an inventory of such lands devel-
oped and maintained by the State of Alaska, of
which up to $1,000,000 shall be for grants to the
State of Alaska for development and maintenance of
such inventory of such lands, of which not more
than 15 percent may be used for administrative and
other overhead expenses of the State of Alaska: Pro-
vided, That grants awarded using funds made avail-
able in this paragraph may be used by a recipient
to supplement other funds provided by the Environ-
mental Protection Agency through individual media
or multi-media grants or cooperative agreements:
Provided further, That of the amounts made avail-
able in this paragraph, in addition to amounts other-
wise available for such purposes, the Environmental
Protection Agency may reserve up to $2,000,000 for
salaries, expenses, and administration.
In addition, $9,000,000, 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 2023 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 2023 shall be reduced by the amount of discretionary offsetting receipts received during fiscal year 2023, so as to result in a final fiscal year 2023 appropriation from the general fund estimated at not more than $0: Provided further, That to the extent that amounts realized from such receipts exceed $9,000,000, those amount in excess of $9,000,000 shall be deposited in the “TSCA Service Fee Fund” as discretionary offsetting receipts in fiscal year 2023, 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 heading, 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.

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, $49,754,000, to remain available until September 30, 2024.

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $59,572,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(e)(3), (e)(5), (e)(6), and (e)(4) (42 U.S.C. 9611), and hire, maintenance, and operation of aircraft, $1,294,312,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2022, and not otherwise appropriated from the Trust Fund, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,294,312,000 as a payment from general rev-
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1. Enures 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, $12,062,000 shall be paid to the “Office of Inspector General” appropriation to remain available until September 30, 2024, and $31,368,000 shall be paid to the “Science and Technology” appropriation to remain available until September 30, 2024.

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, $93,814,000, to remain available until expended, of which $67,145,000 shall be for carrying out leaking underground storage tank cleanup activities authorized by section 9003(h) of the Solid Waste Disposal Act; $26,669,000 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, including hire, maintenance, and operation of aircraft, $26,502,000, 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, $4,612,141,000, to remain available until expended, of which—

(1) $1,688,847,000 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 $1,176,095,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: Provided, That $335,606,000 of the funds made available for capitalization grants for the Clean Water State Revolv-
ing Funds and $229,610,000 of the funds made available for capitalization grants for the Drinking Water State Revolving Funds shall be for the construction of drinking water, wastewater, and storm water infrastructure and for water quality protection in accordance with the terms and conditions specified for such grants in the explanatory statement accompanying this Act for projects specified for “STAG—Drinking Water SRF”, “STAG—Clean Water SRF”, and “STAG—Drinking Water SRF; Clean Water SRF” in the table titled “Congressionally Directed Spending Items” included in the explanatory statement accompanying this Act, and, for purposes of these grants, each grantee shall contribute not less than 20 percent of the cost of the project unless the grantee is approved for a waiver by the Agency: Provided further, That for fiscal year 2023, 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 inno-
vative activities: **Provided further,** That for fiscal year 2023, 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 the Administrator is authorized to use up to $1,500,000 of funds made available for the Clean Water State Revolving Funds under this heading under title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381) to conduct the Clean Watersheds Needs Survey: *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 2023 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 separately from other assets in the fund, and used for eligible purposes of the fund, including administration: *Provided
further, That for fiscal year 2023, 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: (A) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (B) 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 2023, 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: (A) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (B) 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 2023, 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 section 518(c) of such Act: Provided further, That for fiscal year 2023, 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 Native Villages as defined in Public Law 92–203: Provided further, That for fiscal year 2023, notwithstanding 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 notwithstanding 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 2023, 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 2023, 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 14 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 14 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: Provided further, That notwithstanding section 1452(o) of the Safe Drinking Water Act (42 U.S.C. 300j–12(o)), the Administrator shall reserve $12,000,000 of the amounts made available for fiscal year 2023 for making capitalization grants for the Drinking Water State Revolving Funds to pay the costs of monitoring for unregulated contaminants under section 1445(a)(2)(C) of such Act: Provided further, That, in addition to amounts otherwise available for such purposes, the Administrator may reserve up to $20,000,000 of the funds appropriated under this heading for capitalization grants for the State Revolving Funds for salaries, expenses, and administration for grants for projects specified for “STAG—Drinking Water SRF”, “STAG—Clean Water SRF”, and “STAG—Drinking Water SRF; Clean Water SRF” in both the table titled “Congressionally Directed Spending Items” included in the explanatory statement accompanying this Act and in the table titled “Interior and Environment Incorporation of Community Project Funding Items/Congressionally Directed Spending Items” included in the explanatory statement described in section 4
(in the matter preceding division A of Public Law 117–103): Provided further, That of the unobligated balances from amounts made available under this heading prior to fiscal year 2012 for the administration, management, and oversight of “special project grants” or “special needs infrastructure grants”, $10,700,000 shall, hereafter, in addition to amounts otherwise available for such purposes, also be available for salaries, expenses, and administration of Community Project Funding Items/Congressionally Directed Spending Items, including such salaries, expenses, and administration for grants for projects described in the preceding proviso;

(2) $37,000,000 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) $45,186,000 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) $95,987,000 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 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 1993 Small Area Income and Poverty Estimates, the 2000 decennial census, and the most recent Small Area Income and Poverty Estimates, or any territory or possession of the United States;

(5) $96,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(6) $61,927,000 shall be for targeted airshed grants in accordance with the terms and conditions in the explanatory statement accompanying this Act;

(7) $31,158,000 shall be for grants under subsections (a) through (j) of section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j–19a);
(8) $31,500,000 shall be for grants under section 1464(d) of the Safe Drinking Water Act (42 U.S.C. 300j–24(d));

(9) $26,011,000 shall be for grants under section 1459B of the Safe Drinking Water Act (42 U.S.C. 300j–19b);

(10) $7,000,000 shall be for grants under section 1459A(l) of the Safe Drinking Water Act (42 U.S.C. 300j–19a(l));

(11) $24,000,000 shall be for grants under section 104(b)(8) of the Federal Water Pollution Control Act (33 U.S.C. 1254(b)(8));

(12) $51,000,000 shall be for grants under section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1301);

(13) $6,000,000 shall be for grants under section 4304(b) of the America’s Water Infrastructure Act of 2018 (Public Law 115–270);

(14) $10,000,000 shall be for carrying out section 302(a) of the Save Our Seas 2.0 Act (33 U.S.C. 4283(a)), of which not more than 2 percent shall be for administrative costs to carry out such section: Provided, That notwithstanding section 302(a) of such Act, the Administrator may also provide grants pursuant to such authority to intertribal consortia.
consistent with the requirements in 40 CFR 35.504(a), to former Indian reservations in Oklahoma (as determined by the Secretary of the Interior), and Alaska Native Villages as defined in Public Law 92–203;

(15) $10,000,000 shall be for grants under section 103(b)(3) of the Clean Air Act for wildfire smoke preparedness grants in accordance with the terms and conditions in the explanatory statement accompanying this Act: Provided, That not more than 3 percent shall be for administrative costs to carry out such section;

(16) $8,000,000 shall be for carrying out section 2001 of the America’s Water Infrastructure Act of 2018 (Public Law 115–270, 42 U.S.C. 300j–3c note): Provided, That the Administrator may award grants to and enter into contracts with Tribes, inter-tribal consortia, public or private agencies, institutions, organizations, and individuals, without regard to section 3324(a) and (b) of title 31 and section 6101 of title 41, United States Code, and enter into interagency agreements, as appropriate;

(17) $5,000,000 shall be for grants under section 220 of the Federal Water Pollution Control Act (33 U.S.C. 1300);
(18) $1,184,457,000 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, and under section 2301 of the Water and Waste Act of 2016 to assist States in developing and implementing programs for control of coal combustion residuals, of which:

$47,195,000 shall be for carrying out section 128 of CERCLA; $10,336,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; $1,505,000 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; $18,512,000 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; and

(19) $16,973,000 shall be for State and Tribal Assistance Grants to be allocated in the amounts specified for those projects and for the purposes delineated in the table titled “Congressionally Directed Spending Items” included in the explanatory statement accompanying this Act for remediation, construction, and related environmental management activities in accordance with the terms and conditions specified for such grants in the explanatory statement accompanying this Act.

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, $66,886,000, 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 $12,500,000,000: Provided further, That of the funds made available under this heading, $5,000,000 shall be used solely for the cost of direct loans and for the cost of guaranteed loans for projects described in section 5026(9) of the Water Infrastructure Finance and Innovation Act of 2014 to State infrastructure financing authorities, as authorized by section 5033(e) of such Act: Provided further, That the use of direct loans or loan guarantee authority under this heading for direct loans or commitments to guarantee loans for any project shall be in accordance with the criteria published in the Federal Register on June 30, 2020 (85 FR 39189) pursuant to the fourth proviso under the heading “Water Infrastructure Finance and Innovation Program Account” in division D of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94): Provided further, That none of the direct loans or loan guarantee authority made available under this heading shall be available for any project unless the Administrator and the Director of the Office of Management and Budget have certified in advance in writing that the direct loan
or loan guarantee, as applicable, and the project comply
with the criteria referenced in the previous proviso: Pro-
vided further, That, for the purposes of carrying out the
Congressional Budget Act of 1974, the Director of the
Congressional Budget Office may request, and the Admin-
istrator shall promptly provide, documentation and infor-
mation relating to a project identified in a Letter of Inter-
est submitted to the Administrator pursuant to a Notice
of Funding Availability for applications for credit assist-
ance under the Water Infrastructure Finance and Innova-
tion Act Program, including with respect to a project that
was initiated or completed before the date of enactment
of this Act.

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.

In addition, for administrative expenses to carry out
the direct and guaranteed loan programs, notwithstanding
section 5033 of the Water Infrastructure Finance and In-
novation Act of 2014, $7,640,000, to remain available
until September 30, 2024.
For fiscal year 2023, 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 awarded 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 (7 U.S.C. 136w–8), to remain available until expended.

Notwithstanding section 33(d)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-
mental Protection Agency may assess fees under section 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2023.

The Administrator of the Environmental Protection Agency is authorized to collect and obligate fees in accordance with section 3024 of the Solid Waste Disposal Act (42 U.S.C. 6939g) for fiscal year 2023, to remain available until expended.

The Administrator is authorized to transfer up to $358,000,000 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, nonprofit organizations, institutions, and individuals for planning, 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 2023, 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 2023 to provide grants to implement the Southeastern New England Watershed Restoration Program.

Notwithstanding the limitations on amounts in section 320(i)(2)(B) of the Federal Water Pollution Control Act, not less than $2,000,000 of the funds made available under this title for the National Estuary Program shall be for making competitive awards described in section 320(g)(4).

Section 122(b)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9622(b)(3)), shall be applied by inserting
before the period: “, including for the hire, maintenance,
and operation of aircraft”.

The Environmental Protection Agency Working Capital Fund, established by Public Law 104–204 (42 U.S.C. 4370e), is available for expenses and equipment necessary for modernization and development of information technology of, or for use by, the Environmental Protection Agency.

For fiscal years 2023 through 2027, the Office of Chemical Safety and Pollution Prevention and the Office of Water may, using funds appropriated under the headings “Environmental Programs and Management” and “Science and Technology”, contract directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 5, for the temporary or intermittent personal services of students or recent graduates, who shall be considered employees for the purposes 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 purpose: Provided, That amounts used for this purpose by the Office of Chemical Safety and Pollution Prevention and the Office of Water collectively may not exceed $2,000,000.
For this fiscal year and each fiscal year thereafter, the Administrator may, after consultation with the Office of Personnel Management, employ up to 75 persons at any one time in the Office of Research and Development and 25 persons at any one time in the Office of Chemical Safety and Pollution Prevention under the authority provided in 42 U.S.C. 209.

The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006 (Public Law 109–54) is amended by striking the last proviso in the first paragraph under the heading “Environmental Protection Agency—State and Tribal Assistance Grants”.

July 27, 2022 (7:54 a.m.)
TITLES III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, $1,000,000: Provided, That funds made available by this Act to any agency in the Natural Resources and Environment mission area for salaries and expenses are available to fund up to one administrative support staff for the office.

FOREST SERVICE

FOREST SERVICE OPERATIONS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $1,112,652,000, to remain available through September 30, 2026: Provided, That a portion of the funds made available under this heading shall be for the base salary and expenses of employees in the Chief’s Office, the Work Environment and Performance Office, the Business Operations Deputy Area, and the Chief Financial Officer’s Office to carry out administrative and general management support functions: Provided further, That funds provided under this heading shall be
available for the costs of facility maintenance, repairs, and leases for buildings and sites where these administrative, general management and other Forest Service support functions take place; the costs of all utility and telecommunication expenses of the Forest Service, as well as business services; and, for information technology, including cyber security requirements: Provided further, That funds provided under this heading may be used for necessary expenses to carry out administrative and general management support functions of the Forest Service not otherwise provided for and necessary for its operation.

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $302,773,000, to remain available through September 30, 2026: Provided, That of the funds provided, $27,197,000 is for the forest inventory and analysis program: Provided further, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research.

STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, terri-
tories, possessions, and others, and for forest health manage-
tment, including for invasive plants, and conducting an
international program and trade compliance activities as
authorized, $323,227,000, to remain available through
September 30, 2026, as authorized by law, of which
$24,636,000 shall be for projects specified for Forest Re-
source Information and Analysis in the table titled “Con-
gressionally Directed Spending Items” included in the ex-
planatory statement accompanying this Act.

NATIONAL FOREST SYSTEM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not
otherwise provided for, for management, protection, im-
provement, and utilization of the National Forest System,
and for hazardous fuels management on or adjacent to
such lands, $1,899,749,000, to remain available through
September 30, 2026: Provided, That of the funds pro-
vided, $28,000,000 shall be deposited in the Collaborative
Forest Landscape Restoration Fund for ecological restora-
tion treatments as authorized by 16 U.S.C. 7303(f): Pro-
vided further, That for the funds provided in the preceding
proviso, section 4003(d)(3)(A) of the Omnibus Public
Land Management Act of 2009 (16 U.S.C.
7303(d)(3)(A)) shall be applied by substituting “20” for
“10” and section 4003(d)(3)(B) of the Omnibus Public
Land Management Act of 2009 (16 U.S.C. 7303(d)(3)(B)) shall be applied by substituting “4” for “2”: *Provided further,* That of the funds provided, $38,000,000 shall be for forest products: *Provided further,* That any unobligated balances of amounts made available for hazardous fuels management under this heading in prior Acts may be transferred to “Forest Service—Wildland Fire Management” to be used for the purposes provided therein: *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: *Provided further,* That funds appropriated to this account shall be available for the base salary and expenses of employees that carry out the functions funded by the “Capital Improvement and Maintenance” account, the “Range Improvement” account, and the “Wildland Fire Management” account.
Betterment Fund” account, and the “Management of National Forest Lands for Subsistence Uses” account.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $155,048,000, to remain available through September 30, 2026, for construction, capital improvement, maintenance, and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, and 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 $5,000,000 shall be for activities authorized by 16 U.S.C. 538(a): Provided further, That $5,048,000 shall be for projects specified for Construction Projects in the table titled “Congressionally Directed Spending Items” included in the explanatory statement accompanying this Act: Provided further, That funds becoming available in fiscal year 2023 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.
ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California; and the Ozark-St. Francis and Ouachita National Forests, Arkansas; as authorized by law, $664,000, 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 governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967 (16 U.S.C. 484a), to remain available through September 30, 2026, (16 U.S.C. 516–617a, 555a; Public Law 96–586; Public Law 76–589, Public Law 76–591; and Public Law 78–310).

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 16
Western States, pursuant to section 401(b)(1) of Public Law 94–579, to remain available through September 30, 2026, 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, 2026, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3111 et seq.), $1,099,000, to remain available through September 30, 2026.

WILDLAND FIRE MANAGEMENT

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, fuels management on or adjacent to such lands, and for emergency rehabilitation of burned-over National Forest System
lands and water, $2,604,659,000, to remain available until
expended: 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 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 Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: Provided further, 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 of the funds provided, $247,388,000 shall be for fuels management activities, of which not to exceed $20,000,000 may be used to make grants, using any 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 funds made available in the preceding proviso to implement the Community Forest 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” appropriation: Provided further, That of the funds provided under this heading, $20,000,000 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 of the funds provided under this heading, $1,011,000,000 shall be available for wildfire suppression operations, and is provided to meet the terms of section 4004(b)(5)(B) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(g)(2) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022.

WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

In addition to the amounts provided under the heading “Department of Agriculture—Forest Service—Wildland Fire Management” for wildfire suppression operations, $2,210,000,000, to remain available until trans-
ferred, is additional new budget authority as specified for purposes of section 4004(b)(5) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(g) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022: Provided, That such amounts may be transferred to and merged with amounts made available under the headings “Department of the Interior—Department-Wide Programs—Wildland Fire Management” and “Department of Agriculture—Forest Service—Wildland Fire Management” for wildfire suppression operations in the fiscal year in which such amounts are transferred: Provided further, That amounts may be transferred to the “Wildland Fire Management” accounts in the Department of the Interior or the Department of Agriculture only upon the notification of the House and Senate Committees on Appropriations that all wildfire suppression operations funds appropriated under that heading in this and prior appropriations Acts to the agency to which the funds will be transferred will be obligated within 30 days: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided by law: Provided further, That, in determining whether all wildfire suppression operations funds appropriated under the heading “Wildland Fire Management”
in this and prior appropriations Acts to either the Depart-
ment of Agriculture or the Department of the Interior will
be obligated within 30 days pursuant to the preceding pro-
viso, any funds transferred or permitted to be transferred
pursuant to any other transfer authority provided by law
shall be excluded.

COMMUNICATIONS SITE ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

Amounts collected in this fiscal year pursuant to sec-
tion 8705(f)(2) of the Agriculture Improvement Act of
2018 (Public Law 115–334), shall be deposited in the spe-
cial account established by section 8705(f)(1) of such Act,
shall be available to cover the costs described in subsection
(c)(3) of such section of such Act, and shall remain avail-
able until expended: Provided, That such amounts shall
be transferred to the “National Forest System” account.

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).

Funds made available to the Forest Service in this Act may be transferred between accounts affected by the Forest Service budget restructure outlined in section 435 of division D of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94): Provided, That any transfer of funds pursuant to this paragraph shall not increase or decrease the funds appropriated to any account in this fiscal year by more than ten percent: Provided further, That such transfer authority is in addition to any other transfer authority provided by law.

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Manage-
ment 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 of Agriculture’s notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the heading “Wildland Fire Management” 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 Wildland Fire Management 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: Provided, That such transferred funds shall remain available
through September 30, 2026: Provided further, 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.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland 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 United States government, private sector, and international organizations: Provided, That 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), United States private sector firms, institutions and organizations to provide technical assistance and training programs on forestry and rangeland management: Provided further, That to maximize effectiveness of domestic and international research and cooperation, the Inter-
national Program may utilize all authorities related to forestry, research, and cooperative assistance regardless of program designations.

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)).

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: Provided, That nothing in this paragraph shall prohibit or limit the use of reimbursable
agreements requested by the Forest Service in order to obtain information technology services, including telecommunications and system modifications or enhancements, from the Working Capital Fund of the Department of Agriculture.

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 (16 U.S.C. 1721 et seq.).

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: Provided, That 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.

Funds appropriated to the Forest Service shall be available to pay, from a single account, the base salary and expenses of employees who carry out functions funded by other accounts for Enterprise Program, Geospatial Technology and Applications Center, remnant Natural Resource Manager, Job Corps, and National Technology and Development Program.

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, $5,218,127,000, to remain available until September 30, 2024, except as otherwise provided herein; and, in addition, $5,028,127,000, which shall become available on October 1, 2023, and remain available through September
30, 2025, except as otherwise provided herein; together
with payments received during each fiscal year pursuant
to sections 231(b) and 233 of the Public Health Service
Act (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 con-
tracts, grant agreements, or any other agreements or com-
acts 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 con-
tract award and thereafter shall remain available to the
Tribe or Tribal organization without fiscal year limitation:
Provided further, That $2,500,000 shall be available for
each of fiscal years 2023 and 2024 for grants or contracts
with public or private institutions to provide alcohol or
drug treatment services to Indians, including alcohol de-
toxification services: Provided further, That of the total
amount of funds provided, $2,201,656,000 shall remain
available until expended for Purchased/Referred Care, of
which $1,100,828,000 shall be from funds that become
available on October 1, 2023: Provided further, That of
the total amount specified in the preceding proviso for
Purchased/Referred Care, $106,000,000 shall be for the
Indian Catastrophic Health Emergency Fund of which
$54,000,000 shall be from funds that become available on
October 1, 2022: Provided further, That for each of fiscal years 2023 and 2024, up to $66,000,000 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 total amount of funds provided, $116,000,000, including $58,000,000 from funds that become available on October 1, 2023, shall be for costs related to or resulting from accreditation emergencies, including supplementing activities funded under the heading “Indian Health Facilities”, of which up to $4,000,000 for each of fiscal years 2023 and 2024 may be used to supplement amounts otherwise available for Purchased/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 1616a) during the preceding fiscal year for breach of contracts shall be deposited in the Fund authorized by section 108A of that Act (25 U.S.C. 1616a–1) and shall remain available until expended and, notwithstanding section 108A(c) of that 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 that Act (25 U.S.C. 1613a and 1616a): Provided further, That the amounts made available within this ac-
count for the Substance Abuse and Suicide Prevention Program, for Opioid Prevention, Treatment and Recovery Services, for the Domestic Violence Prevention Program, for the Zero Suicide Initiative, for the housing subsidy authority for civilian employees, for Aftercare Pilot Programs at Youth Regional Treatment Centers, for transformation and modernization costs of the Indian Health Service Electronic Health Record system, for national quality and oversight activities, to improve collections from public and private insurance at Indian Health Service and tribally operated facilities, for an initiative to treat or reduce the transmission of HIV and HCV, for a maternal health initiative, for the Telebehavioral Health Center of Excellence, for Alzheimer’s grants, for Village Built Clinics, for a produce prescription pilot, 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 that are available for 2 fiscal years may be used in their second year of availability for annual contracts and grants that fall within 2 fiscal years, provided the total obligation is recorded in such second year of availability: 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 Improve-
1. The Indian Health Service Act (25 U.S.C. 1613) shall remain available until
2. expended for the purpose of achieving compliance with the
3. applicable conditions and requirements of titles XVIII and
4. XIX of the Social Security Act, except for those related
5. to the planning, design, or construction of new facilities:
6. *Provided further,* That funding contained herein for scholar-
7. ship programs under the Indian Health Care Improve-
8. ment Act (25 U.S.C. 1613) shall remain available until
9. expended: *Provided further,* That amounts received by
10. Tribes and Tribal organizations under title IV of the In-
11. dian Health Care Improvement Act shall be reported and
12. accounted for and available to the receiving Tribes and
13. Tribal organizations until expended: *Provided further,*
14. That the Bureau of Indian Affairs may collect from the
15. Indian Health Service, and from Tribes and Tribal organi-
16. zations operating health facilities pursuant to Public Law
17. 93–638, such individually identifiable health information
18. relating to disabled children as may be necessary for the
19. purpose of carrying out its functions under the Individuals
20. with Disabilities Education Act (20 U.S.C. 1400 et seq.):
21. *Provided further,* That none of the funds provided that be-
22. come available on October 1, 2023, may be used for imple-
23. mentation of the Electronic Health Record System: *Pro-
24. vided further,* That none of the funds appropriated by this
25. Act, or any other Act, to the Indian Health Service for
the Electronic Health Record system shall be available for
obligation or expenditure for the selection or implementa-
tion of a new Information Technology infrastructure sys-
tem, unless the Committees on Appropriations of the
House of Representatives and the Senate are consulted 90
days in advance of such obligation.

CONTRACT SUPPORT COSTS

For payments to Tribes and Tribal organizations for
contract support costs associated with Indian Self-Deter-
mination and Education Assistance Act agreements with
the Indian Health Service for fiscal year 2023, such sums
as may be necessary: Provided, That notwithstanding any
other provision of law, no amounts made available under
this heading shall be available for transfer to another
budget account: Provided further, That amounts obligated
but not expended by a Tribe or Tribal organization for
contract support costs for such agreements for the current
fiscal year shall be applied to contract support costs due
for such agreements for subsequent fiscal years.

PAYMENTS FOR TRIBAL LEASES

For payments to Tribes and Tribal organizations for
leases pursuant to section 105(l) of the Indian Self-Deter-
mination and Education Assistance Act (25 U.S.C.
5324(l)) for fiscal year 2023, such sums as may be nec-
essary, which shall be available for obligation through Sep-
tember 30, 2024: Provided, 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, demolition, 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, $1,081,936,000, to remain available until expended; and, in addition, $548,950,000, which shall become available on October 1, 2023, and 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 for each of fiscal years 2023 and 2024 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 provided that become available on October 1, 2023, may be used for Health Care Facilities Construction or for Sanitation Facilities Construction: *Provided further,* That of the amount appropriated under this heading for fiscal year 2023 for Sanitation Facilities Construction, $15,192,000 shall be for projects specified for Sanitation Facilities Construction (CDS) in the table titled “Congressionally Directed Spending Items” included in the explanatory statement accompanying this Act: *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.

**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; pur-
chase 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 of Health and Human Services; uniforms, or al-
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 Development 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 In-
dian Health Service in this Act, except those used for ad-
ministrative 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 identi-
fied in the budget justification and provided in this Act,
or approved by the House and Senate Committees on Ap-
propriations through the reprogramming process: Pro-
vided 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 agree-
ment authorized by title I or title V of the Indian Self-
Determination and Education Assistance Act of 1975 (25
U.S.C. 450 et seq.), 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 there-
after shall remain available to the Tribe or Tribal organi-
zation 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 Serv-
ices, relating to the eligibility for the health care services
of the Indian Health Service until the Indian Health Serv-
ice has submitted a budget request reflecting the increased
costs associated with the proposed final rule, and such re-
quest has been included in an appropriations Act and en-
acted into law: Provided further, That with respect to func-
tions transferred by the Indian Health Service to Tribes
or Tribal organizations, the Indian Health Service is au-
thorized 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 enti-
ties pursuant to the Indian Self-Determination Act, may
be credited to the same or subsequent appropriation ac-
count from which the funds were originally derived, with
such amounts to remain available until expended: Provided
further, That reimbursements for training, technical ass-
sistance, or services provided by the Indian Health Service
will contain total costs, including direct, administrative,
and overhead costs 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 simi-
lar positions at such hospitals: Provided further, That the
appropriation structure 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 Environmental 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, $83,035,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances 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, $85,020,000: 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 2023, 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 Environmental 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, $4,360,000: Provided, That notwithstanding section 202 of the National Environ-
mental 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

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, $14,400,000: 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

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $3,060,000, to remain available until expended, which shall be derived from unobligated balances from prior year appropriations available under this heading: 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).

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 author-
ized by part A of title XV of Public Law 99–498 (20
U.S.C. 4411 et seq.), $11,772,000, which shall become
available on July 1, 2023, and shall remain available until
September 30, 2024.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institu-
tion, 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 employees, $909,500,000, to remain available until September 30, 2024, except as otherwise provided herein; of which not to exceed $26,974,000 for the instrumentation program, collections acquisition, exhibition reinstallation, Smithsonian American Women’s History Museum, National Museum of the American Latino, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers:

Provided, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations: Provided further, That the Smithsonian Institution may expend Federal appropriations designated in this Act for lease or rent payments, as rent payable to the Smithsonian Institution, and such rent payments may be deposited into the general trust funds of the Institution to be available as trust funds for expenses associated with the purchase of a portion of the building at 600 Maryland Avenue, SW, Washington, DC, to the extent that federally supported activities will be housed there: Provided further, That the use of such amounts in the general trust funds of the Institution for such purpose shall not be construed as Federal debt service for, a Federal guarantee of, a
transfer of risk to, or an obligation of the Federal Government: Provided further, That no appropriated funds may be used directly to service debt which is incurred to finance the costs of acquiring a portion of the building at 600 Maryland Avenue, SW, Washington, DC, or of planning, designing, and constructing improvements to such building: Provided further, That any agreement entered into by the Smithsonian Institution for the sale of its ownership interest, or any portion thereof, in such building so acquired may not take effect until the expiration of a 30 day period which begins on the date on which the Secretary of the Smithsonian submits to the Committees on Appropriations of the House of Representatives and Senate, the Committees on House Administration and Transportation and Infrastructure of the House of Representatives, and the Committee on Rules and Administration of the Senate a report, as outlined in the explanatory statement described in section 4 of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94; 133 Stat. 2536) on the intended sale.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian 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, $265,000,000, 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, 76th 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, $170,240,000, to remain available until September 30, 2024, of which not to exceed $3,875,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

(INCLUDING TRANSFER OF FUNDS)

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, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, $39,000,000, to remain available until expended: Provided, That of this amount, $27,208,000 shall be available for design and construction of an off-site art storage facility in partnership with the Smithsonian Institution and may be transferred to the Smithsonian Institution for such purposes: Provided further, 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, $27,640,000, to remain available until September 30, 2024.

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, $17,740,000, 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, $15,000,000, to remain available until September 30, 2024.
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, $195,000,000 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, $195,000,000 to remain available until expended, of which $178,000,000 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 $17,000,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including $15,000,000 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 preceding 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

For expenses of the Commission of Fine Arts under
chapter 91 of title 40, United States Code, $3,661,000:
Provided, That the Commission is authorized to charge
fees to cover the full costs of its publications, and such
fees shall be credited to this account as an offsetting col-
lection, to remain available until expended without further
appropriation: Provided further, That the Commission is
authorized to accept gifts, including objects, papers, art-
work, drawings and artifacts, that pertain to the history
and design of the Nation’s Capital or the history and ac-
tivities of the Commission of Fine Arts, for the purpose
of artistic display, study, or education: Provided further,
That one-tenth of one percent of the funds provided under
this heading may be used for official reception and rep-
resentation expenses.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law
99–190 (20 U.S.C. 956a), $5,000,000: Provided, That the
item relating to “National Capital Arts and Cultural Af-
fairs” in the Department of the Interior and Related
Agencies Appropriations Act, 1986, as enacted into law
by section 101(d) of Public Law 99–190 (20 U.S.C. 956a), shall be applied in fiscal year 2023 in the second paragraph by inserting “, calendar year 2020 excluded” before the first period: Provided further, That in determining an eligible organization’s annual income for calendar years 2021, 2022, and 2023, funds or grants received by the eligible organization from any supplemental appropriations Act related to coronavirus or any other law providing appropriations for the purpose of preventing, preparing for, or responding to coronavirus shall be counted as part of the eligible organization’s annual income.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665), $8,585,000.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Capital Planning Commission under chapter 87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, $8,630,000: Provided, That one-quarter of 1 percent 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

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $65,231,000, of which $715,000 shall remain available until September 30, 2025, for the Museum’s equipment replacement program; and of which $3,000,000 for the Museum’s repair and rehabilitation program and $1,264,000 for the Museum’s outreach initiatives program shall remain available until expended.

PRESIDIO TRUST

The Presidio Trust is authorized to issue obligations to the Secretary of the Treasury pursuant to section 104(d)(3) of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333), in an amount not to exceed $40,000,000.

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, $1,000,000, to remain available
until September 30, 2024: 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.

UNITED STATES SEMIQUINCENTENNIAL COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the United States Semiquincentennial Commission to plan and coordinate observances and activities associated with the 250th anniversary of the founding of the United States, as authorized by Public Law 116–282, the technical amendments to Public Law 114–196, $9,000,000, to remain available until expended, of which $1,000,000 shall be transferred to the Office of the Inspector General of the Department of the Interior for audits and investigations of the Semiquincentennial Commission, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

ALYCE SPOTTED BEAR AND WALTER SOBOLEFF

COMMISSION ON NATIVE CHILDREN

For necessary expenses of the Alyce Spotted Bear and Walter Soboleff Commission on Native Children (referred to in this paragraph as the “Commission”),
$600,000 to remain available until September 30, 2024:

Provided, That in addition to the authority provided by section 3(g)(5) and 3(h) of Public Law 114–244, the Commission may hereafter accept in-kind personnel services, contractual support, or any appropriate support from any executive branch agency for activities of the Commission.
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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 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 and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such esti-
mates 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, 2024, 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


CONTRACT SUPPORT COSTS, FISCAL YEAR 2023 LIMITATION

Sec. 406. Amounts provided by this Act for fiscal year 2023 under the headings "Department of Health and
1 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 2023 with the Bureau of Indian Affairs, Bureau of Indian Education, and 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 Planning 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 accel-
erated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 408. No funds provided in this Act may be ex-
pended 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 Monu-
ment 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 monu-
ment.

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 dec-
larations of taking or complaints in condemnation without
the approval of the House and Senate Committees on Ap-
propriations: Provided, That this provision shall not apply
to funds appropriated to implement the Everglades Na-
tional 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.

PROHIBITION ON NO-BID CONTRACTS

SEC. 410. 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 such contract is entered into in accordance with the requirements 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 contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian Tribes;

(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. 411. (a) Any agency receiving funds made available 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-
cy that it shall serve the national interest.

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

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

(2) the report contains proprietary information.

(e) 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. 412. Of the funds provided to the National End-
dowment for the Arts—

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

(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. 413. (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.

(e) In providing services and awarding financial assistance 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 services or awarding financial assistance for projects, productions, 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 Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 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 sec-
tion 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. 414. The Department of the Interior, the Envi-
ronmental Protection Agency, the Forest Service, and the
Indian Health Service shall provide the Committees on
Appropriations of the House of Representatives and Sen-
ate quarterly reports on the status of balances of appro-
priations including all uncommitted, committed, and unob-
ligated funds in each program and activity within 60 days
of enactment of this Act.

EXTENSION OF GRAZING PERMITS

SEC. 415. The terms and conditions of section 325
of Public Law 108–108 (117 Stat. 1307), regarding graz-
ing permits issued by the Forest Service on any lands not
subject to administration under section 402 of the Federal
Lands Policy and Management Act (43 U.S.C. 1752),
shall remain in effect for fiscal year 2023.
FUNDING PROHIBITION

SEC. 416. (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.

HUMANE TRANSFER AND TREATMENT OF ANIMALS

SEC. 417. (a) Notwithstanding any other provision of law, the Secretary of the Interior, with respect to land administered by the Bureau of Land Management, or the Secretary of Agriculture, with respect to land administered by the Forest Service (referred to in this section as the “Secretary concerned”), may transfer excess wild horses and burros that have been removed from land administered by the Secretary concerned to other Federal, State, and local government agencies for use as work animals.

(b) The Secretary concerned may make a transfer under subsection (a) immediately on the request of a Federal, State, or local government agency.
(c) An excess wild horse or burro transferred under subsection (a) shall lose status as a wild free-roaming horse or burro (as defined in section 2 of Public Law 92–195 (commonly known as the “Wild Free-Roaming Horses and Burros Act”) (16 U.S.C. 1332)).

(d) A Federal, State, or local government agency receiving an excess wild horse or burro pursuant to subsection (a) shall not—

(1) destroy the horse or burro in a manner that results in the destruction of the horse or burro into a commercial product;

(2) sell or otherwise transfer the horse or burro in a manner that results in the destruction of the horse or burro for processing into a commercial product; or

(3) euthanize the horse or burro, except on the recommendation of a licensed veterinarian in a case of severe injury, illness, or advanced age.

(e) Amounts appropriated by this Act shall not be available for—

(1) the destruction of any healthy, unadopted, and wild horse or burro under the jurisdiction of the Secretary concerned (including a contractor); or
(2) the sale of a wild horse or burro that results in the destruction of the wild horse or burro for processing into a commercial product.

FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT AUTHORIZATION EXTENSION

Sec. 418. Section 503(f) of Public Law 109–54 (16 U.S.C. 580d note) shall be applied by substituting “September 30, 2023” for “September 30, 2019”.

USE OF AMERICAN IRON AND STEEL

Sec. 419. (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 Environ-
mental 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.

(c) 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.

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

SEC. 420. The Secretary of the Interior is authorized to enter into grants and cooperative agreements with volunteer fire departments, rural fire departments, rangeland fire protection associations, and similar organizations to provide for wildland fire training and equipment, including supplies and communication devices. Notwithstanding section 121(c) of title 40, United States Code, or section 521 of title 40, United States Code, the Secretary is further authorized to transfer title to excess Department of the Interior firefighting equipment no longer needed to carry out the functions of the Department’s wildland fire management program to such organizations.

RECREATION FEES


July 27, 2022 (7:54 a.m.)
REPROGRAMMING GUIDELINES

Sec. 422. None of the funds made available in this Act, in this and prior fiscal years, may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the explanatory statement accompanying this Act.

LOCAL CONTRACTORS

Sec. 423. Section 412 of division E of Public Law 112–74 shall be applied by substituting “fiscal year 2023” for “fiscal year 2019”.

SHASTA-TRINITY MARINA FEE AUTHORITY

AUTHORIZATION EXTENSION

Sec. 424. Section 422 of division F of Public Law 110–161 (121 Stat 1844), as amended, shall be applied by substituting “fiscal year 2023” for “fiscal year 2019”.

INTERPRETIVE ASSOCIATION AUTHORIZATION EXTENSION

Sec. 425. Section 426 of division G of Public Law 113–76 (16 U.S.C. 565a–1 note) shall be applied by substituting “September 30, 2023” for “September 30, 2019”.

PUERTO RICO SCHOOLING AUTHORIZATION EXTENSION

Sec. 426. The authority provided by the 19th unnumbered paragraph under heading “Administrative Provisions, Forest Service” in title III of Public Law 109–
54, as amended, shall be applied by substituting “fiscal
year 2023” for “fiscal year 2019”.

FOREST BOTANICAL PRODUCTS FEE COLLECTION

AUTHORIZATION EXTENSION


CHACO CANYON

SEC. 428. None of the funds made available by this Act may be used to accept a nomination for oil and gas leasing under 43 CFR 3120.3 et seq., or to offer for oil and gas leasing, any Federal lands within the withdrawal area identified on the map of the Chaco Culture National Historical Park prepared by the Bureau of Land Management and dated April 2, 2019, prior to the completion of the cultural resources investigation identified in the explanatory statement described in section 4 in the matter preceding division A of the Consolidated Appropriations Act, 2021 (Public Law 116–260).
TRIBAL LEASES

Sec. 429. (a) Notwithstanding any other provision of law, in the case of any lease under section 105(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5324(l)), the initial lease term shall commence no earlier than the date of receipt of the lease proposal.

(b) The Secretaries of the Interior and Health and Human Services shall, jointly or separately, during fiscal year 2023 consult with Tribes and Tribal organizations through public solicitation and other means regarding the requirements for leases under section 105(l) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5324(l)) on how to implement a consistent and transparent process for the payment of such leases.

FOREST ECOSYSTEM HEALTH AND RECOVERY FUND

Sec. 430. The authority provided under the heading “Forest Ecosystem Health and Recovery Fund” in title I of Public Law 111–88, as amended by section 117 of division F of Public Law 113–235, shall be applied by substituting “fiscal year 2023” for “fiscal year 2020” each place it appears.
ALLOCATION OF PROJECTS, NATIONAL PARKS AND PUBLIC LAND LEGACY RESTORATION FUND AND LAND AND WATER CONSERVATION FUND

SEC. 431. (a)(1) Within 45 days of enactment of this Act, the Secretary of the Interior shall allocate amounts made available from the National Parks and Public Land Legacy Restoration Fund for fiscal year 2023 pursuant to subsection (c) of section 200402 of title 54, United States Code, and as provided in subsection (e) of such section of such title, to the agencies of the Department of the Interior and the Department of Agriculture specified, in the amounts specified, for the stations and unit names specified, and for the projects and activities specified in the table titled “Allocation of Funds: National Parks and Public Land Legacy Restoration Fund Fiscal Year 2023” in the explanatory statement accompanying this Act.

(2) Within 45 days of enactment of this Act, the Secretary of the Interior and the Secretary of Agriculture, as appropriate, shall allocate amounts made available for expenditure from the Land and Water Conservation Fund for fiscal year 2023 pursuant to subsection (a) of section 200303 of title 54, United States Code, to the agencies and accounts specified, in the amounts specified, and for the projects and activities specified in the table titled “Allocation of Funds: Land and Water Conservation Fund
Fiscal Year 2023” in the explanatory statement accompany- 
ning this Act.

(b) Except as otherwise provided by subsection (c) of this section, neither the President nor his designee may allocate any amounts that are made available for any fiscal year under subsection (c) of section 200402 of title 54, United States Code, or subsection (a) of section 200303 of title 54, United States Code, other than in amounts and for projects and activities that are allocated by subsections (a)(1) and (a)(2) of this section: Provided, That in any fiscal year, the matter preceding this proviso shall not apply to the allocation of amounts for continuing admin- 
istration of programs allocated funds from the Na- 
tional Parks and Public Land Legacy Restoration Fund or the Land and Water Conservation Fund, which may be allocated only in amounts that are no more than the allocation for such purposes in subsections (a)(1) and (a)(2) of this section.

(c) The Secretary of the Interior and the Secretary of Agriculture may reallocate amounts from each agency’s “Contingency Fund” line in the table titled “Allocation of Funds: National Parks and Public Land Legacy Restor- 
tation Fund Fiscal Year 2023” to any project funded by the National Parks and Public Land Legacy Restor- 
tion Fund within the same agency, from any fiscal year,
that experienced a funding deficiency due to unforeseen
cost overruns, in accordance with the following require-
ments:

(1) “Contingency Fund” amounts may only be
reallocated if there is a risk to project completion re-
sulting from unforeseen cost overruns;

(2) “Contingency Fund” amounts may only be
reallocated for cost of adjustments and changes
within the original scope of effort for projects fund-
ed by the National Parks and Public Land Legacy
Restoration Fund; and

(3) The Secretary of the Interior or the Sec-
retary of Agriculture must provide written notifica-
tion to the Committees on Appropriations 30 days
before taking any actions authorized by this sub-
section if the amount reallocated from the “Conting-
gency Fund” line for a project is projected to be 10
percent or greater than the following, as applicable:

(A) The amount allocated to that project
in the table titled “Allocation of Funds: Na-
tional Parks and Public Land Legacy Restora-
tion Fund Fiscal Year 2023” in the explanatory
statement accompanying this Act; or

(B) The initial estimate in the most recent
report submitted, prior to enactment of this
Act, to the Committees on Appropriations pursuant to section 431(e) of division G of the Consolidated Appropriations Act, 2022 (Public Law 117–103).

(d)(1) Concurrent with the annual budget submission of the President for fiscal year 2024, the Secretary of the Interior and the Secretary of Agriculture shall each submit to the Committees on Appropriations of the House of Representatives and the Senate project data sheets for the projects in the “Submission of Annual List of Projects to Congress” required by section 200402(h) of title 54, United States Code: Provided, That the “Submission of Annual List of Projects to Congress” must include a “Contingency Fund” line for each agency within the allocations defined in subsection (e) of section 200402 of title 54, United States Code: Provided further, That in the event amounts allocated by this Act or any prior Act for the National Parks and Public Land Legacy Restoration Fund are no longer needed to complete a specified project, such amounts may be reallocated in such submission to that agency’s “Contingency Fund” line: Provided further, That any proposals to change the scope of or terminate a previously approved project must be clearly identified in such submission.
(2)(A) Concurrent with the annual budget submission of the President for fiscal year 2024, the Secretary of the Interior and the Secretary of Agriculture shall each submit to the Committees on Appropriations of the House of Representatives and the Senate a list of supplementary allocations for Federal land acquisition and Forest Legacy Projects at the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Land Management, and the U.S. Forest Service that are in addition to the “Submission of Cost Estimates” required by section 200303(c)(1) of title 54, United States Code, that are prioritized and detailed by account, program, and project, and that total no less than half the full amount allocated to each account for that land management Agency under the allocations submitted under section 200303(c)(1) of title 54, United States Code: Provided, That in the event amounts allocated by this Act or any prior Act pursuant to subsection (a) of section 200303 of title 54, United States Code are no longer needed because a project has been completed or can no longer be executed, such amounts must be clearly identified if proposed for reallocation in the annual budget submission.

(B) The Federal land acquisition and Forest Legacy projects in the “Submission of Cost Estimates” required by section 200303(c)(1) of title 54, United States Code,
and on the list of supplementary allocations required by subparagraph (A) shall be comprised only of projects for which a willing seller has been identified and for which an appraisal or market research has been initiated.

(C) Concurrent with the annual budget submission of the President for fiscal year 2024, the Secretary of the Interior and the Secretary of Agriculture shall each submit to the Committees on Appropriations of the House of Representatives and the Senate project data sheets in the same format and containing the same level of detailed information that is found on such sheets in the Budget Justifications annually submitted by the Department of the Interior with the President’s Budget for the projects in the “Submission of Cost Estimates” required by section 200303(c)(1) of title 54, United States Code, and in the same format and containing the same level of detailed information that is found on such sheets submitted to the Committees pursuant to section 427 of division D of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94) for the list of supplementary allocations required by subparagraph (A).

(e) The Department of the Interior and the Department of Agriculture shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of projects and
activities funded by the National Parks and Public Land Legacy Restoration Fund for amounts allocated pursuant to subsection (a)(1) of this section and the status of balances of projects and activities funded by the Land and Water Conservation Fund for amounts allocated pursuant to subsection (a)(2) of this section, including all uncommitted, committed, and unobligated funds, and, for amounts allocated pursuant to subsection (a)(1) of this section, National Parks and Public Land Legacy Restoration Fund amounts reallocated pursuant to subsection (c) of this section.

POLICIES RELATING TO BIOMASS ENERGY

Sec. 432. 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) using the best available science, recognizes the benefits of the use of forest biomass
for energy, conservation, and responsible forest
management; and

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

(A) reflect the extent of the carbon bene-
fits 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 through-
out 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 im-
prove forest health; and

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

SEC. 433. 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.

TRANSFER AUTHORITY TO FEDERAL HIGHWAY ADMINISTRATION FOR THE NATIONAL PARKS AND PUBLIC LAND LEGACY RESTORATION FUND

SEC. 434. Funds made available or allocated in this Act to the Department of the Interior or the Department of Agriculture that are subject to the allocations and limitations in 54 U.S.C. 200402(e) and prohibitions in 54 U.S.C. 200402(f) may be further allocated or reallocated to the Federal Highway Administration for transportation
projects of the covered agencies defined in 54 U.S.C. 200401(2).

SMALL REMOTE INCINERATORS

SEC. 435. None of the funds made available in this Act may be used to implement or enforce the regulation issued on March 21, 2011 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 and, until a subsequent regulation is issued, the Administrator shall implement the law and regulations in effect prior to such date.

ALASKA NATIVE REGIONAL HEALTH ENTITIES

AUTHORIZATION EXTENSION

SEC. 436. Section 424(a) of the Consolidated Appropriations Act, 2014 (Public Law 113–76), as amended by section 428 of the Consolidated Appropriations Act, 2018 (Public Law 115–141), shall be applied by substituting “October 1, 2023” for “October 1, 2019”.

BUDGETARY RECLASSIFICATION

SEC. 437. (a) For fiscal year 2023 and each fiscal year thereafter, notwithstanding the Budget Scorekeeping Guidelines and the accompanying list of programs and accounts set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217, and for the purposes of the Balanced Budget
and Emergency Deficit Control Act of 1985 and the Congressional Budget Act of 1974, the following accounts shall be treated as if they were accounts designated as “Appropriated Entitlements and Mandatoriness for Fiscal Year 1997” in the joint explanatory statement of the committee of conference accompanying Conference Report 105–217:

- Contract Support Costs, Bureau of Indian Affairs (014–2240–0–1–452).
- Contract Support Costs, Indian Health Service (075–0344–0–1–551).
- Payments for Tribal Leases, Bureau of Indian Affairs (014–0200–0–1–452).
- Payments for Tribal Leases, Indian Health Service (075–0200–0–1–551).

This subsection shall be considered a change in concepts and definitions pursuant to section 251(b)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 for purposes of section 257(d) of such Act, section 1(c)(2) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022, and any provision in a concurrent resolution on the budget for fiscal year 2023 addressing adjustments to reflect changes in concepts and definitions, and, upon enactment, amounts made available for fiscal year 2023 and subsequent fiscal
years shall be reflected accordingly, including in the re-
ports required by section 308(b) of the Congressional

(b) Section 255(g)(1)(A) of the Balanced Budget and
Emergency Deficit Control Act of 1985 (title II of Public
Law 99–177, as amended; 2 U.S.C. 905(g)(1)(A)) is
amended—

(1) by inserting after “Continuing Fund,
Southwestern Power Administration (89–5649–0–2–
271).” the following:

“Contract Support Costs, Bureau of Indian Af-
fairs (014–2240–0–1–452).

“Contract Support Costs, Indian Health Service
(075–0344–0–1–551).”; and

(2) by inserting after “Payment to the Foreign
Service Retirement and Disability Fund (19–0540–
0–1–153).” the following:

“Payments for Tribal Leases, Bureau of Indian
Affairs (014–0200–0–1–452).

“Payments for Tribal Leases, Indian Health
Service (075–0200–0–1–551).”.

FIREFIGHTER PAY CAP

SEC. 438. Section 1701 of division B of the Extend-
ing Government Funding and Delivering Emergency As-
sistance Act (5 U.S.C. 5547 note), as amended by Public Law 117–103, is further amended—

(1) in subsection (a)(1), by striking the last sentence and inserting “Any Services during a given calendar year that generate payments payable in the subsequent calendar year shall be disregarded in applying this subsection”; and

(2) in subsections (a), (b), and (c) by inserting “or 2023” after “or 2022” each place it appears.

HAZARDOUS SUBSTANCE SUPERFUND

SEC. 439. (a) Section 613 of title VI of division J of Public Law 117–58 is repealed.

(b) For this fiscal year and each fiscal year thereafter, such sums as are available in the Hazardous Substance Superfund established under section 9507 of the Internal Revenue Code of 1986 at the end of the preceding fiscal year from taxes received in the Treasury under subsection (b)(1) of such section shall be available, without further appropriation, to be used to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.): Provided, That the amount provided by this subsection is designated by the Congress as being for an emergency requirement pursuant to section 4001(a)(1) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fis-
cal year 2022, to section 1(e) of H. Res. 1151 (117th Con-
gress), as engrossed in the House of Representatives on
June 8, 2022, and to section 251(b) of the Balanced

FOREST SERVICE INTEREST BEARING ACCOUNT

SEC. 440. (a) INVESTMENT AUTHORITY.—Any mon-
ies covered into the Treasury under section 7 of the Act
of June 20, 1958 (Public Law 85–464; 16 U.S.C. 579c),
including all monies that were previously collected by the
United States in a forfeiture, judgment, compromise, or
settlement, shall be invested by the Secretary of the Treas-
ury in interest bearing obligations of the United States
to the extent the amounts are not, in the judgment of the
Secretary of the Treasury, required to meet current with-
drawals.

(b) AVAILABILITY OF FUNDS.—Any interest earned
under subsection (a) shall be available in the same manner
as the monies covered into the Treasury under section 7
of the Act of June 20, 1958 (Public Law 85–464; 16
U.S.C. 579c) to cover the costs to the United States speci-
ified in section 7 of that Act.

(c) USE OF FUNDS.—Any portion of the monies re-
ceived or earned under subsection (a) in excess of the
amount expended in performing the work necessitated by
the action which led to their receipt may be used to cover
the other work specified in section 7 of the Act of June 20, 1958 (Public Law 85–464; 16 U.S.C. 579c).

(d) Effective Date.—This section shall apply with respect to fiscal year 2023 and each succeeding fiscal year.
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TITLE V

DISASTER RECOVERY AND EMERGENCY RESPONSE

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

For an additional amount for “Construction”, $63,051,000, to remain available until expended, for necessary expenses related to the consequences of winter storm damages at Midway Atoll National Wildlife Refuge and other natural disasters occurring in and prior to fiscal year 2022.

NATIONAL PARK SERVICE

CONSTRUCTION

For an additional amount for “Construction”, $1,674,311,000, to remain available until expended, for necessary expenses related to the consequences of flooding, drought, landslides, wildfire, and other natural disasters at Denali National Park and Preserve, Glen Canyon National Recreation Area, Lake Mead National Recreation Area, and Yellowstone National Park.

BUREAU OF INDIAN EDUCATION

EDUCATION CONSTRUCTION

For an additional amount for “Education Construction”, $90,465,000, to remain available until expended,
for necessary expenses related to the consequences of flooding at the To’Hajiilee Community School.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

For an additional amount for “Wildland Fire Management”, $75,000,000, to remain available until expended, for wildland fire suppression activities.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

For an additional amount for “Wildland Fire Management”, $375,000,000, to remain available until expended, for wildland fire suppression activities.

GENERAL PROVISIONS—THIS TITLE

Sec. 501. Each amount appropriated or made available by this title is in addition to amounts otherwise appropriated for fiscal year 2023.

Sec. 502. No part of any appropriation contained in this title shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Sec. 503. Unless otherwise provided for by this title, the additional amounts appropriated by this title to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for funds appropriated in fiscal year 2023.
Sec. 504. Each amount provided by this title is designated by the Congress as being for an emergency requirement pursuant to section 4001(a)(1) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(e) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022.

This Act may be cited as the “Department of the Interior, Environment, and Related Agencies Appropriations Act, 2023”.