

Union Calendar No. 170

115TH CONGRESS
1ST SESSION

H. R. 3354

[Report No. 115–238]

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

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2017

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

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Department of the Interior, environment, and related
6 agencies for the fiscal year ending September 30, 2018,
7 and for other purposes, namely:

8 TITLE I

9 DEPARTMENT OF THE INTERIOR

10 BUREAU OF LAND MANAGEMENT

11 MANAGEMENT OF LANDS AND RESOURCES

12 For necessary expenses for protection, use, improve-
13 ment, development, disposal, cadastral surveying, classi-
14 fication, acquisition of easements and other interests in
15 lands, and performance of other functions, including main-
16 tenance of facilities, as authorized by law, in the manage-
17 ment of lands and their resources under the jurisdiction
18 of the Bureau of Land Management, including the general
19 administration of the Bureau, and assessment of mineral
20 potential of public lands pursuant to section 1010(a) of
21 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,074,503,000,
22 to remain available until expended, including all such
23 amounts as are collected from permit processing fees, as
24 authorized but made subject to future appropriation by
25 section 35(d)(3)(A)(i) of the Mineral Leasing Act (30

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

5 In addition, \$39,696,000 is for Mining Law Adminis-
6 tration program operations, including the cost of admin-
7 istering the mining claim fee program, to remain available
8 until expended, to be reduced by amounts collected by the
9 Bureau and credited to this appropriation from mining
10 claim maintenance fees and location fees that are hereby
11 authorized for fiscal year 2018, so as to result in a final
12 appropriation estimated at not more than \$1,074,503,000,
13 and \$2,000,000, to remain available until expended, from
14 communication site rental fees established by the Bureau
15 for the cost of administering communication site activities.

16 LAND ACQUISITION

17 (INCLUDING RESCISSION OF FUNDS)

18 For expenses necessary to carry out sections 205,
19 206, and 318(d) of Public Law 94–579, including admin-
20 istrative expenses and acquisition of lands or waters, or
21 interests therein, \$12,800,000, to be derived from the
22 Land and Water Conservation Fund and to remain avail-
23 able until expended.

1 Of the unobligated balances available for this account
2 from prior appropriations, \$1,769,000 are permanently re-
3 scinded.

4 OREGON AND CALIFORNIA GRANT LANDS

5 For expenses necessary for management, protection,
6 and development of resources and for construction, oper-
7 ation, and maintenance of access roads, reforestation, and
8 other improvements on the revested Oregon and California
9 Railroad grant lands, on other Federal lands in the Or-
10 egon and California land-grant counties of Oregon, and
11 on adjacent rights-of-way; and acquisition of lands or in-
12 terests therein, including existing connecting roads on or
13 adjacent to such grant lands; \$104,256,000, to remain
14 available until expended: *Provided*, That 25 percent of the
15 aggregate of all receipts during the current fiscal year
16 from the revested Oregon and California Railroad grant
17 lands is hereby made a charge against the Oregon and
18 California land-grant fund and shall be transferred to the
19 General Fund in the Treasury in accordance with the sec-
20 ond paragraph of subsection (b) of title II of the Act of
21 August 28, 1937 (43 U.S.C. 2605).

22 RANGE IMPROVEMENTS

23 For rehabilitation, protection, and acquisition of
24 lands and interests therein, and improvement of Federal
25 rangelands pursuant to section 401 of the Federal Land

1 Policy and Management Act of 1976 (43 U.S.C. 1751),
2 notwithstanding any other Act, sums equal to 50 percent
3 of all moneys received during the prior fiscal year under
4 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
5 315b, 315m) and the amount designated for range im-
6 provements from grazing fees and mineral leasing receipts
7 from Bankhead-Jones lands transferred to the Depart-
8 ment of the Interior pursuant to law, but not less than
9 \$10,000,000, to remain available until expended: *Pro-*
10 *vided*, That not to exceed \$600,000 shall be available for
11 administrative expenses.

12 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

13 For administrative expenses and other costs related
14 to processing application documents and other authoriza-
15 tions for use and disposal of public lands and resources,
16 for costs of providing copies of official public land docu-
17 ments, for monitoring construction, operation, and termi-
18 nation of facilities in conjunction with use authorizations,
19 and for rehabilitation of damaged property, such amounts
20 as may be collected under Public Law 94–579 (43 U.S.C.
21 1701 et seq.), and under section 28 of the Mineral Leasing
22 Act (30 U.S.C. 185), to remain available until expended:
23 *Provided*, That notwithstanding any provision to the con-
24 trary of section 305(a) of Public Law 94–579 (43 U.S.C.
25 1735(a)), any moneys that have been or will be received

1 pursuant to that section, whether as a result of forfeiture,
2 compromise, or settlement, if not appropriate for refund
3 pursuant to section 305(c) of that Act (43 U.S.C.
4 1735(c)), shall be available and may be expended under
5 the authority of this Act by the Secretary to improve, pro-
6 tect, or rehabilitate any public lands administered through
7 the Bureau of Land Management which have been dam-
8 aged by the action of a resource developer, purchaser, per-
9 mittee, or any unauthorized person, without regard to
10 whether all moneys collected from each such action are
11 used on the exact lands damaged which led to the action:
12 *Provided further*, That any such moneys that are in excess
13 of amounts needed to repair damage to the exact land for
14 which funds were collected may be used to repair other
15 damaged public lands.

16 MISCELLANEOUS TRUST FUNDS

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

ADMINISTRATIVE PROVISIONS

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

1 fied amount of money in support of the project may be
2 carried out by the Bureau on a reimbursable basis. Appro-
3 priations herein made shall not be available for the sale
4 of wild horses and burros that results in their destruction
5 for processing into commercial products, including for
6 human consumption.

7 UNITED STATES FISH AND WILDLIFE SERVICE

8 RESOURCE MANAGEMENT

9 For necessary expenses of the United States Fish and
10 Wildlife Service, as authorized by law, and for scientific
11 and economic studies, general administration, and for the
12 performance of other authorized functions related to such
13 resources, \$1,247,109,000 to remain available until Sep-
14 tember 30, 2019: *Provided*, That not to exceed
15 \$17,122,000 shall be used for implementing subsections
16 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
17 cies Act of 1973 (16 U.S.C. 1533) (except for processing
18 petitions, developing and issuing proposed and final regu-
19 lations, and taking any other steps to implement actions
20 described in subsection (c)(2)(A), (c)(2)(B)(i), or
21 (c)(2)(B)(ii)); of which not to exceed \$3,270,000 shall be
22 used for any activity regarding the designation of critical
23 habitat, pursuant to subsection (a)(3), excluding litigation
24 support, for species listed pursuant to subsection (a)(1)
25 prior to October 1, 2015; of which not to exceed

1 \$1,498,000 shall be used for any activity regarding peti-
2 tions to list species that are indigenous to the United
3 States pursuant to subsections (b)(3)(A) and (b)(3)(B);
4 and, of which not to exceed \$501,000 shall be used for
5 implementing subsections (a), (b), (c), and (e) of section
6 4 of the Endangered Species Act of 1973 (16 U.S.C.
7 1533) for species that are not indigenous to the United
8 States.

9 CONSTRUCTION

10 For construction, improvement, acquisition, or re-
11 moval of buildings and other facilities required in the con-
12 servation, management, investigation, protection, and uti-
13 lization of fish and wildlife resources, and the acquisition
14 of lands and interests therein; \$16,540,000, to remain
15 available until expended.

16 LAND ACQUISITION

17 (INCLUDING RESCISSION OF FUNDS)

18 For expenses necessary to carry out chapter 2003 of
19 title 54, United States Code, including administrative ex-
20 penses, and for acquisition of land or waters, or interest
21 therein, in accordance with statutory authority applicable
22 to the United States Fish and Wildlife Service,
23 \$40,641,000, to be derived from the Land and Water Con-
24 servation Fund and to remain available until expended,
25 of which, notwithstanding section 200306 of title 54,

11 COOPERATIVE ENDANGERED SPECIES CONSERVATION
12 FUND

20 Of the unobligated balances available for this account
21 from appropriations made for fiscal years prior to fiscal
22 year 2013, \$3,000,000 are permanently rescinded.

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

1 NORTH AMERICAN WETLANDS CONSERVATION FUND

2 For expenses necessary to carry out the provisions
3 of the North American Wetlands Conservation Act (16
4 U.S.C. 4401 et seq.), \$38,145,000, to remain available
5 until expended.

6 NEOTROPICAL MIGRATORY BIRD CONSERVATION

7 For expenses necessary to carry out the Neotropical
8 Migratory Bird Conservation Act (16 U.S.C. 6101 et
9 seq.), \$3,900,000, to remain available until expended.

10 MULTINATIONAL SPECIES CONSERVATION FUND

11 For expenses necessary to carry out the African Ele-
12 phant Conservation Act (16 U.S.C. 4201 et seq.), the
13 Asian Elephant Conservation Act of 1997 (16 U.S.C.
14 4261 et seq.), the Rhinoceros and Tiger Conservation Act
15 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-
16 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
17 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
18 et seq.), \$11,061,000, to remain available until expended.

19 STATE AND TRIBAL WILDLIFE GRANTS

20 For wildlife conservation grants to States and to the
21 District of Columbia, Puerto Rico, Guam, the United
22 States Virgin Islands, the Northern Mariana Islands,
23 American Samoa, and Indian tribes under the provisions
24 of the Fish and Wildlife Act of 1956 and the Fish and
25 Wildlife Coordination Act, for the development and imple-

1 mentation of programs for the benefit of wildlife and their
2 habitat, including species that are not hunted or fished,
3 \$62,571,000, to remain available until expended: *Pro-*
4 *vided*, That of the amount provided herein, \$4,209,000 is
5 for a competitive grant program for Indian tribes not sub-
6 ject to the remaining provisions of this appropriation: *Pro-*
7 *vided further*, That \$6,362,000 is for a competitive grant
8 program to implement approved plans for States, terri-
9 tories, and other jurisdictions and at the discretion of af-
10 fected States, the regional Associations of fish and wildlife
11 agencies, not subject to the remaining provisions of this
12 appropriation: *Provided further*, That the Secretary shall,
13 after deducting \$10,571,000 and administrative expenses,
14 apportion the amount provided herein in the following
15 manner: (1) to the District of Columbia and to the Com-
16 monwealth of Puerto Rico, each a sum equal to not more
17 than one-half of 1 percent thereof; and (2) to Guam,
18 American Samoa, the United States Virgin Islands, and
19 the Commonwealth of the Northern Mariana Islands, each
20 a sum equal to not more than one-fourth of 1 percent
21 thereof: *Provided further*, That the Secretary shall appor-
22 tion the remaining amount in the following manner: (1)
23 one-third of which is based on the ratio to which the land
24 area of such State bears to the total land area of all such
25 States; and (2) two-thirds of which is based on the ratio

1 to which the population of such State bears to the total
2 population of all such States: *Provided further*, That the
3 amounts apportioned under this paragraph shall be ad-
4 justed equitably so that no State shall be apportioned a
5 sum which is less than 1 percent of the amount available
6 for apportionment under this paragraph for any fiscal year
7 or more than 5 percent of such amount: *Provided further*,
8 That the Federal share of planning grants shall not exceed
9 75 percent of the total costs of such projects and the Fed-
10 eral share of implementation grants shall not exceed 65
11 percent of the total costs of such projects: *Provided fur-*
12 *ther*, That the non-Federal share of such projects may not
13 be derived from Federal grant programs: *Provided further*,
14 That any amount apportioned in 2018 to any State, terri-
15 tory, or other jurisdiction that remains unobligated as of
16 September 30, 2019, shall be reapportioned, together with
17 funds appropriated in 2020, in the manner provided here-
18 in.

19 ADMINISTRATIVE PROVISIONS

20 The United States Fish and Wildlife Service may
21 carry out the operations of Service programs by direct ex-
22 penditure, contracts, grants, cooperative agreements and
23 reimbursable agreements with public and private entities.
24 Appropriations and funds available to the United States
25 Fish and Wildlife Service shall be available for repair of

1 damage to public roads within and adjacent to reservation
2 areas caused by operations of the Service; options for the
3 purchase of land at not to exceed \$1 for each option; facili-
4 ties incident to such public recreational uses on conserva-
5 tion areas as are consistent with their primary purpose;
6 and the maintenance and improvement of aquaria, build-
7 ings, and other facilities under the jurisdiction of the Serv-
8 ice and to which the United States has title, and which
9 are used pursuant to law in connection with management,
10 and investigation of fish and wildlife resources: *Provided*,
11 That notwithstanding 44 U.S.C. 501, the Service may,
12 under cooperative cost sharing and partnership arrange-
13 ments authorized by law, procure printing services from
14 cooperators in connection with jointly produced publica-
15 tions for which the cooperators share at least one-half the
16 cost of printing either in cash or services and the Service
17 determines the cooperator is capable of meeting accepted
18 quality standards: *Provided further*, That the Service may
19 accept donated aircraft as replacements for existing air-
20 craft: *Provided further*, That notwithstanding 31 U.S.C.
21 3302, all fees collected for non-toxic shot review and ap-
22 proval shall be deposited under the heading “United
23 States Fish and Wildlife Service—Resource Management”
24 and shall be available to the Secretary, without further
25 appropriation, to be used for expenses of processing of

1 such non-toxic shot type or coating applications and revis-
2 ing regulations as necessary, and shall remain available
3 until expended.

4 NATIONAL PARK SERVICE

5 OPERATION OF THE NATIONAL PARK SYSTEM

6 For expenses necessary for the management, oper-
7 ation, and maintenance of areas and facilities adminis-
8 tered by the National Park Service and for the general
9 administration of the National Park Service,
10 \$2,410,031,000, of which \$10,032,000 for planning and
11 interagency coordination in support of Everglades restora-
12 tion and \$124,461,000 for maintenance, repair, or reha-
13 bilitation projects for constructed assets shall remain
14 available until September 30, 2019: *Provided*, That funds
15 appropriated under this heading in this Act are available
16 for the purposes of section 5 of Public Law 95–348.

17 NATIONAL RECREATION AND PRESERVATION

18 For expenses necessary to carry out recreation pro-
19 grams, natural programs, cultural programs, heritage
20 partnership programs, environmental compliance and re-
21 view, international park affairs, and grant administration,
22 not otherwise provided for, \$59,629,000.

23 HISTORIC PRESERVATION FUND

24 For expenses necessary in carrying out the National
25 Historic Preservation Act (division A of subtitle III of title

1 54, United States Code), \$75,410,000, to be derived from
2 the Historic Preservation Fund and to remain available
3 until September 30, 2019, of which \$5,000,000 shall be
4 for Save America's Treasures grants for preservation of
5 national significant sites, structures, and artifacts as au-
6 thorized by section 7303 of the Omnibus Public Land
7 Management Act of 2009 (54 U.S.C. 3089): *Provided*,
8 That an individual Save America's Treasures grant shall
9 be matched by non-Federal funds: *Provided further*, That
10 individual projects shall only be eligible for one grant: *Pro-*
11 *vided further*, That all projects to be funded shall be ap-
12 proved by the Secretary of the Interior in consultation
13 with the House and Senate Committees on Appropria-
14 tions: *Provided further*, That of the funds provided for the
15 Historic Preservation Fund, \$500,000 is for competitive
16 grants for the survey and nomination of properties to the
17 National Register of Historic Places and as National His-
18 toric Landmarks associated with communities currently
19 underrepresented, as determined by the Secretary,
20 \$10,500,000 is for competitive grants to preserve the sites
21 and stories of the Civil Rights movement, and \$3,000,000
22 is for grants to Historically Black Colleges and Univer-
23 sities: *Provided further*, That such competitive grants shall
24 be made without imposing the matching requirements in
25 section 302902(b)(3) of title 54, United States Code to

1 States and Indian tribes as defined in chapter 3003 of
2 such title, Native Hawaiian organizations, local govern-
3 ments, including Certified Local Governments, and non-
4 profit organizations.

5 CONSTRUCTION

6 For construction, improvements, repair, or replace-
7 ment of physical facilities, and compliance and planning
8 for programs and areas administered by the National
9 Park Service, \$219,844,000, to remain available until ex-
10 pended: *Provided*, That notwithstanding any other provi-
11 sion of law, for any project initially funded in fiscal year
12 2018 with a future phase indicated in the National Park
13 Service 5-Year Line Item Construction Plan, a single pro-
14 curement may be issued which includes the full scope of
15 the project: *Provided further*, That the solicitation and
16 contract shall contain the clause availability of funds
17 found at 48 CFR 52.232–18: *Provided further*, That Na-
18 tional Park Service Donations, Park Concessions Fran-
19 chise Fees, and Recreation Fees may be made available
20 for the cost of adjustments and changes within the origi-
21 nal scope of effort for projects funded by the National
22 Park Service Construction appropriation: *Provided further*,
23 That the Secretary of the Interior shall consult with the
24 Committees on Appropriations, in accordance with current

1 reprogramming thresholds, prior to making any charges
2 authorized by this section.

3 LAND AND WATER CONSERVATION FUND
4 (RESCISSION)

5 The contract authority provided for fiscal year 2018
6 by section 200308 of title 54, United States Code, is re-
7 scinded.

8 LAND ACQUISITION AND STATE ASSISTANCE
9 (INCLUDING RESCISSION OF FUNDS)

10 For expenses necessary to carry out chapter 2003 of
11 title 54, United States Code, including administrative ex-
12 penses, and for acquisition of lands or waters, or interest
13 therein, in accordance with the statutory authority appli-
14 cable to the National Park Service, \$120,575,000, to be
15 derived from the Land and Water Conservation Fund and
16 to remain available until expended, of which \$79,006,000
17 is for the State assistance program and of which
18 \$10,000,000 shall be for the American Battlefield Protec-
19 tion Program grants as authorized by chapter 3081 of title
20 54, United States Code.

21 Of the unobligated balances available for this account
22 from prior appropriations, \$4,500,000 are permanently re-
23 scinded.

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 expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single

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

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

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

16 UNITED STATES GEOLOGICAL SURVEY

17 SURVEYS, INVESTIGATIONS, AND RESEARCH

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

1 latory Commission licensees; administer the minerals ex-
2 ploration program (30 U.S.C. 641); conduct inquiries into
3 the economic conditions affecting mining and materials
4 processing industries (30 U.S.C. 3, 21a, and 1603; 50
5 U.S.C. 98g(1)) and related purposes as authorized by law;
6 and to publish and disseminate data relative to the fore-
7 going activities; \$1,038,922,000, to remain available until
8 September 30, 2019; of which \$70,933,913 shall remain
9 available until expended for satellite operations; and of
10 which \$7,266,000 shall be available until expended for de-
11 ferred maintenance and capital improvement projects that
12 exceed \$100,000 in cost: *Provided*, That none of the funds
13 provided for the ecosystem research activity shall be used
14 to conduct new surveys on private property, unless specifi-
15 cally authorized in writing by the property owner: *Pro-*
16 *vided further*, That no part of this appropriation shall be
17 used to pay more than one-half the cost of topographic
18 mapping or water resources data collection and investiga-
19 tions carried on in cooperation with States and municipali-
20 ties.

21 ADMINISTRATIVE PROVISIONS

22 From within the amount appropriated for activities
23 of the United States Geological Survey such sums as are
24 necessary shall be available for contracting for the fur-
25 nishing of topographic maps and for the making of geo-

1 physical or other specialized surveys when it is administra-
2 tively determined that such procedures are in the public
3 interest; construction and maintenance of necessary build-
4 ings and appurtenant facilities; acquisition of lands for
5 water resources and natural hazards activities through
6 permits and licenses; expenses of the United States Na-
7 tional Committee for Geological Sciences; and payment of
8 compensation and expenses of persons employed by the
9 Survey duly appointed to represent the United States in
10 the negotiation and administration of interstate compacts:
11 *Provided*, That activities funded by appropriations herein
12 made may be accomplished through the use of contracts,
13 grants, or cooperative agreements as defined in section
14 6302 of title 31, United States Code: *Provided further*,
15 That the United States Geological Survey may enter into
16 contracts or cooperative agreements directly with individ-
17 uals or indirectly with institutions or nonprofit organiza-
18 tions, without regard to 41 U.S.C. 6101, for the tem-
19 porary or intermittent services of students or recent grad-
20 uates, who shall be considered employees for the purpose
21 of chapters 57 and 81 of title 5, United States Code, relat-
22 ing to compensation for travel and work injuries, and
23 chapter 171 of title 28, United States Code, relating to
24 tort claims, but shall not be considered to be Federal em-
25 ployees for any other purposes.

1 BUREAU OF OCEAN ENERGY MANAGEMENT

2 OCEAN ENERGY MANAGEMENT

3 (INCLUDING RESCISSION OF FUNDS)

4 For expenses necessary for granting leases, ease-
5 ments, rights-of-way and agreements for use for oil and
6 gas, other minerals, energy, and marine-related purposes
7 on the Outer Continental Shelf and approving operations
8 related thereto, as authorized by law; for environmental
9 studies, as authorized by law; for implementing other laws
10 and to the extent provided by Presidential or Secretarial
11 delegation; and for matching grants or cooperative agree-
12 ments, \$171,000,000, of which \$114,166,000 is to remain
13 available until September 30, 2019, and of which
14 \$56,834,000 is to remain available until expended: *Pro-*
15 *vided*, That this total appropriation shall be reduced by
16 amounts collected by the Secretary and credited to this
17 appropriation from additions to receipts resulting from in-
18 creases to lease rental rates in effect on August 5, 1993,
19 and from cost recovery fees from activities conducted by
20 the Bureau of Ocean Energy Management pursuant to the
21 Outer Continental Shelf Lands Act, including studies, as-
22 sessments, analysis, and miscellaneous administrative ac-
23 tivities: *Provided further*, That the sum herein appro-
24 priated shall be reduced as such collections are received
25 during the fiscal year, so as to result in a final fiscal year

1 2018 appropriation estimated at not more than
2 \$114,166,000: *Provided further*, That not to exceed
3 \$3,000 shall be available for reasonable expenses related
4 to promoting volunteer beach and marine cleanup activi-
5 ties.

6 Of the unobligated balances available for this ac-
7 count, \$25,000,000 are permanently rescinded.

8 BUREAU OF SAFETY AND ENVIRONMENTAL
9 ENFORCEMENT
10 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT
11 (INCLUDING RESCISSION OF FUNDS)

12 For expenses necessary for the regulation of oper-
13 ations related to leases, easements, rights-of-way and
14 agreements for use for oil and gas, other minerals, energy,
15 and marine-related purposes on the Outer Continental
16 Shelf, as authorized by law; for enforcing and imple-
17 menting laws and regulations as authorized by law and
18 to the extent provided by Presidential or Secretarial dele-
19 gation; and for matching grants or cooperative agree-
20 ments, \$136,411,000, of which \$108,540,000 is to remain
21 available until September 30, 2019, and of which
22 \$27,871,000 is to remain available until expended: *Pro-*
23 *vided*, That this total appropriation shall be reduced by
24 amounts collected by the Secretary and credited to this
25 appropriation from additions to receipts resulting from in-

1 creases to lease rental rates in effect on August 5, 1993,
2 and from cost recovery fees from activities conducted by
3 the Bureau of Safety and Environmental Enforcement
4 pursuant to the Outer Continental Shelf Lands Act, in-
5 cluding studies, assessments, analysis, and miscellaneous
6 administrative activities: *Provided further*, That the sum
7 herein appropriated shall be reduced as such collections
8 are received during the fiscal year, so as to result in a
9 final fiscal year 2018 appropriation estimated at not more
10 than \$108,540,000.

11 For an additional amount, \$50,000,000, to remain
12 available until expended, to be reduced by amounts col-
13 lected by the Secretary and credited to this appropriation,
14 which shall be derived from non-refundable inspection fees
15 collected in fiscal year 2018, as provided in this Act: *Pro-*
16 *vided*, That to the extent that amounts realized from such
17 inspection fees exceed \$50,000,000, the amounts realized
18 in excess of \$50,000,000 shall be credited to this appro-
19 priation and remain available until expended: *Provided*
20 *further*, That for fiscal year 2018, not less than 50 percent
21 of the inspection fees expended by the Bureau of Safety
22 and Environmental Enforcement will be used to fund per-
23 sonnel and mission-related costs to expand capacity and
24 expedite the orderly development, subject to environmental
25 safeguards, of the Outer Continental Shelf pursuant to the

1 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
2 seq.), including the review of applications for permits to
3 drill.

4 Of the unobligated balances available for this ac-
5 count, \$12,000,000 are permanently rescinded.

6 OIL SPILL RESEARCH

7 For necessary expenses to carry out title I, section
8 1016, title IV, sections 4202 and 4303, title VII, and title
9 VIII, section 8201 of the Oil Pollution Act of 1990,
10 \$12,700,000, which shall be derived from the Oil Spill Li-
11 ability Trust Fund, to remain available until expended.

12 OFFICE OF SURFACE MINING RECLAMATION AND

13 ENFORCEMENT

14 REGULATION AND TECHNOLOGY

15 For necessary expenses to carry out the provisions
16 of the Surface Mining Control and Reclamation Act of
17 1977, Public Law 95–87, \$113,790,000, to remain avail-
18 able until September 30, 2019: *Provided*, That appropria-
19 tions for the Office of Surface Mining Reclamation and
20 Enforcement may provide for the travel and per diem ex-
21 penses of State and tribal personnel attending Office of
22 Surface Mining Reclamation and Enforcement sponsored
23 training.

24 In addition, for costs to review, administer, and en-
25 force permits issued by the Office pursuant to section 507

1 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
2 main available until expended: *Provided*, That fees as-
3 sessed and collected by the Office pursuant to such section
4 507 shall be credited to this account as discretionary off-
5 setting collections, to remain available until expended:
6 *Provided further*, That the sum herein appropriated from
7 the general fund shall be reduced as collections are re-
8 ceived during the fiscal year, so as to result in a fiscal
9 year 2018 appropriation estimated at not more than
10 \$113,790,000.

11 ABANDONED MINE RECLAMATION FUND

12 For necessary expenses to carry out title IV of the
13 Surface Mining Control and Reclamation Act of 1977,
14 Public Law 95–87, \$24,672,000, to be derived from re-
15 ceipts of the Abandoned Mine Reclamation Fund and to
16 remain available until expended: *Provided*, That pursuant
17 to Public Law 97–365, the Department of the Interior is
18 authorized to use up to 20 percent from the recovery of
19 the delinquent debt owed to the United States Government
20 to pay for contracts to collect these debts: *Provided fur-*
21 *ther*, That funds made available under title IV of Public
22 Law 95–87 may be used for any required non-Federal
23 share of the cost of projects funded by the Federal Gov-
24 ernment for the purpose of environmental restoration re-
25 lated to treatment or abatement of acid mine drainage

1 from abandoned mines: *Provided further*, That such
2 projects must be consistent with the purposes and prior-
3 ities of the Surface Mining Control and Reclamation Act:
4 *Provided further*, That amounts provided under this head-
5 ing may be used for the travel and per diem expenses of
6 State and tribal personnel attending Office of Surface
7 Mining Reclamation and Enforcement sponsored training.

8 In addition, \$75,000,000, to remain available until
9 expended, for grants to States for reclamation of aban-
10 doned mine lands and other related activities in accord-
11 ance with the terms and conditions in the report accom-
12 panying this Act: *Provided*, That such additional amount
13 shall be used for economic and community development
14 in conjunction with the priorities in section 403(a) of the
15 Surface Mining Control and Reclamation Act of 1977 (30
16 U.S.C. 1233(a)): *Provided further*, That such additional
17 amount shall be distributed in equal amounts to the 3 Ap-
18 palachian States with the greatest amount of unfunded
19 needs to meet the priorities described in paragraphs (1)
20 and (2) of such section: *Provided further*, That such addi-
21 tional amount shall be allocated to States within 60 days
22 after the date of enactment of this Act.

1 BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN
2 EDUCATION
3 OPERATION OF INDIAN PROGRAMS
4 (INCLUDING TRANSFER OF FUNDS)

5 For expenses necessary for the operation of Indian
6 programs, as authorized by law, including the Snyder Act
7 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
8 termination and Education Assistance Act of 1975 (25
9 U.S.C. 5301 et seq.), the Education Amendments of 1978
10 (25 U.S.C. 2001–2019), and the Tribally Controlled
11 Schools Act of 1988 (25 U.S.C. 2501 et seq.),
12 \$2,362,211,000, to remain available until September 30,
13 2019, except as otherwise provided herein; of which not
14 to exceed \$8,500 may be for official reception and rep-
15 resentation expenses; of which not to exceed \$74,650,000
16 shall be for welfare assistance payments: *Provided*, That
17 in cases of designated Federal disasters, the Secretary
18 may exceed such cap, from the amounts provided herein,
19 to provide for disaster relief to Indian communities af-
20 fected by the disaster: *Provided further*, That federally rec-
21 ognized Indian tribes and tribal organizations of federally
22 recognized Indian tribes may use their tribal priority allo-
23 cations for unmet welfare assistance costs: *Provided fur-*
24 *ther*, That not to exceed \$662,570,000 for school oper-
25 ations costs of Bureau-funded schools and other education

1 programs shall become available on July 1, 2018, and
2 shall remain available until September 30, 2019: *Provided*
3 *further*, That not to exceed \$50,991,000 shall remain
4 available until expended for housing improvement, road
5 maintenance, attorney fees, litigation support, land
6 records improvement, and the Navajo-Hopi Settlement
7 Program: *Provided further*, That notwithstanding any
8 other provision of law, including but not limited to the
9 Indian Self-Determination Act of 1975 (25 U.S.C. 5301
10 et seq.) and section 1128 of the Education Amendments
11 of 1978 (25 U.S.C. 2008), not to exceed \$80,168,000
12 within and only from such amounts made available for
13 school operations shall be available for administrative cost
14 grants associated with grants approved prior to July 1,
15 2018: *Provided further*, That any forestry funds allocated
16 to a federally recognized tribe which remain unobligated
17 as of September 30, 2019, may be transferred during fis-
18 cal year 2020 to an Indian forest land assistance account
19 established for the benefit of the holder of the funds within
20 the holder's trust fund account: *Provided further*, That
21 any such unobligated balances not so transferred shall ex-
22 pire on September 30, 2020: *Provided further*, That in
23 order to enhance the safety of Bureau field employees, the
24 Bureau may use funds to purchase uniforms or other iden-
25 tifying articles of clothing for personnel: *Provided further*,

1 That the Bureau of Indian Affairs may accept transfers
2 of funds from U.S. Customs and Border Protection to
3 supplement any other funding available for reconstruction
4 or repair of roads on the Tohono O’odham Nation.

5 CONTRACT SUPPORT COSTS

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

15 CONSTRUCTION

16 (INCLUDING TRANSFER OF FUNDS)

17 For construction, repair, improvement, and mainte-
18 nance of irrigation and power systems, buildings, utilities,
19 and other facilities, including architectural and engineer-
20 ing services by contract; acquisition of lands, and interests
21 in lands; and preparation of lands for farming, and for
22 construction of the Navajo Indian Irrigation Project pur-
23 suant to Public Law 87–483; \$202,213,000, to remain
24 available until expended: *Provided*, That such amounts as
25 may be available for the construction of the Navajo Indian

1 Irrigation Project may be transferred to the Bureau of
2 Reclamation: *Provided further*, That not to exceed 6 per-
3 cent of contract authority available to the Bureau of In-
4 dian Affairs from the Federal Highway Trust Fund may
5 be used to cover the road program management costs of
6 the Bureau: *Provided further*, That any funds provided for
7 the Safety of Dams program pursuant to the Act of No-
8 vember 2, 1921 (25 U.S.C. 13), shall be made available
9 on a nonreimbursable basis: *Provided further*, That for fis-
10 cal year 2018, in implementing new construction, replace-
11 ment facilities construction, or facilities improvement and
12 repair project grants in excess of \$100,000 that are pro-
13 vided to grant schools under Public Law 100–297, the
14 Secretary of the Interior shall use the Administrative and
15 Audit Requirements and Cost Principles for Assistance
16 Programs contained in part 12 of title 43, Code of Federal
17 Regulations, as the regulatory requirements: *Provided fur-*
18 *ther*, That such grants shall not be subject to section
19 12.61 of title 43, Code of Federal Regulations; the Sec-
20 retary and the grantee shall negotiate and determine a
21 schedule of payments for the work to be performed: *Pro-*
22 *vided further*, That in considering grant applications, the
23 Secretary shall consider whether such grantee would be
24 deficient in assuring that the construction projects con-
25 form to applicable building standards and codes and Fed-

1 eral, tribal, or State health and safety standards as re-
2 quired by section 1125(b) of Public Law 95–561 (25
3 U.S.C. 2005(b)), with respect to organizational and finan-
4 cial management capabilities: *Provided further*, That if the
5 Secretary declines a grant application, the Secretary shall
6 follow the requirements contained in section 5205(f) of
7 Public Law 100–296 (25 U.S.C. 2504(f)): *Provided fur-*
8 *ther*, That any disputes between the Secretary and any
9 grantee concerning a grant shall be subject to the disputes
10 provision in section 2508 of Public Law 100–297 (25
11 U.S.C. 2507(e)): *Provided further*, That in order to ensure
12 timely completion of construction projects, the Secretary
13 may assume control of a project and all funds related to
14 the project, if, within 18 months of the date of enactment
15 of this Act, any grantee receiving funds appropriated in
16 this Act or in any prior Act, has not completed the plan-
17 ning and design phase of the project and commenced con-
18 struction: *Provided further*, That this appropriation may
19 be reimbursed from the Office of the Special Trustee for
20 American Indians appropriation for the appropriate share
21 of construction costs for space expansion needed in agency
22 offices to meet trust reform implementation.

1 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
2 MISCELLANEOUS PAYMENTS TO INDIANS

3 For payments and necessary administrative expenses
4 for implementation of Indian land and water claim settle-
5 ments pursuant to Public Laws 99–264, 100–580, 101–
6 618, 111–11, 111–291, and 114–322, and for implemen-
7 tation of other land and water rights settlements,
8 \$55,457,000, to remain available until expended.

9 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

10 For the cost of guaranteed loans and insured loans,
11 \$9,272,000, of which \$1,252,000 is for administrative ex-
12 penses, as authorized by the Indian Financing Act of
13 1974: *Provided*, That such costs, including the cost of
14 modifying such loans, shall be as defined in section 502
15 of the Congressional Budget Act of 1974: *Provided fur-*
16 *ther*, That these funds are available to subsidize total loan
17 principal, any part of which is to be guaranteed or insured,
18 not to exceed \$123,565,389.

19 ADMINISTRATIVE PROVISIONS

20 The Bureau of Indian Affairs may carry out the oper-
21 ation of Indian programs by direct expenditure, contracts,
22 cooperative agreements, compacts, and grants, either di-
23 rectly or in cooperation with States and other organiza-
24 tions.

1 Notwithstanding Public Law 87–279 (25 U.S.C. 15),
2 the Bureau of Indian Affairs may contract for services in
3 support of the management, operation, and maintenance
4 of the Power Division of the San Carlos Irrigation Project.

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

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

23 Notwithstanding any other provision of law, no funds
24 available to the Bureau of Indian Education, other than
25 the amounts provided herein for assistance to public

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

4 No funds available to the Bureau of Indian Edu-
5 cation shall be used to support expanded grades for any
6 school or dormitory beyond the grade structure in place
7 or approved by the Secretary of the Interior at each school
8 in the Bureau of Indian Education school system as of
9 October 1, 1995, except that the Secretary of the Interior
10 may waive this prohibition when the Secretary determines
11 such waiver is needed to support accomplishment of the
12 mission of the Bureau of Indian Education. Appropria-
13 tions made available in this or any prior Act for schools
14 funded by the Bureau shall be available, in accordance
15 with the Bureau's funding formula, only to the schools in
16 the Bureau school system as of September 1, 1996, and
17 to any school or school program that was reinstated in
18 fiscal year 2012. Funds made available under this Act
19 may not be used to establish a charter school at a Bureau-
20 funded school (as that term is defined in section 1141 of
21 the Education Amendments of 1978 (25 U.S.C. 2021)),
22 except that a charter school that is in existence on the
23 date of the enactment of this Act and that has operated
24 at a Bureau-funded school before September 1, 1999, may
25 continue to operate during that period, but only if the

1 charter school pays to the Bureau a pro rata share of
2 funds to reimburse the Bureau for the use of the real and
3 personal property (including buses and vans), the funds
4 of the charter school are kept separate and apart from
5 Bureau funds, and the Bureau does not assume any obli-
6 gation for charter school programs of the State in which
7 the school is located if the charter school loses such fund-
8 ing. Employees of Bureau-funded schools sharing a cam-
9 pus with a charter school and performing functions related
10 to the charter school's operation and employees of a char-
11 ter school shall not be treated as Federal employees for
12 purposes of chapter 171 of title 28, United States Code.

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

21 Funds available under this Act may not be used to
22 establish satellite locations of schools in the Bureau school
23 system as of September 1, 1996, except that the Secretary
24 may waive this prohibition in order for an Indian tribe
25 to provide language and cultural immersion educational

1 programs for non-public schools located within the juris-
2 dictional area of the tribal government which exclusively
3 serve tribal members, do not include grades beyond those
4 currently served at the existing Bureau-funded school,
5 provide an educational environment with educator pres-
6 ence and academic facilities comparable to the Bureau-
7 funded school, comply with all applicable Tribal, Federal,
8 or State health and safety standards, and the Americans
9 with Disabilities Act, and demonstrate the benefits of es-
10 tablishing operations at a satellite location in lieu of incur-
11 ring extraordinary costs, such as for transportation or
12 other impacts to students such as those caused by busing
13 students extended distances: *Provided*, That no funds
14 available under this Act may be used to fund operations,
15 maintenance, rehabilitation, construction or other facili-
16 ties-related costs for such assets that are not owned by
17 the Bureau: *Provided further*, That the term “satellite
18 school” means a school location physically separated from
19 the existing Bureau school by more than 50 miles but that
20 forms part of the existing school in all other respects.

21 DEPARTMENTAL OFFICES

22 OFFICE OF THE SECRETARY

23 DEPARTMENTAL OPERATIONS

24 For necessary expenses for management of the De-
25 partment of the Interior and for grants and cooperative

1 agreements, as authorized by law, \$122,940,000, to re-
 2 main available until September 30, 2019; of which not to
 3 exceed \$15,000 may be for official reception and represen-
 4 tation expenses; and of which up to \$1,000,000 shall be
 5 available for workers compensation payments and unem-
 6 ployment compensation payments associated with the or-
 7 derly closure of the United States Bureau of Mines; and
 8 of which \$9,000,000 for the Office of Valuation Services
 9 is to be derived from the Land and Water Conservation
 10 Fund and shall remain available until expended.

11 ADMINISTRATIVE PROVISIONS

12 For fiscal year 2018, up to \$400,000 of the payments
 13 authorized by chapter 69 of title 31, United States Code,
 14 may be retained for administrative expenses of the Pay-
 15 ments in Lieu of Taxes Program: *Provided*, That the
 16 amounts provided under this Act specifically for the Pay-
 17 ments in Lieu of Taxes program are the only amounts
 18 available for payments authorized under chapter 69 of
 19 title 31, United States Code: *Provided further*, That in the
 20 event the sums appropriated for any fiscal year for pay-
 21 ments pursuant to this chapter are insufficient to make
 22 the full payments authorized by that chapter to all units
 23 of local government, then the payment to each local gov-
 24 ernment shall be made proportionally: *Provided further*,
 25 That the Secretary may make adjustments to payment to

1 individual units of local government to correct for prior
2 overpayments or underpayments: *Provided further*, That
3 no payment shall be made pursuant to that chapter to oth-
4 erwise eligible units of local government if the computed
5 amount of the payment is less than \$100.

6 INSULAR AFFAIRS

7 ASSISTANCE TO TERRITORIES

8 For expenses necessary for assistance to territories
9 under the jurisdiction of the Department of the Interior
10 and other jurisdictions identified in section 104(e) of Pub-
11 lic Law 108–188, \$90,930,000, of which: (1) \$81,500,000
12 shall remain available until expended for territorial assist-
13 ance, including general technical assistance, maintenance
14 assistance, disaster assistance, coral reef initiative activi-
15 ties, and brown tree snake control and research; grants
16 to the judiciary in American Samoa for compensation and
17 expenses, as authorized by subsection (c) of the Act of
18 February 20, 1929 (48 U.S.C. 1661(c)); grants to the
19 Government of American Samoa, in addition to current
20 local revenues, for construction and support of govern-
21 mental functions; grants to the Government of the Virgin
22 Islands, as authorized by law; grants to the Government
23 of Guam, as authorized by law; and grants to the Govern-
24 ment of the Northern Mariana Islands, as authorized by
25 Public Law 94–241 (90 Stat. 272); and (2) \$9,430,000

1 shall be available until September 30, 2019, for salaries
2 and expenses of the Office of Insular Affairs: *Provided*,
3 That all financial transactions of the territorial and local
4 governments herein provided for, including such trans-
5 actions of all agencies or instrumentalities established or
6 used by such governments, may be audited by the Govern-
7 ment Accountability Office, at its discretion, in accordance
8 with chapter 35 of title 31, United States Code: *Provided*
9 *further*, That Northern Mariana Islands Covenant grant
10 funding shall be provided according to those terms of the
11 Agreement of the Special Representatives on Future
12 United States Financial Assistance for the Northern Mar-
13 iana Islands approved by Public Law 104–134: *Provided*
14 *further*, That the funds for the program of operations and
15 maintenance improvement are appropriated to institu-
16 tionalize routine operations and maintenance improvement
17 of capital infrastructure with territorial participation and
18 cost sharing to be determined by the Secretary based on
19 the grantee’s commitment to timely maintenance of its
20 capital assets: *Provided further*, That any appropriation
21 for disaster assistance under this heading in this Act or
22 previous appropriations Acts may be used as non–Federal
23 matching funds for the purpose of hazard mitigation
24 grants provided pursuant to section 404 of the Robert T.

1 Stafford Disaster Relief and Emergency Assistance Act
2 (42 U.S.C. 5170c).

3 COMPACT OF FREE ASSOCIATION

4 For grants and necessary expenses, \$3,300,000, to
5 remain available until expended, as provided for in sec-
6 tions 221(a)(2) and 233 of the Compact of Free Associa-
7 tion for the Republic of Palau; and section 221(a)(2) of
8 the Compacts of Free Association for the Government of
9 the Republic of the Marshall Islands and the Federated
10 States of Micronesia, as authorized by Public Law 99–
11 658 and Public Law 108–188.

12 ADMINISTRATIVE PROVISIONS

13 (INCLUDING TRANSFER OF FUNDS)

14 At the request of the Governor of Guam, the Sec-
15 retary may transfer discretionary funds or mandatory
16 funds provided under section 104(e) of Public Law 108–
17 188 and Public Law 104–134, that are allocated for
18 Guam, to the Secretary of Agriculture for the subsidy cost
19 of direct or guaranteed loans, plus not to exceed three per-
20 cent of the amount of the subsidy transferred for the cost
21 of loan administration, for the purposes authorized by the
22 Rural Electrification Act of 1936 and section 306(a)(1)
23 of the Consolidated Farm and Rural Development Act for
24 construction and repair projects in Guam, and such funds
25 shall remain available until expended: *Provided*, That such

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

12 OFFICE OF THE SOLICITOR

13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of the Solicitor,
 15 \$65,675,000.

16 OFFICE OF INSPECTOR GENERAL

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of Inspector
 19 General, \$49,952,000.

20 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN

21 INDIANS

22 FEDERAL TRUST PROGRAMS

23 (INCLUDING TRANSFER OF FUNDS)

24 For the operation of trust programs for Indians by
 25 direct expenditure, contracts, cooperative agreements,

1 compacts, and grants, \$119,400,000, to remain available
2 until expended, of which not to exceed \$18,990,000 from
3 this or any other Act, may be available for historical ac-
4 counting: *Provided*, That funds for trust management im-
5 provements and litigation support may, as needed, be
6 transferred to or merged with the Bureau of Indian Af-
7 fairs and Bureau of Indian Education, “Operation of In-
8 dian Programs” account; the Office of the Solie-
9 itor, “Salaries and Expenses” account; and the Office of
10 the Secretary, “Departmental Operations” account: *Pro-*
11 *vided further*, That funds made available through con-
12 tracts or grants obligated during fiscal year 2018, as au-
13 thorized by the Indian Self-Determination Act of 1975 (25
14 U.S.C. 5301 et seq.), shall remain available until expended
15 by the contractor or grantee: *Provided further*, That not-
16 withstanding any other provision of law, the Secretary
17 shall not be required to provide a quarterly statement of
18 performance for any Indian trust account that has not had
19 activity for at least 15 months and has a balance of \$15
20 or less: *Provided further*, That the Secretary shall issue
21 an annual account statement and maintain a record of any
22 such accounts and shall permit the balance in each such
23 account to be withdrawn upon the express written request
24 of the account holder: *Provided further*, That not to exceed
25 \$50,000 is available for the Secretary to make payments

1 to correct administrative errors of either disbursements
2 from or deposits to Individual Indian Money or Tribal ac-
3 counts after September 30, 2002: *Provided further*, That
4 erroneous payments that are recovered shall be credited
5 to and remain available in this account for this purpose:
6 *Provided further*, That the Secretary shall not be required
7 to reconcile Special Deposit Accounts with a balance of
8 less than \$500 unless the Office of the Special Trustee
9 receives proof of ownership from a Special Deposit Ac-
10 counts claimant: *Provided further*, That notwithstanding
11 section 102 of the American Indian Trust Fund Manage-
12 ment Reform Act of 1994 (Public Law 103–412) or any
13 other provision of law, the Secretary may aggregate the
14 trust accounts of individuals whose whereabouts are un-
15 known for a continuous period of at least five years and
16 shall not be required to generate periodic statements of
17 performance for the individual accounts: *Provided further*,
18 That with respect to the eighth proviso, the Secretary shall
19 continue to maintain sufficient records to determine the
20 balance of the individual accounts, including any accrued
21 interest and income, and such funds shall remain available
22 to the individual account holders.

1 DEPARTMENT-WIDE PROGRAMS

2 WILDLAND FIRE MANAGEMENT

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses for fire preparedness, fire
5 suppression operations, fire science and research, emer-
6 gency rehabilitation, fuels management activities, and
7 rural fire assistance by the Department of the Interior,
8 \$935,850,000, to remain available until expended, of
9 which not to exceed \$8,212,000 shall be for the renovation
10 or construction of fire facilities: *Provided*, That such funds
11 are also available for repayment of advances to other ap-
12 propriation accounts from which funds were previously
13 transferred for such purposes: *Provided further*, That of
14 the funds provided \$182,500,000 is for fuels management
15 activities: *Provided further*, That of the funds provided
16 \$19,948,000 is for burned area rehabilitation: *Provided*
17 *further*, That persons hired pursuant to 43 U.S.C. 1469
18 may be furnished subsistence and lodging without cost
19 from funds available from this appropriation: *Provided*
20 *further*, That notwithstanding 42 U.S.C. 1856d, sums re-
21 ceived by a bureau or office of the Department of the Inte-
22 rior for fire protection rendered pursuant to 42 U.S.C.
23 1856 et seq., protection of United States property, may
24 be credited to the appropriation from which funds were
25 expended to provide that protection, and are available

1 without fiscal year limitation: *Provided further*, That using
2 the amounts designated under this title of this Act, the
3 Secretary of the Interior may enter into procurement con-
4 tracts, grants, or cooperative agreements, for fuels man-
5 agement activities, and for training and monitoring associ-
6 ated with such fuels management activities on Federal
7 land, or on adjacent non-Federal land for activities that
8 benefit resources on Federal land: *Provided further*, That
9 the costs of implementing any cooperative agreement be-
10 tween the Federal Government and any non-Federal entity
11 may be shared, as mutually agreed on by the affected par-
12 ties: *Provided further*, That notwithstanding requirements
13 of the Competition in Contracting Act, the Secretary, for
14 purposes of fuels management activities, may obtain max-
15 imum practicable competition among: (1) local private,
16 nonprofit, or cooperative entities; (2) Youth Conservation
17 Corps crews, Public Lands Corps (Public Law 109–154),
18 or related partnerships with State, local, or nonprofit
19 youth groups; (3) small or micro-businesses; or (4) other
20 entities that will hire or train locally a significant percent-
21 age, defined as 50 percent or more, of the project work-
22 force to complete such contracts: *Provided further*, That
23 in implementing this section, the Secretary shall develop
24 written guidance to field units to ensure accountability
25 and consistent application of the authorities provided here-

1 in: *Provided further*, That funds appropriated under this
2 heading may be used to reimburse the United States Fish
3 and Wildlife Service and the National Marine Fisheries
4 Service for the costs of carrying out their responsibilities
5 under the Endangered Species Act of 1973 (16 U.S.C.
6 1531 et seq.) to consult and conference, as required by
7 section 7 of such Act, in connection with wildland fire
8 management activities: *Provided further*, That the Sec-
9 retary of the Interior may use wildland fire appropriations
10 to enter into leases of real property with local govern-
11 ments, at or below fair market value, to construct capital-
12 ized improvements for fire facilities on such leased prop-
13 erties, including but not limited to fire guard stations, re-
14 tardant stations, and other initial attack and fire support
15 facilities, and to make advance payments for any such
16 lease or for construction activity associated with the lease:
17 *Provided further*, That the Secretary of the Interior and
18 the Secretary of Agriculture may authorize the transfer
19 of funds appropriated for wildland fire management, in
20 an aggregate amount not to exceed \$50,000,000, between
21 the Departments when such transfers would facilitate and
22 expedite wildland fire management programs and projects:
23 *Provided further*, That funds provided for wildfire suppres-
24 sion shall be available for support of Federal emergency
25 response actions: *Provided further*, That funds appro-

1 priated under this heading shall be available for assistance
 2 to or through the Department of State in connection with
 3 forest and rangeland research, technical information, and
 4 assistance in foreign countries, and, with the concurrence
 5 of the Secretary of State, shall be available to support for-
 6 estry, wildland fire management, and related natural re-
 7 source activities outside the United States and its terri-
 8 tories and possessions, including technical assistance, edu-
 9 cation and training, and cooperation with United States
 10 and international organizations.

11 CENTRAL HAZARDOUS MATERIALS FUND

12 For necessary expenses of the Department of the In-
 13 terior and any of its component offices and bureaus for
 14 the response action, including associated activities, per-
 15 formed pursuant to the Comprehensive Environmental Re-
 16 sponse, Compensation, and Liability Act (42 U.S.C. 9601
 17 et seq.), \$10,010,000, to remain available until expended.

18 NATURAL RESOURCE DAMAGE ASSESSMENT AND

19 RESTORATION

20 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

21 To conduct natural resource damage assessment, res-
 22 toration activities, and onshore oil spill preparedness by
 23 the Department of the Interior necessary to carry out the
 24 provisions of the Comprehensive Environmental Response,
 25 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),

1 the Federal Water Pollution Control Act (33 U.S.C. 1251
2 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701
3 et seq.), and 54 U.S.C. 100721 et seq., \$7,568,000, to
4 remain available until expended.

5 WORKING CAPITAL FUND

6 For the operation and maintenance of a departmental
7 financial and business management system, information
8 technology improvements of general benefit to the Depart-
9 ment, cybersecurity, and the consolidation of facilities and
10 operations throughout the Department, \$65,388,000, to
11 remain available until expended: *Provided*, That none of
12 the funds appropriated in this Act or any other Act may
13 be used to establish reserves in the Working Capital Fund
14 account other than for accrued annual leave and deprecia-
15 tion of equipment without prior approval of the Commit-
16 tees on Appropriations of the House of Representatives
17 and the Senate: *Provided further*, That the Secretary may
18 assess reasonable charges to State, local and tribal govern-
19 ment employees for training services provided by the Na-
20 tional Indian Program Training Center, other than train-
21 ing related to Public Law 93–638: *Provided further*, That
22 the Secretary may lease or otherwise provide space and
23 related facilities, equipment or professional services of the
24 National Indian Program Training Center to State, local
25 and tribal government employees or persons or organiza-

1 tions engaged in cultural, educational, or recreational ac-
 2 tivities (as defined in section 3306(a) of title 40, United
 3 States Code) at the prevailing rate for similar space, facili-
 4 ties, equipment, or services in the vicinity of the National
 5 Indian Program Training Center: *Provided further*, That
 6 all funds received pursuant to the two preceding provisos
 7 shall be credited to this account, shall be available until
 8 expended, and shall be used by the Secretary for necessary
 9 expenses of the National Indian Program Training Center:
 10 *Provided further*, That the Secretary may enter into grants
 11 and cooperative agreements to support the Office of Nat-
 12 ural Resource Revenue's collection and disbursement of
 13 royalties, fees, and other mineral revenue proceeds, as au-
 14 thorized by law.

15 ADMINISTRATIVE PROVISION

16 There is hereby authorized for acquisition from avail-
 17 able resources within the Working Capital Fund, aircraft
 18 which may be obtained by donation, purchase or through
 19 available excess surplus property: *Provided*, That existing
 20 aircraft being replaced may be sold, with proceeds derived
 21 or trade-in value used to offset the purchase price for the
 22 replacement aircraft.

23 OFFICE OF NATURAL RESOURCES REVENUE

24 For necessary expenses for management of the collec-
 25 tion and disbursement of royalties, fees, and other mineral

1 revenue proceeds, and for grants and cooperative agree-
 2 ments, as authorized by law, \$137,757,000, to remain
 3 available until September 30, 2019; of which \$41,727,000
 4 shall remain available until expended for the purpose of
 5 mineral revenue management activities: *Provided*, That
 6 notwithstanding any other provision of law, \$15,000 shall
 7 be available for refunds of overpayments in connection
 8 with certain Indian leases in which the Secretary con-
 9 curred with the claimed refund due, to pay amounts owed
 10 to Indian allottees or tribes, or to correct prior unrecover-
 11 able erroneous payments.

12 PAYMENTS IN LIEU OF TAXES

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

16 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR 17 (INCLUDING TRANSFERS OF FUNDS)

18 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

19 SEC. 101. Appropriations made in this title shall be
 20 available for expenditure or transfer (within each bureau
 21 or office), with the approval of the Secretary, for the emer-
 22 gency reconstruction, replacement, or repair of aircraft,
 23 buildings, utilities, or other facilities or equipment dam-
 24 aged or destroyed by fire, flood, storm, or other unavoid-
 25 able causes: *Provided*, That no funds shall be made avail-

1 able under this authority until funds specifically made
2 available to the Department of the Interior for emer-
3 gencies shall have been exhausted: *Provided further*, That
4 all funds used pursuant to this section must be replenished
5 by a supplemental appropriation, which must be requested
6 as promptly as possible.

7 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

8 SEC. 102. The Secretary may authorize the expendi-
9 ture or transfer of any no year appropriation in this title,
10 in addition to the amounts included in the budget pro-
11 grams of the several agencies, for the suppression or emer-
12 gency prevention of wildland fires on or threatening lands
13 under the jurisdiction of the Department of the Interior;
14 for the emergency rehabilitation of burned-over lands
15 under its jurisdiction; for emergency actions related to po-
16 tential or actual earthquakes, floods, volcanoes, storms, or
17 other unavoidable causes; for contingency planning subse-
18 quent to actual oil spills; for response and natural resource
19 damage assessment activities related to actual oil spills or
20 releases of hazardous substances into the environment; for
21 the prevention, suppression, and control of actual or po-
22 tential grasshopper and Mormon cricket outbreaks on
23 lands under the jurisdiction of the Secretary, pursuant to
24 the authority in section 417(b) of Public Law 106–224
25 (7 U.S.C. 7717(b)); for emergency reclamation projects

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

1 AUTHORIZED USE OF FUNDS

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

17 AUTHORIZED USE OF FUNDS, INDIAN TRUST

18 MANAGEMENT

19 SEC. 104. Appropriations made in this Act under the
20 headings Bureau of Indian Affairs and Bureau of Indian
21 Education, and Office of the Special Trustee for American
22 Indians and any unobligated balances from prior appro-
23 priations Acts made under the same headings shall be
24 available for expenditure or transfer for Indian trust man-
25 agement and reform activities. Total funding for historical

1 accounting activities shall not exceed amounts specifically
2 designated in this Act for such purpose.

3 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN
4 AFFAIRS

5 SEC. 105. Notwithstanding any other provision of
6 law, the Secretary of the Interior is authorized to redis-
7 tribute any Tribal Priority Allocation funds, including
8 tribal base funds, to alleviate tribal funding inequities by
9 transferring funds to address identified, unmet needs,
10 dual enrollment, overlapping service areas or inaccurate
11 distribution methodologies. No tribe shall receive a reduc-
12 tion in Tribal Priority Allocation funds of more than 10
13 percent in fiscal year 2018. Under circumstances of dual
14 enrollment, overlapping service areas or inaccurate dis-
15 tribution methodologies, the 10 percent limitation does not
16 apply.

17 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

18 SEC. 106. Notwithstanding any other provision of
19 law, the Secretary of the Interior is authorized to acquire
20 lands, waters, or interests therein including the use of all
21 or part of any pier, dock, or landing within the State of
22 New York and the State of New Jersey, for the purpose
23 of operating and maintaining facilities in the support of
24 transportation and accommodation of visitors to Ellis,
25 Governors, and Liberty Islands, and of other program and

1 administrative activities, by donation or with appropriated
2 funds, including franchise fees (and other monetary con-
3 sideration), or by exchange; and the Secretary is author-
4 ized to negotiate and enter into leases, subleases, conces-
5 sion contracts or other agreements for the use of such fa-
6 cilities on such terms and conditions as the Secretary may
7 determine reasonable.

8 OUTER CONTINENTAL SHELF INSPECTION FEES

9 SEC. 107. (a) In fiscal year 2018, the Secretary shall
10 collect a nonrefundable inspection fee, which shall be de-
11 posited in the “Offshore Safety and Environmental En-
12 forcement” account, from the designated operator for fa-
13 cilities subject to inspection under 43 U.S.C. 1348(c).

14 (b) Annual fees shall be collected for facilities that
15 are above the waterline, excluding drilling rigs, and are
16 in place at the start of the fiscal year. Fees for fiscal year
17 2018 shall be:

18 (1) \$10,500 for facilities with no wells, but with
19 processing equipment or gathering lines;

20 (2) \$17,000 for facilities with 1 to 10 wells,
21 with any combination of active or inactive wells; and

22 (3) \$31,500 for facilities with more than 10
23 wells, with any combination of active or inactive
24 wells.

1 (c) Fees for drilling rigs shall be assessed for all in-
2 spections completed in fiscal year 2018. Fees for fiscal
3 year 2018 shall be:

4 (1) \$30,500 per inspection for rigs operating in
5 water depths of 500 feet or more; and

6 (2) \$16,700 per inspection for rigs operating in
7 water depths of less than 500 feet.

8 (d) The Secretary shall bill designated operators
9 under subsection (b) within 60 days, with payment re-
10 quired within 30 days of billing. The Secretary shall bill
11 designated operators under subsection (c) within 30 days
12 of the end of the month in which the inspection occurred,
13 with payment required within 30 days of billing.

14 BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION
15 AND ENFORCEMENT REORGANIZATION

16 SEC. 108. The Secretary of the Interior, in order to
17 implement a reorganization of the Bureau of Ocean En-
18 ergy Management, Regulation and Enforcement, may
19 transfer funds among and between the successor offices
20 and bureaus affected by the reorganization only in con-
21 formance with the reprogramming guidelines described in
22 the report accompanying this Act.

1 CONTRACTS AND AGREEMENTS FOR WILD HORSE AND
2 BURRO HOLDING FACILITIES

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

15 MASS MARKING OF SALMONIDS

16 SEC. 110. The United States Fish and Wildlife Serv-
17 ice shall, in carrying out its responsibilities to protect
18 threatened and endangered species of salmon, implement
19 a system of mass marking of salmonid stocks, intended
20 for harvest, that are released from federally operated or
21 federally financed hatcheries including but not limited to
22 fish releases of coho, chinook, and steelhead species.
23 Marked fish must have a visible mark that can be readily
24 identified by commercial and recreational fishers.

1 EXHAUSTION OF ADMINISTRATIVE REVIEW

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

7 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

8 SEC. 112. Notwithstanding any other provision of
9 law, during fiscal year 2018, in carrying out work involv-
10 ing cooperation with State, local, and tribal governments
11 or any political subdivision thereof, Indian Affairs may
12 record obligations against accounts receivable from any
13 such entities, except that total obligations at the end of
14 the fiscal year shall not exceed total budgetary resources
15 available at the end of the fiscal year.

16 SAGE-GROUSE

17 SEC. 113. None of the funds made available by this
18 or any other Act may be used by the Secretary of the Inte-
19 rior to write or issue pursuant to section 4 of the Endan-
20 gered Species Act of 1973 (16 U.S.C. 1533)—

- 21 (1) a proposed rule for greater sage-grouse
22 (*Centrocercus urophasianus*);
23 (2) a proposed rule for the Columbia basin dis-
24 tinct population segment of greater sage-grouse.

1 HUMANE TRANSFER OF EXCESS ANIMALS

2 SEC. 114. Notwithstanding any other provision of
3 law, the Secretary of the Interior may transfer excess wild
4 horses or burros that have been removed from the public
5 lands to other Federal, State, and local government agen-
6 cies for use as work animals: *Provided*, That the Secretary
7 may make any such transfer immediately upon request of
8 such Federal, State, or local government agency: *Provided*
9 *further*, That any excess animal transferred under this
10 provision shall lose its status as a wild free-roaming horse
11 or burro as defined in the Wild Free-Roaming Horses and
12 Burros Act: *Provided further*, That any Federal, State, or
13 local government agency receiving excess wild horses or
14 burros as authorized in this section shall not: destroy the
15 horses or burros in a way that results in their destruction
16 into commercial products; sell or otherwise transfer the
17 horses or burros in a way that results in their destruction
18 for processing into commercial products; or euthanize the
19 horses or burros except upon the recommendation of a li-
20 censed veterinarian, in cases of severe injury, illness, or
21 advanced age.

22 PROHIBITION ON USE OF FUNDS FOR CERTAIN HISTORIC
23 DESIGNATION

24 SEC. 115. None of the funds made available by this
25 Act may be used to make a determination of eligibility

1 or to list the Trestles Historic District, San Diego County,
2 California, on the National Register of Historic Places.

3 REISSUANCE OF FINAL RULES

4 SEC. 116. Before the end of the 60-day period begin-
5 ning on the date of the enactment of this Act, the Sec-
6 retary of the Interior shall reissue the final rule published
7 on December 28, 2011 (76 Fed. Reg. 81666 et seq.) and
8 the final rule published on September 10, 2012 (77 Fed.
9 Reg. 55530 et seq.), without regard to any other provision
10 of statute or regulation that applies to issuance of such
11 rules. Such reissuances (including this section) shall not
12 be subject to judicial review.

13 GRAY WOLVES RANGE-WIDE

14 SEC. 117. None of the funds made available by this
15 Act may be used by the Secretary of the Interior to treat
16 any gray wolf in any of the 48 contiguous States or the
17 District of Columbia as an endangered species or threat-
18 ened species under the Endangered Species Act of 1973
19 (16 U.S.C. 1531 et seq.).

20 TITLE II

21 ENVIRONMENTAL PROTECTION AGENCY

22 SCIENCE AND TECHNOLOGY

23 (INCLUDING RESCISSION OF FUNDS)

24 For science and technology, including research and
25 development activities, which shall include research and

1 development activities under the Comprehensive Environ-
2 mental Response, Compensation, and Liability Act of
3 1980; necessary expenses for personnel and related costs
4 and travel expenses; procurement of laboratory equipment
5 and supplies; and other operating expenses in support of
6 research and development, \$629,238,000, to remain avail-
7 able until September 30, 2019: *Provided*, That of the
8 funds included under this heading, \$4,100,000 shall be for
9 Research: National Priorities as specified in the report ac-
10 companying this Act: *Provided further*, That of the unobli-
11 gated balances from appropriations made available under
12 this heading, \$27,000,000 are permanently rescinded.

13 ENVIRONMENTAL PROGRAMS AND MANAGEMENT
14 (INCLUDING RESCISSION OF FUNDS)

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

1 tation expenses, \$2,398,840,000, to remain available until
2 September 30, 2019: *Provided*, That of the amounts pro-
3 vided under this heading, the Chemical Risk Review and
4 Reduction program project shall be allocated for this fiscal
5 year, excluding the amount of any fees made available, not
6 less than the amount of appropriations for that program
7 project for fiscal year 2014: *Provided further*, That of the
8 funds included under this heading, \$12,700,000 shall be
9 for Environmental Protection: National Priorities as speci-
10 fied in the report accompanying this Act: *Provided further*,
11 That of the funds included under this heading,
12 \$402,000,000 shall be for Geographic Programs specified
13 in the report accompanying this Act: *Provided further*,
14 That of the unobligated balances from appropriations
15 made available under this heading, \$41,000,000 are per-
16 manently rescinded.

17 HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM
18 FUND

19 For necessary expenses to carry out section 3024 of
20 the Solid Waste Disposal Act (42 U.S.C. 6939g), includ-
21 ing the development, operation, maintenance, and upgrad-
22 ing of the hazardous waste electronic manifest system es-
23 tablished by such section, \$3,674,000, to remain available
24 until September 30, 2020: *Provided*, That the sum herein
25 appropriated from the general fund shall be reduced as

1 offsetting collections under such section 3024 are received
2 during fiscal year 2018, which shall remain available until
3 expended and be used for necessary expenses in this ap-
4 propriation, so as to result in a final fiscal year 2018 ap-
5 propriation from the general fund estimated at not more
6 than \$0: *Provided further*, That to the extent such offset-
7 ting collections received in fiscal year 2018 exceed
8 \$3,674,000, those excess amounts shall remain available
9 until expended and be used for necessary expenses in this
10 appropriation.

11 OFFICE OF INSPECTOR GENERAL

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

16 BUILDINGS AND FACILITIES

17 For construction, repair, improvement, extension, al-
18 teration, and purchase of fixed equipment or facilities of,
19 or for use by, the Environmental Protection Agency,
20 \$39,553,000, to remain available until expended.

21 HAZARDOUS SUBSTANCE SUPERFUND

22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses to carry out the Comprehen-
24 sive Environmental Response, Compensation, and Liabil-
25 ity Act of 1980 (CERCLA), including sections 111(c)(3),

1 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611)
 2 \$1,116,374,000, to remain available until expended, con-
 3 sisting of such sums as are available in the Trust Fund
 4 on September 30, 2017, as authorized by section 517(a)
 5 of the Superfund Amendments and Reauthorization Act
 6 of 1986 (SARA) and up to \$1,116,374,000 as a payment
 7 from general revenues to the Hazardous Substance Super-
 8 fund for purposes as authorized by section 517(b) of
 9 SARA: *Provided*, That funds appropriated under this
 10 heading may be allocated to other Federal agencies in ac-
 11 cordance with section 111(a) of CERCLA: *Provided fur-*
 12 *ther*, That of the funds appropriated under this heading,
 13 \$7,778,000 shall be paid to the “Office of Inspector Gen-
 14 eral” appropriation to remain available until September
 15 30, 2019, and \$15,496,000 shall be paid to the “Science
 16 and Technology” appropriation to remain available until
 17 September 30, 2019.

18 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
 19 PROGRAM

20 For necessary expenses to carry out leaking under-
 21 ground storage tank cleanup activities authorized by sub-
 22 title I of the Solid Waste Disposal Act, \$91,874,000, to
 23 remain available until expended, of which \$66,505,000
 24 shall be for carrying out leaking underground storage tank
 25 cleanup activities authorized by section 9003(h) of the

1 Solid Waste Disposal Act; \$25,369,000 shall be for car-
 2 rying out the other provisions of the Solid Waste Disposal
 3 Act specified in section 9508(c) of the Internal Revenue
 4 Code: *Provided*, That the Administrator is authorized to
 5 use appropriations made available under this heading to
 6 implement section 9013 of the Solid Waste Disposal Act
 7 to provide financial assistance to federally recognized In-
 8 dian tribes for the development and implementation of
 9 programs to manage underground storage tanks.

10 INLAND OIL SPILL PROGRAMS

11 For expenses necessary to carry out the Environ-
 12 mental Protection Agency's responsibilities under the Oil
 13 Pollution Act of 1990, \$18,047,000, to be derived from
 14 the Oil Spill Liability trust fund, to remain available until
 15 expended.

16 STATE AND TRIBAL ASSISTANCE GRANTS

17 For environmental programs and infrastructure as-
 18 sistance, including capitalization grants for State revolv-
 19 ing funds and performance partnership grants,
 20 \$3,288,161,000, to remain available until expended, of
 21 which—

22 (1) \$1,143,887,000 shall be for making capital-
 23 ization grants for the Clean Water State Revolving
 24 Funds under title VI of the Federal Water Pollution
 25 Control Act; and of which \$863,233,000 shall be for

1 making capitalization grants for the Drinking Water
2 State Revolving Funds under section 1452 of the
3 Safe Drinking Water Act: *Provided*, That for fiscal
4 year 2017, funds made available under this title to
5 each State for Clean Water State Revolving Fund
6 capitalization grants and for Drinking Water State
7 Revolving Fund capitalization grants may, at the
8 discretion of each State, be used for projects to ad-
9 dress green infrastructure, water or energy efficiency
10 improvements, or other environmentally innovative
11 activities: *Provided further*, That notwithstanding
12 section 603(d)(7) of the Federal Water Pollution
13 Control Act, the limitation on the amounts in a
14 State water pollution control revolving fund that
15 may be used by a State to administer the fund shall
16 not apply to amounts included as principal in loans
17 made by such fund in fiscal year 2018 and prior
18 years where such amounts represent costs of admin-
19 istering the fund to the extent that such amounts
20 are or were deemed reasonable by the Administrator,
21 accounted for separately from other assets in the
22 fund, and used for eligible purposes of the fund, in-
23 cluding administration: *Provided further*, That for
24 fiscal year 2018, notwithstanding the provisions of
25 subsections (g)(1), (h), and (l) of section 201 of the

1 Federal Water Pollution Control Act, grants made
2 under title II of such Act for American Samoa,
3 Guam, the commonwealth of the Northern Marianas,
4 the United States Virgin Islands, and the District of
5 Columbia may also be made for the purpose of pro-
6 viding assistance: (1) solely for facility plans, design
7 activities, or plans, specifications, and estimates for
8 any proposed project for the construction of treat-
9 ment works; and (2) for the construction, repair, or
10 replacement of privately owned treatment works
11 serving one or more principal residences or small
12 commercial establishments: *Provided further*, That
13 for fiscal year 2018, notwithstanding the provisions
14 of such subsections (g)(1), (h), and (l) of section
15 201 and section 518(c) of the Federal Water Pollu-
16 tion Control Act, funds reserved by the Adminis-
17 trator for grants under section 518(c) of the Federal
18 Water Pollution Control Act may also be used to
19 provide assistance: (1) solely for facility plans, de-
20 sign activities, or plans, specifications, and estimates
21 for any proposed project for the construction of
22 treatment works; and (2) for the construction, re-
23 pair, or replacement of privately owned treatment
24 works serving one or more principal residences or
25 small commercial establishments: *Provided further*,

1 That for fiscal year 2018, notwithstanding any pro-
2 vision of the Federal Water Pollution Control Act
3 and regulations issued pursuant thereof, up to a
4 total of \$2,000,000 of the funds reserved by the Ad-
5 ministrator for grants under section 518(c) of such
6 Act may also be used for grants for training, tech-
7 nical assistance, and educational programs relating
8 to the operation and management of the treatment
9 works specified in section 518(c) of such Act: *Pro-*
10 *vided further,* That for fiscal year 2018, funds re-
11 served under section 518(c) of such Act shall be
12 available for grants only to Indian tribes, as defined
13 in section 518(h) of such Act and former Indian res-
14 ervations in Oklahoma (as determined by the Sec-
15 retary of the Interior) and Native Villages as defined
16 in Public Law 92–203: *Provided further,* That for
17 fiscal year 2018, notwithstanding the limitation on
18 amounts in section 518(c) of the Federal Water Pol-
19 lution Control Act, up to a total of 2 percent of the
20 funds appropriated, or \$30,000,000, whichever is
21 greater, and notwithstanding the limitation on
22 amounts in section 1452(i) of the Safe Drinking
23 Water Act, up to a total of 2 percent of the funds
24 appropriated, or \$20,000,000, whichever is greater,
25 for State Revolving Funds under such Acts may be

1 reserved by the Administrator for grants under sec-
2 tion 518(c) and section 1452(i) of such Acts: *Pro-*
3 *vided further*, That for fiscal year 2018, notwith-
4 standing the amounts specified in section 205(c) of
5 the Federal Water Pollution Control Act, up to 1.5
6 percent of the aggregate funds appropriated for the
7 Clean Water State Revolving Fund program under
8 the Act less any sums reserved under section 518(c)
9 of the Act, may be reserved by the Administrator for
10 grants made under title II of the Federal Water Pol-
11 lution Control Act for American Samoa, Guam, the
12 Commonwealth of the Northern Marianas, and
13 United States Virgin Islands: *Provided further*, That
14 for fiscal year 2018, notwithstanding the limitations
15 on amounts specified in section 1452(j) of the Safe
16 Drinking Water Act, up to 1.5 percent of the funds
17 appropriated for the Drinking Water State Revolv-
18 ing Fund programs under the Safe Drinking Water
19 Act may be reserved by the Administrator for grants
20 made under section 1452(j) of the Safe Drinking
21 Water Act: *Provided further*, That 10 percent of the
22 funds made available under this title to each State
23 for Clean Water State Revolving Fund capitalization
24 grants and 20 percent of the funds made available
25 under this title to each State for Drinking Water

1 State Revolving Fund capitalization grants shall be
2 used by the State to provide additional subsidy to el-
3 igible recipients in the form of forgiveness of prin-
4 cipal, negative interest loans, or grants (or any com-
5 bination of these), and shall be so used by the State
6 only where such funds are provided as initial financ-
7 ing for an eligible recipient or to buy, refinance, or
8 restructure the debt obligations of eligible recipients
9 only where such debt was incurred on or after the
10 date of enactment of this Act;

11 (2) \$10,000,000 shall be for grants to the State
12 of Alaska to address drinking water and wastewater
13 infrastructure needs of rural and Alaska Native Vil-
14 lages: *Provided*, That of these funds: (A) the State
15 of Alaska shall provide a match of 25 percent; (B)
16 no more than 5 percent of the funds may be used
17 for administrative and overhead expenses; and (C)
18 the State of Alaska shall make awards consistent
19 with the Statewide priority list established in con-
20 junction with the Agency and the U.S. Department
21 of Agriculture for all water, sewer, waste disposal,
22 and similar projects carried out by the State of Alas-
23 ka that are funded under section 221 of the Federal
24 Water Pollution Control Act (33 U.S.C. 1301) or
25 the Consolidated Farm and Rural Development Act

1 (7 U.S.C. 1921 et seq.) which shall allocate not less
2 than 25 percent of the funds provided for projects
3 in regional hub communities;

4 (3) \$90,000,000 shall be to carry out section
5 104(k) of the Comprehensive Environmental Re-
6 sponse, Compensation, and Liability Act of 1980
7 (CERCLA), including grants, interagency agree-
8 ments, and associated program support costs: *Pro-*
9 *vided*, That not more than 25 percent of the amount
10 appropriated to carry out section 104(k) of
11 CERCLA shall be used for site characterization, as-
12 sessment, and remediation of facilities described in
13 section 101(39)(D)(ii)(II) of CERCLA: *Provided*
14 *further*, That at least 10 percent shall be allocated
15 for assistance in persistent poverty counties: *Pro-*
16 *vided further*, That for purposes of this section, the
17 term “persistent poverty counties” means any coun-
18 ty that has had 20 percent or more of its population
19 living in poverty over the past 30 years, as measured
20 by the 1990 and 2000 decennial censuses and the
21 most recent Small Area Income and Poverty Esti-
22 mates;

23 (4) \$75,000,000 shall be for grants under title
24 VII, subtitle G of the Energy Policy Act of 2005;

1 (5) \$40,000,000 shall be for targeted airshed
2 grants in accordance with the terms and conditions
3 in the report accompanying this Act; and

4 (6) \$1,066,041,000 shall be for grants, includ-
5 ing associated program support costs, to States, fed-
6 erally recognized tribes, interstate agencies, tribal
7 consortia, and air pollution control agencies for
8 multi-media or single media pollution prevention,
9 control and abatement and related activities, includ-
10 ing activities pursuant to the provisions set forth
11 under this heading in Public Law 104–134, and for
12 making grants under section 103 of the Clean Air
13 Act for particulate matter monitoring and data col-
14 lection activities subject to terms and conditions
15 specified by the Administrator, of which:
16 \$47,745,000 shall be for carrying out section 128 of
17 CERCLA; \$9,646,000 shall be for Environmental
18 Information Exchange Network grants, including as-
19 sociated program support costs; \$1,498,000 shall be
20 for grants to States under section 2007(f)(2) of the
21 Solid Waste Disposal Act, which shall be in addition
22 to funds appropriated under the heading “Leaking
23 Underground Storage Tank Trust Fund Program”
24 to carry out the provisions of the Solid Waste Dis-
25 posal Act specified in section 9508(c) of the Internal

1 Revenue Code other than section 9003(h) of the
2 Solid Waste Disposal Act; \$17,848,000 of the funds
3 available for grants under section 106 of the Federal
4 Water Pollution Control Act shall be for State par-
5 ticipation in national- and State-level statistical sur-
6 veys of water resources and enhancements to State
7 monitoring programs.

8 WATER INFRASTRUCTURE FINANCE AND INNOVATION
9 PROGRAM ACCOUNT

10 For the cost of direct loans and for the cost of guar-
11 anteed loans, as authorized by the Water Infrastructure
12 Finance and Innovation Act of 2014, \$25,000,000, to re-
13 main available until expended: *Provided*, That such costs,
14 including the cost of modifying such loans, shall be as de-
15 fined in section 502 of the Congressional Budget Act of
16 1974: *Provided further*, That these funds are available to
17 subsidize gross obligations for the principal amount of di-
18 rect loans, including capitalized interest, and total loan
19 principal, including capitalized interest, any part of which
20 is to be guaranteed, not to exceed \$3,049,000,000.

21 In addition, fees authorized to be collected pursuant
22 to sections 5029 and 5030 of the Water Infrastructure
23 Finance and Innovation Act of 2014 shall be deposited
24 in this account, to remain available until expended.

8 (INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

9 For fiscal year 2018, notwithstanding 31 U.S.C.
10 6303(1) and 6305(1), the Administrator of the Environ-
11 mental Protection Agency, in carrying out the Agency's
12 function to implement directly Federal environmental pro-
13 grams required or authorized by law in the absence of an
14 acceptable tribal program, may award cooperative agree-
15 ments to federally recognized Indian tribes or Intertribal
16 consortia, if authorized by their member tribes, to assist
17 the Administrator in implementing Federal environmental
18 programs for Indian tribes required or authorized by law,
19 except that no such cooperative agreements may be award-
20 ed from funds designated for State financial assistance
21 agreements.

22 The Administrator of the Environmental Protection
23 Agency is authorized to collect and obligate pesticide reg-
24 istration service fees in accordance with section 33 of the
25 Federal Insecticide, Fungicide, and Rodenticide Act, as

1 amended by Public Law 112–177, the Pesticide Registra-
2 tion Improvement Extension Act of 2012.

3 Notwithstanding section 33(d)(2) of the Federal In-
4 secticide, Fungicide, and Rodenticide Act (FIFRA) (7
5 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-
6 mental Protection Agency may assess fees under section
7 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2018.

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

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

16 The Administrator of the Environmental Protection
17 Agency is authorized to collect and obligate fees in accord-
18 ance with section 26(b) of the Toxic Substances Control
19 Act (15 U.S.C. 2625(b)) for fiscal year 2018.

20 The Science and Technology, Environmental Pro-
21 grams and Management, Office of Inspector General, Haz-
22 ardous Substance Superfund, and Leaking Underground
23 Storage Tank Trust Fund Program Accounts, are avail-
24 able for the construction, alteration, repair, rehabilitation,

1 and renovation of facilities, provided that the cost does
2 not exceed \$150,000 per project.

3 For fiscal year 2018, and notwithstanding section
4 518(f) of the Federal Water Pollution Control Act (33
5 U.S.C. 1377(f)), the Administrator is authorized to use
6 the amounts appropriated for any fiscal year under section
7 319 of the Act to make grants to Indian tribes pursuant
8 to sections 319(h) and 518(e) of that Act.

9 Of the unobligated balances available for the “State
10 and Tribal Assistance Grants” account, \$60,000,000 are
11 permanently rescinded: *Provided*, That no amounts may
12 be rescinded from amounts that were designated by the
13 Congress as an emergency requirement pursuant to the
14 Concurrent Resolution on the Budget or the Balanced
15 Budget and Emergency Deficit Control Act of 1985.

16 Notwithstanding the limitations on amounts in sec-
17 tion 320(i)(2)(B) of the Federal Water Pollution Control
18 Act, not less than \$1,500,000 of the funds made available
19 under this title for the National Estuary Program shall
20 be for making competitive awards described in section
21 320(g)(4).

1 TITLE III
2 RELATED AGENCIES
3 DEPARTMENT OF AGRICULTURE
4 FOREST SERVICE
5 OFFICE OF THE UNDER SECRETARY FOR NATURAL
6 RESOURCES AND ENVIRONMENT
7 For necessary expenses of the Office of the Under
8 Secretary for Natural Resources and Environment,
9 \$875,000.
10 FOREST AND RANGELAND RESEARCH
11 For necessary expenses of forest and rangeland re-
12 search as authorized by law, \$278,368,000, to remain
13 available through September 30, 2021: *Provided*, That of
14 the funds provided, \$75,037,000 is for the forest inventory
15 and analysis program.
16 STATE AND PRIVATE FORESTRY
17 For necessary expenses of cooperating with and pro-
18 viding technical and financial assistance to States, terri-
19 tories, possessions, and others, and for forest health man-
20 agement and conducting an international program as au-
21 thorized, \$198,710,000, to remain available through Sep-
22 tember 30, 2021, as authorized by law; of which
23 \$36,184,000 is to be derived from the Land and Water
24 Conservation Fund to be used for the Forest Legacy Pro-
25 gram, to remain available until expended.

NATIONAL FOREST SYSTEM

1
2 For necessary expenses of the Forest Service, not
3 otherwise provided for, for management, protection, im-
4 provement, and utilization of the National Forest System,
5 and for hazardous fuels management on or adjacent to
6 such lands as authorized by law, \$1,885,827,000, to re-
7 main available through September 30, 2021: *Provided*,
8 That of the funds provided, \$370,305,000 shall be for for-
9 est products: *Provided further*, That of the funds provided,
10 \$392,500,000 shall be for hazardous fuels management
11 activities, of which not to exceed \$15,000,000 may be used
12 to make grants, using any authorities available to the For-
13 est Service under the “State and Private Forestry” appro-
14 priation, for the purpose of creating incentives for in-
15 creased use of biomass from National Forest System
16 lands: *Provided further*, That of the funds provided, up
17 to \$15,000,000 may be used by the Secretary of Agri-
18 culture to enter into procurement contracts or cooperative
19 agreements or to issue grants for hazardous fuels manage-
20 ment activities, and for training or monitoring associated
21 with such hazardous fuels management activities on Fed-
22 eral land, or on non-Federal land if the Secretary deter-
23 mines such activities benefit resources on Federal land.
24 *Provided further*, That notwithstanding section 33 of the
25 Bankhead-Jones Farm Tenant Act (7 U.S.C. 1012), the

1 Secretary of Agriculture, in calculating a fee for grazing
2 on a National Grassland, may provide a credit of up to
3 50 percent of the calculated fee to a Grazing Association
4 or direct permittee for a conservation practice approved
5 by the Secretary in advance of the fiscal year in which
6 the cost of the conservation practice is incurred. And, that
7 the amount credited shall remain available to the Grazing
8 Association or the direct permittee, as appropriate, in the
9 fiscal year in which the credit is made and each fiscal year
10 thereafter for use on the project for conservation practices
11 approved by the Secretary.

12 In addition, \$4,500,000, to remain available through
13 September 30, 2021, from communication site rental fees
14 established by the Forest Service for the cost of admin-
15 istering communication site activities.

16 CAPITAL IMPROVEMENT AND MAINTENANCE

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of the Forest Service, not
19 otherwise provided for, \$354,733,000, to remain available
20 through September 30, 2021, for construction, capital im-
21 provement, maintenance and acquisition of buildings and
22 other facilities and infrastructure; and for construction,
23 reconstruction, decommissioning of roads that are no
24 longer needed, including unauthorized roads that are not
25 part of the transportation system, and maintenance of for-

1 est roads and trails by the Forest Service as authorized
2 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*
3 *vided*, That funds becoming available in fiscal year 2018
4 under the Act of March 4, 1913 (16 U.S.C. 501) shall
5 be transferred to the General Fund of the Treasury and
6 shall not be available for transfer or obligation for any
7 other purpose unless the funds are appropriated.

8 LAND ACQUISITION

9 For expenses necessary to carry out the provisions
10 of chapter 2003 of title 54, United States Code, including
11 administrative expenses, and for acquisition of land or
12 waters, or interest therein, in accordance with statutory
13 authority applicable to the Forest Service, \$25,000,000,
14 to be derived from the Land and Water Conservation
15 Fund and to remain available until expended.

16 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
17 ACTS

18 For acquisition of lands within the exterior bound-
19 aries of the Cache, Uinta, and Wasatch National Forests,
20 Utah; the Toiyabe National Forest, Nevada; and the An-
21 geles, San Bernardino, Sequoia, and Cleveland National
22 Forests, California; and the Ozark-St. Francis and
23 Ouachita National Forests, Arkansas; as authorized by
24 law, \$850,000, to be derived from forest receipts.

1 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

2 For acquisition of lands, such sums, to be derived
3 from funds deposited by State, county, or municipal gov-
4 ernments, public school districts, or other public school au-
5 thorities, and for authorized expenditures from funds de-
6 posited by non-Federal parties pursuant to the Sisk Act
7 (16 U.S.C. 484a), pursuant to the Land Sale and Ex-
8 change Acts (16 U.S.C. 516–617a, 555a; Public Law 96–
9 586; Public Law 76–589; and Public Law 78–310), to re-
10 main available until expended.

11 RANGE BETTERMENT FUND

12 For necessary expenses of range rehabilitation, pro-
13 tection, and improvement, 50 percent of all moneys re-
14 ceived during the prior fiscal year, as fees for grazing do-
15 mestic livestock on lands in National Forests in the 16
16 Western States, pursuant to section 401(b)(1) of the Fed-
17 eral Land Policy and Management Act of 1976 (43 U.S.C.
18 1751(b)(1)), to remain available through September 30,
19 2021, of which not to exceed 6 percent shall be available
20 for administrative expenses associated with on-the-ground
21 range rehabilitation, protection, and improvements.

22 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND

23 RANGELAND RESEARCH

24 For expenses authorized by section 4(b) of the Forest
25 and Rangeland Renewable Resources Research Act of

1 1978 (16 U.S.C. 1643(b)), \$45,000, to remain available
2 through September 30, 2021, to be derived from the fund
3 established pursuant to such Act.

4 MANAGEMENT OF NATIONAL FOREST LANDS FOR
5 SUBSISTENCE USES

6 For necessary expenses of the Forest Service to man-
7 age Federal lands in Alaska for subsistence uses under
8 title VIII of the Alaska National Interest Lands Conserva-
9 tion Act (16 U.S.C. 3111 et seq.), \$2,225,000, to remain
10 available through September 30, 2021.

11 WILDLAND FIRE MANAGEMENT
12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses for forest fire presuppression
14 activities on National Forest System lands, for emergency
15 wildland fire suppression on or adjacent to such lands or
16 other lands under fire protection agreement, emergency
17 rehabilitation of burned-over National Forest System
18 lands and water, and for State and volunteer fire assist-
19 ance, \$2,506,357,000, to remain available through Sep-
20 tember 30, 2021: *Provided*, That such funds including un-
21 obligated balances under this heading, are available for re-
22 payment of advances from other appropriations accounts
23 previously transferred for such purposes: *Provided further*,
24 That any unobligated funds appropriated in a previous fis-
25 cal year for hazardous fuels management may be trans-

ferred to the “National Forest System” account: *Provided*
further, That such funds shall be available to reimburse
State and other cooperating entities for services provided
in response to wildfire and other emergencies or disasters
to the extent such reimbursements by the Forest Service
for non-fire emergencies are fully repaid by the responsible
emergency management agency: *Provided further*, That of
the funds provided, \$19,290,000 is for research activities
and to make competitive research grants pursuant to the
Forest and Rangeland Renewable Resources Research
Act, (16 U.S.C. 1641 et seq.), \$76,011,000 is for State
fire assistance, and \$14,618,000 is for volunteer fire as-
sistance under section 10 of the Cooperative Forestry As-
sistance Act of 1978 (16 U.S.C. 2106): *Provided further*,
That amounts in this paragraph may be transferred to
the “Forest and Rangeland Research” account to fund
forest and rangeland research: *Provided further*, That the
costs of implementing any cooperative agreement between
the Federal Government and any non-Federal entity may
be shared, as mutually agreed on by the affected parties:
Provided further, That funds made available 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” ap-

1 appropriation: *Provided further*, That the Secretary of the
2 Interior and the Secretary of Agriculture may authorize
3 the transfer of funds appropriated for wildland fire man-
4 agement, in an aggregate amount not to exceed
5 \$50,000,000, between the Departments when such trans-
6 fers would facilitate and expedite wildland fire manage-
7 ment programs and projects: *Provided further*, That funds
8 designated for wildfire suppression, shall be assessed for
9 cost pools on the same basis as such assessments are cal-
10 culated against other agency programs.

11 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

12 (INCLUDING TRANSFERS OF FUNDS)

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

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

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

20 Notwithstanding any other provision of this Act, the
21 Forest Service may transfer unobligated balances of dis-
22 cretionary funds appropriated to the Forest Service by
23 this Act to or within the Wildland Fire Management Ac-
24 count, or reprogram funds within the Wildland Fire Man-
25 agement Account, to be used for the purposes of haz-

ardous fuels management and emergency rehabilitation of
burned-over National Forest System lands and water,
such transferred funds shall remain available through Sep-
tember 30, 2021: *Provided*, That none of the funds trans-
ferred pursuant to this section shall be available for obli-
gation without written notification to and the prior ap-
proval of the Committees on Appropriations of both
Houses of Congress: *Provided further*, That this section
does not apply to funds derived from the Land and Water
Conservation Fund.

Funds appropriated to the Forest Service shall be
available for assistance to or through the Agency for Inter-
national Development in connection with forest and range-
land research, technical information, and assistance in for-
eign countries, and shall be available to support forestry
and related natural resource activities outside the United
States and its territories and possessions, including tech-
nical assistance, education and training, and cooperation
with United States private and international organiza-
tions. 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 United States Agency for Inter-
national Development, the Department of State, and the
Millennium Challenge Corporation), United States private

1 sector firms, institutions and organizations to provide
2 technical assistance and training programs overseas on
3 forestry and rangeland management.

4 Funds appropriated to the Forest Service shall be
5 available for expenditure or transfer to the Department
6 of the Interior, Bureau of Land Management, for removal,
7 preparation, and adoption of excess wild horses and burros
8 from National Forest System lands, and for the perform-
9 ance of cadastral surveys to designate the boundaries of
10 such lands.

11 None of the funds made available to the Forest Serv-
12 ice in this Act or any other Act with respect to any fiscal
13 year shall be subject to transfer under the provisions of
14 section 702(b) of the Department of Agriculture Organic
15 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
16 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
17 Law 107–171 (7 U.S.C. 8316(b)).

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

23 Not more than \$82,000,000 of funds available to the
24 Forest Service shall be transferred to the Working Capital
25 Fund of the Department of Agriculture and not more than

1 \$14,500,000 of funds available to the Forest Service shall
2 be transferred to the Department of Agriculture for De-
3 partment Reimbursable Programs, commonly referred to
4 as Greenbook charges. Nothing in this paragraph shall
5 prohibit or limit the use of reimbursable agreements re-
6 quested by the Forest Service in order to obtain services
7 from the Department of Agriculture's National Informa-
8 tion Technology Center and the Department of Agri-
9 culture's International Technology Service.

10 Of the funds available to the Forest Service, up to
11 \$5,000,000 shall be available for priority projects within
12 the scope of the approved budget, which shall be carried
13 out by the Youth Conservation Corps and shall be carried
14 out under the authority of the Public Lands Corps Act
15 of 1993 (16 U.S.C. 1701 et seq.).

16 Of the funds available to the Forest Service, \$4,000
17 is available to the Chief of the Forest Service for official
18 reception and representation expenses.

19 Pursuant to sections 405(b) and 410(b) of Public
20 Law 101-593, of the funds available to the Forest Service,
21 up to \$3,000,000 may be advanced in a lump sum to the
22 National Forest Foundation to aid conservation partner-
23 ship projects in support of the Forest Service mission,
24 without regard to when the Foundation incurs expenses,
25 for projects on or benefitting National Forest System

1 lands or related to Forest Service programs: *Provided*,
2 That of the Federal funds made available to the Founda-
3 tion, no more than \$300,000 shall be available for admin-
4 istrative expenses: *Provided further*, That the Foundation
5 shall obtain, by the end of the period of Federal financial
6 assistance, private contributions to match funds made
7 available by the Forest Service on at least a one-for-one
8 basis: *Provided further*, That the Foundation may transfer
9 Federal funds to a Federal or a non-Federal recipient for
10 a project at the same rate that the recipient has obtained
11 the non-Federal matching funds.

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

1 Funds appropriated to the Forest Service shall be
2 available for interactions with and providing technical as-
3 sistance to rural communities and natural resource-based
4 businesses for sustainable rural development purposes.

5 Funds appropriated to the Forest Service shall be
6 available for payments to counties within the Columbia
7 River Gorge National Scenic Area, pursuant to section
8 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–
9 663.

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

14 Funds available to the Forest Service, not to exceed
15 \$65,000,000, shall be assessed for the purpose of per-
16 forming fire, administrative and other facilities mainte-
17 nance and decommissioning. Such assessments shall occur
18 using a square foot rate charged on the same basis the
19 agency uses to assess programs for payment of rent, utili-
20 ties, and other support services.

21 Notwithstanding any other provision of law, of any
22 appropriations or funds available to the Forest Service,
23 not to exceed \$500,000 may be used to reimburse the Of-
24 fice of the General Counsel (OGC), Department of Agri-
25 culture, for travel and related expenses incurred as a re-

1 sult of OGC assistance or participation requested by the
2 Forest Service at meetings, training sessions, management
3 reviews, land purchase negotiations and similar matters
4 unrelated to civil litigation. Future budget justifications
5 for both the Forest Service and the Department of Agri-
6 culture should clearly display the sums previously trans-
7 ferred and the sums requested for transfer.

8 An eligible individual who is employed in any project
9 funded under title V of the Older Americans Act of 1965
10 (42 U.S.C. 3056 et seq.) and administered by the Forest
11 Service shall be considered to be a Federal employee for
12 purposes of chapter 171 of title 28, United States Code.

13 Notwithstanding any other provision of this Act,
14 through the Office of Budget and Program Analysis, the
15 Forest Service shall report not later than 30 business days
16 following the close of each fiscal quarter all current and
17 prior year unobligated balances, by fiscal year, budget line
18 item and account, to the House and Senate Committees
19 on Appropriations.

20 Any unobligated balance of funds appropriated in a
21 previous fiscal year in the FLAME Wildfire Suppression
22 Reserve Fund account shall remain available through Sep-
23 tember 30, 2020.

24 The Forest Service shall submit, through the Office
25 of Budget and Program Analysis, to the Office of Manage-

1 ment and Budget a proposed system of administrative
2 control of funds for its accounts, as described in 31 U.S.C.
3 1514, not later than December 31, 2017.

4 DEPARTMENT OF HEALTH AND HUMAN
5 SERVICES

6 INDIAN HEALTH SERVICE

7 INDIAN HEALTH SERVICES

8 For expenses necessary to carry out the Act of Au-
9 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
10 tion and Education Assistance Act, the Indian Health
11 Care Improvement Act, and titles II and III of the Public
12 Health Service Act with respect to the Indian Health Serv-
13 ice, \$3,867,260,000, together with payments received dur-
14 ing the fiscal year pursuant to sections 231(b) and 233
15 of the Public Health Service Act (42 U.S.C. 238(b),
16 238b), for services furnished by the Indian Health Service:
17 *Provided*, That funds made available to tribes and tribal
18 organizations through contracts, grant agreements, or any
19 other agreements or compacts authorized by the Indian
20 Self-Determination and Education Assistance Act of 1975
21 (25 U.S.C. 450), shall be deemed to be obligated at the
22 time of the grant or contract award and thereafter shall
23 remain available to the tribe or tribal organization without
24 fiscal year limitation: *Provided further*, That \$2,000,000
25 shall be available for grants or contracts with public or

1 private institutions to provide alcohol or drug treatment
2 services to Indians, including alcohol detoxification serv-
3 ices: *Provided further*, That \$928,830,000 for Purchased/
4 Referred Care, including \$53,000,000 for the Indian Cat-
5 astrophic Health Emergency Fund, shall remain available
6 until expended: *Provided further*, That of the funds pro-
7 vided, up to \$36,000,000 shall remain available until ex-
8 pended for implementation of the loan repayment program
9 under section 108 of the Indian Health Care Improvement
10 Act: *Provided further* That of the funds provided,
11 \$11,000,000 shall remain available until expended to sup-
12 plement funds available for operational costs at tribal clin-
13 ics operated under an Indian Self-Determination and Edu-
14 cation Assistance Act compact or contract where health
15 care is delivered in space acquired through a full service
16 lease, which is not eligible for maintenance and improve-
17 ment and equipment funds from the Indian Health Serv-
18 ice, and \$29,000,000 shall be for costs related to or result-
19 ing from accreditation emergencies, of which up to
20 \$4,000,000 may be used to supplement amounts otherwise
21 available for Purchased/Referred Care: *Provided further*,
22 That the amounts collected by the Federal Government
23 as authorized by sections 104 and 108 of the Indian
24 Health Care Improvement Act (25 U.S.C. 1613a and
25 1616a) during the preceding fiscal year for breach of con-

1 tracts shall be deposited to the Fund authorized by section
2 108A of that Act (25 U.S.C. 1616a–1) and shall remain
3 available until expended and, notwithstanding section
4 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall
5 be available to make new awards under the loan repay-
6 ment and scholarship programs under sections 104 and
7 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided*
8 *further*, That the amounts made available within this ac-
9 count for the Substance Abuse and Suicide Prevention
10 Program, for the Domestic Violence Prevention Program,
11 for the Zero Suicide Initiative, for aftercare pilot pro-
12 grams at Youth Regional Treatment Centers, to improve
13 collections from public and private insurance at Indian
14 Health Service and tribally operated facilities, and for ac-
15 creditation emergencies shall be allocated at the discretion
16 of the Director of the Indian Health Service and shall re-
17 main available until expended: *Provided further*, That
18 funds provided in this Act may be used for annual con-
19 tracts and grants for which the performance period falls
20 within 2 fiscal years, provided the total obligation is re-
21 corded in the year the funds are appropriated: *Provided*
22 *further*, That the amounts collected by the Secretary of
23 Health and Human Services under the authority of title
24 IV of the Indian Health Care Improvement Act shall re-
25 main available until expended for the purpose of achieving

1 compliance with the applicable conditions and require-
2 ments of titles XVIII and XIX of the Social Security Act,
3 except for those related to the planning, design, or con-
4 struction of new facilities: *Provided further*, That funding
5 contained herein for scholarship programs under the In-
6 dian Health Care Improvement Act shall remain available
7 until expended: *Provided further*, That amounts received
8 by tribes and tribal organizations under title IV of the In-
9 dian Health Care Improvement Act shall be reported and
10 accounted for and available to the receiving tribes and
11 tribal organizations until expended: *Provided further*, That
12 the Bureau of Indian Affairs may collect from the Indian
13 Health Service, and from tribes and tribal organizations
14 operating health facilities pursuant to Public Law 93–638,
15 such individually identifiable health information relating
16 to disabled children as may be necessary for the purpose
17 of carrying out its functions under the Individuals with
18 Disabilities Education Act (20 U.S.C. 1400, et seq.): *Pro-*
19 *vided further*, That of the funds provided, \$130,000,000
20 is for the Indian Health Care Improvement Fund and may
21 be used, as needed, to carry out activities typically funded
22 under the Indian Health Facilities account.

23 CONTRACT SUPPORT COSTS

24 For payments to tribes and tribal organizations for
25 contract support costs associated with Indian Self-Deter-

1 mination and Education Assistance Act agreements with
2 the Indian Health Service for fiscal year 2018, such sums
3 as may be necessary: *Provided*, That notwithstanding any
4 other provision of law, no amounts made available under
5 this heading shall be available for transfer to another
6 budget account.

7 INDIAN HEALTH FACILITIES

8 For construction, repair, maintenance, improvement,
9 and equipment of health and related auxiliary facilities,
10 including quarters for personnel; preparation of plans,
11 specifications, and drawings; acquisition of sites, purchase
12 and erection of modular buildings, and purchases of trail-
13 ers; and for provision of domestic and community sanita-
14 tion facilities for Indians, as authorized by section 7 of
15 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
16 Self-Determination Act, and the Indian Health Care Im-
17 provement Act, and for expenses necessary to carry out
18 such Acts and titles II and III of the Public Health Serv-
19 ice Act with respect to environmental health and facilities
20 support activities of the Indian Health Service,
21 \$551,643,000, to remain available until expended: *Pro-*
22 *vided*, That notwithstanding any other provision of law,
23 funds appropriated for the planning, design, construction,
24 renovation or expansion of health facilities for the benefit
25 of an Indian tribe or tribes may be used to purchase land

1 on which such facilities will be located: *Provided further*,
2 That not to exceed \$500,000 may be used by the Indian
3 Health Service to purchase TRANSAM equipment from
4 the Department of Defense for distribution to the Indian
5 Health Service and tribal facilities: *Provided further*, That
6 none of the funds appropriated to the Indian Health Serv-
7 ice may be used for sanitation facilities construction for
8 new homes funded with grants by the housing programs
9 of the United States Department of Housing and Urban
10 Development: *Provided further*, That not to exceed
11 \$2,700,000 from this account and the “Indian Health
12 Services” account may be used by the Indian Health Serv-
13 ice to obtain ambulances for the Indian Health Service
14 and tribal facilities in conjunction with an existing inter-
15 agency agreement between the Indian Health Service and
16 the General Services Administration: *Provided further*,
17 That not to exceed \$500,000 may be placed in a Demoli-
18 tion Fund, to remain available until expended, and be used
19 by the Indian Health Service for the demolition of Federal
20 buildings.

21 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

22 Appropriations provided in this Act to the Indian
23 Health Service shall be available for services as authorized
24 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
25 equivalent to the maximum rate payable for senior-level

1 positions under 5 U.S.C. 5376; hire of passenger motor
2 vehicles and aircraft; purchase of medical equipment; pur-
3 chase of reprints; purchase, renovation and erection of
4 modular buildings and renovation of existing facilities;
5 payments for telephone service in private residences in the
6 field, when authorized under regulations approved by the
7 Secretary of Health and Human Services; uniforms or al-
8 lowances therefor as authorized by 5 U.S.C. 5901–5902;
9 and for expenses of attendance at meetings that relate to
10 the functions or activities of the Indian Health Service:
11 *Provided*, That in accordance with the provisions of the
12 Indian Health Care Improvement Act, non-Indian patients
13 may be extended health care at all tribally administered
14 or Indian Health Service facilities, subject to charges, and
15 the proceeds along with funds recovered under the Federal
16 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
17 be credited to the account of the facility providing the
18 service and shall be available without fiscal year limitation:
19 *Provided further*, That notwithstanding any other law or
20 regulation, funds transferred from the Department of
21 Housing and Urban Development to the Indian Health
22 Service shall be administered under Public Law 86–121,
23 the Indian Sanitation Facilities Act and Public Law 93–
24 638: *Provided further*, That funds appropriated to the In-
25 dian Health Service in this Act, except those used for ad-

1 ministrative and program direction purposes, shall not be
2 subject to limitations directed at curtailing Federal travel
3 and transportation: *Provided further*, That none of the
4 funds made available to the Indian Health Service in this
5 Act shall be used for any assessments or charges by the
6 Department of Health and Human Services unless identi-
7 fied in the budget justification and provided in this Act,
8 or approved by the House and Senate Committees on Ap-
9 propriations through the reprogramming process: *Pro-*
10 *vided further*, That notwithstanding any other provision
11 of law, funds previously or herein made available to a tribe
12 or tribal organization through a contract, grant, or agree-
13 ment authorized by title I or title V of the Indian Self-
14 Determination and Education Assistance Act of 1975 (25
15 U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may
16 be deobligated and reobligated to a self-determination con-
17 tract under title I, or a self-governance agreement under
18 title V of such Act and thereafter shall remain available
19 to the tribe or tribal organization without fiscal year limi-
20 tation: *Provided further*, That none of the funds made
21 available to the Indian Health Service in this Act shall
22 be used to implement the final rule published in the Fed-
23 eral Register on September 16, 1987, by the Department
24 of Health and Human Services, relating to the eligibility
25 for the health care services of the Indian Health Service

1 until the Indian Health Service has submitted a budget
2 request reflecting the increased costs associated with the
3 proposed final rule, and such request has been included
4 in an appropriations Act and enacted into law: *Provided*
5 *further*, That with respect to functions transferred by the
6 Indian Health Service to tribes or tribal organizations, the
7 Indian Health Service is authorized to provide goods and
8 services to those entities on a reimbursable basis, includ-
9 ing payments in advance with subsequent adjustment, and
10 the reimbursements received therefrom, along with the
11 funds received from those entities pursuant to the Indian
12 Self-Determination Act, may be credited to the same or
13 subsequent appropriation account from which the funds
14 were originally derived, with such amounts to remain
15 available until expended: *Provided further*, That reim-
16 bursements for training, technical assistance, or services
17 provided by the Indian Health Service will contain total
18 costs, including direct, administrative, and overhead costs
19 associated with the provision of goods, services, or tech-
20 nical assistance: *Provided further*, That the appropriation
21 structure for the Indian Health Service may not be altered
22 without advance notification to the House and Senate
23 Committees on Appropriations.

1 NATIONAL INSTITUTES OF HEALTH
2 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
3 SCIENCES

4 For necessary expenses for the National Institute of
5 Environmental Health Sciences in carrying out activities
6 set forth in section 311(a) of the Comprehensive Environ-
7 mental Response, Compensation, and Liability Act of
8 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
9 Superfund Amendments and Reauthorization Act of 1986,
10 \$75,370,000.

11 AGENCY FOR TOXIC SUBSTANCES AND DISEASE
12 REGISTRY
13 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC
14 HEALTH

15 For necessary expenses for the Agency for Toxic Sub-
16 stances and Disease Registry (ATSDR) in carrying out
17 activities set forth in sections 104(i) and 111(c)(4) of the
18 Comprehensive Environmental Response, Compensation,
19 and Liability Act of 1980 (CERCLA) and section 3019
20 of the Solid Waste Disposal Act, \$72,780,000: *Provided*,
21 That notwithstanding any other provision of law, in lieu
22 of performing a health assessment under section 104(i)(6)
23 of CERCLA, the Administrator of ATSDR may conduct
24 other appropriate health studies, evaluations, or activities,
25 including, without limitation, biomedical testing, clinical

1 evaluations, medical monitoring, and referral to accredited
2 healthcare providers: *Provided further*, That in performing
3 any such health assessment or health study, evaluation,
4 or activity, the Administrator of ATSDR shall not be
5 bound by the deadlines in section 104(i)(6)(A) of
6 CERCLA: *Provided further*, That none of the funds appro-
7 priated under this heading shall be available for ATSDR
8 to issue in excess of 40 toxicological profiles pursuant to
9 section 104(i) of CERCLA during fiscal year 2018, and
10 existing profiles may be updated as necessary.

11 OTHER RELATED AGENCIES

12 EXECUTIVE OFFICE OF THE PRESIDENT

13 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

14 ENVIRONMENTAL QUALITY

15 For necessary expenses to continue functions as-
16 signed to the Council on Environmental Quality and Office
17 of Environmental Quality pursuant to the National Envi-
18 ronmental Policy Act of 1969, the Environmental Quality
19 Improvement Act of 1970, and Reorganization Plan No.
20 1 of 1977, and not to exceed \$750 for official reception
21 and representation expenses, \$2,994,000: *Provided*, That
22 notwithstanding section 202 of the National Environ-
23 mental Policy Act of 1970, the Council shall consist of
24 one member, appointed by the President, by and with the

1 advice and consent of the Senate, serving as chairman and
2 exercising all powers, functions, and duties of the Council.

3 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

4 SALARIES AND EXPENSES

5 For necessary expenses in carrying out activities pur-
6 suant to section 112(r)(6) of the Clean Air Act, including
7 hire of passenger vehicles, uniforms or allowances there-
8 for, as authorized by 5 U.S.C. 5901–5902, and for serv-
9 ices authorized by 5 U.S.C. 3109 but at rates for individ-
10 uals not to exceed the per diem equivalent to the maximum
11 rate payable for senior level positions under 5 U.S.C.
12 5376, \$11,000,000: *Provided*, That the Chemical Safety
13 and Hazard Investigation Board (Board) shall have not
14 more than three career Senior Executive Service positions:
15 *Provided further*, That notwithstanding any other provi-
16 sion of law, the individual appointed to the position of In-
17 spector General of the Environmental Protection Agency
18 (EPA) shall, by virtue of such appointment, also hold the
19 position of Inspector General of the Board: *Provided fur-*
20 *ther*, That notwithstanding any other provision of law, the
21 Inspector General of the Board shall utilize personnel of
22 the Office of Inspector General of EPA in performing the
23 duties of the Inspector General of the Board, and shall
24 not appoint any individuals to positions within the Board.

1 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Office of Navajo and
5 Hopi Indian Relocation as authorized by Public Law 93–
6 531, \$15,431,000, to remain available until expended:
7 *Provided*, That funds provided in this or any other appro-
8 priations Act are to be used to relocate eligible individuals
9 and groups including evictees from District 6, Hopi-parti-
10 tioned lands residents, those in significantly substandard
11 housing, and all others certified as eligible and not in-
12 cluded in the preceding categories: *Provided further*, That
13 none of the funds contained in this or any other Act may
14 be used by the Office of Navajo and Hopi Indian Reloca-
15 tion to evict any single Navajo or Navajo family who, as
16 of November 30, 1985, was physically domiciled on the
17 lands partitioned to the Hopi Tribe unless a new or re-
18 placement home is provided for such household: *Provided*
19 *further*, That no relocatee will be provided with more than
20 one new or replacement home: *Provided further*, That the
21 Office shall relocate any certified eligible relocatees who
22 have selected and received an approved homesite on the
23 Navajo reservation or selected a replacement residence off
24 the Navajo reservation or on the land acquired pursuant
25 to section 11 of Public Law 93–531 (88 Stat. 1716): *Pro-*

1 *vided further*, That \$200,000 shall be transferred to the
2 Office of Inspector General of the Department of the Inte-
3 rior, to remain available until expended, for audits and
4 investigations of the Office of Navajo and Hopi Indian Re-
5 location, consistent with the Inspector General Act of
6 1978 (5 U.S.C. App.).

7 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
8 CULTURE AND ARTS DEVELOPMENT
9 PAYMENT TO THE INSTITUTE

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

16 SMITHSONIAN INSTITUTION
17 SALARIES AND EXPENSES

18 For necessary expenses of the Smithsonian Institu-
19 tion, as authorized by law, including research in the fields
20 of art, science, and history; development, preservation, and
21 documentation of the National Collections; presentation of
22 public exhibits and performances; collection, preparation,
23 dissemination, and exchange of information and publica-
24 tions; conduct of education, training, and museum assist-
25 ance programs; maintenance, alteration, operation, lease

1 agreements of no more than 30 years, and protection of
2 buildings, facilities, and approaches; not to exceed
3 \$100,000 for services as authorized by 5 U.S.C. 3109; and
4 purchase, rental, repair, and cleaning of uniforms for em-
5 ployees, \$716,600,000, to remain available until Sep-
6 tember 30, 2019, except as otherwise provided herein; of
7 which not to exceed \$6,908,000 for the instrumentation
8 program, collections acquisition, exhibition reinstallation,
9 and the repatriation of skeletal remains program shall re-
10 main available until expended; and including such funds
11 as may be necessary to support American overseas re-
12 search centers: *Provided*, That funds appropriated herein
13 are available for advance payments to independent con-
14 tractors performing research services or participating in
15 official Smithsonian presentations.

16 FACILITIES CAPITAL

17 For necessary expenses of repair, revitalization, and
18 alteration of facilities owned or occupied by the Smithso-
19 nian Institution, by contract or otherwise, as authorized
20 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
21 and for construction, including necessary personnel,
22 \$168,500,000, including support for revitalization of the
23 National Air and Space Museum, to remain available until
24 expended, of which not to exceed \$10,000 shall be for serv-
25 ices as authorized by 5 U.S.C. 3109.

1 NATIONAL GALLERY OF ART

2 SALARIES AND EXPENSES

3 For the upkeep and operations of the National Gal-
4 lery of Art, the protection and care of the works of art
5 therein, and administrative expenses incident thereto, as
6 authorized by the Act of March 24, 1937 (50 Stat. 51),
7 as amended by the public resolution of April 13, 1939
8 (Public Resolution 9, Seventy-sixth Congress), including
9 services as authorized by 5 U.S.C. 3109; payment in ad-
10 vance when authorized by the treasurer of the Gallery for
11 membership in library, museum, and art associations or
12 societies whose publications or services are available to
13 members only, or to members at a price lower than to the
14 general public; purchase, repair, and cleaning of uniforms
15 for guards, and uniforms, or allowances therefor, for other
16 employees as authorized by law (5 U.S.C. 5901–5902);
17 purchase or rental of devices and services for protecting
18 buildings and contents thereof, and maintenance, alter-
19 ation, improvement, and repair of buildings, approaches,
20 and grounds; and purchase of services for restoration and
21 repair of works of art for the National Gallery of Art by
22 contracts made, without advertising, with individuals,
23 firms, or organizations at such rates or prices and under
24 such terms and conditions as the Gallery may deem prop-
25 er, \$132,961,000, to remain available until September 30,

1 2019, of which not to exceed \$3,620,000 for the special
2 exhibition program shall remain available until expended.

3 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

4 For necessary expenses of repair, restoration and
5 renovation of buildings, grounds and facilities owned or
6 occupied by the National Gallery of Art, by contract or
7 otherwise, for operating lease agreements of no more than
8 10 years, with no extensions or renewals beyond the 10
9 years, that address space needs created by the ongoing
10 renovations in the Master Facilities Plan, as authorized,
11 \$22,564,000, to remain available until expended: *Pro-*
12 *vided*, That contracts awarded for environmental systems,
13 protection systems, and exterior repair or renovation of
14 buildings of the National Gallery of Art may be negotiated
15 with selected contractors and awarded on the basis of con-
16 tractor qualifications as well as price.

17 JOHN F. KENNEDY CENTER FOR THE PERFORMING
18 ARTS

19 OPERATIONS AND MAINTENANCE

20 For necessary expenses for the operation, mainte-
21 nance and security of the John F. Kennedy Center for
22 the Performing Arts, \$23,740,000.

23 CAPITAL REPAIR AND RESTORATION

24 For necessary expenses for capital repair and restora-
25 tion of the existing features of the building and site of

1 the John F. Kennedy Center for the Performing Arts,
2 \$13,000,000, to remain available until expended.

3 WOODROW WILSON INTERNATIONAL CENTER FOR
4 SCHOLARS
5 SALARIES AND EXPENSES

6 For expenses necessary in carrying out the provisions
7 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
8 1356) including hire of passenger vehicles and services as
9 authorized by 5 U.S.C. 3109, \$10,000,000, to remain
10 available until September 30, 2019.

11 NATIONAL FOUNDATION ON THE ARTS AND THE
12 HUMANITIES
13 NATIONAL ENDOWMENT FOR THE ARTS
14 GRANTS AND ADMINISTRATION

15 For necessary expenses to carry out the National
16 Foundation on the Arts and the Humanities Act of 1965,
17 \$145,000,000 shall be available to the National Endow-
18 ment for the Arts for the support of projects and produc-
19 tions in the arts, including arts education and public out-
20 reach activities, through assistance to organizations and
21 individuals pursuant to section 5 of the Act, for program
22 support, and for administering the functions of the Act,
23 to remain available until expended.

1 NATIONAL ENDOWMENT FOR THE HUMANITIES

2 GRANTS AND ADMINISTRATION

3 For necessary expenses to carry out the National
4 Foundation on the Arts and the Humanities Act of 1965,
5 \$145,000,000 to remain available until expended, of which
6 \$134,000,000 shall be available for support of activities
7 in the humanities, pursuant to section 7(c) of the Act and
8 for administering the functions of the Act; and
9 \$11,000,000 shall be available to carry out the matching
10 grants program pursuant to section 10(a)(2) of the Act,
11 including \$8,700,000 for the purposes of section 7(h):
12 *Provided*, That appropriations for carrying out section
13 10(a)(2) shall be available for obligation only in such
14 amounts as may be equal to the total amounts of gifts,
15 bequests, devises of money, and other property accepted
16 by the chairman or by grantees of the National Endow-
17 ment for the Humanities under the provisions of sections
18 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
19 ceding fiscal years for which equal amounts have not pre-
20 viously been appropriated.

21 ADMINISTRATIVE PROVISIONS

22 None of the funds appropriated to the National
23 Foundation on the Arts and the Humanities may be used
24 to process any grant or contract documents which do not
25 include the text of 18 U.S.C. 1913: *Provided*, That none

1 of the funds appropriated to the National Foundation on
2 the Arts and the Humanities may be used for official re-
3 ception and representation expenses: *Provided further*,
4 That funds from nonappropriated sources may be used as
5 necessary for official reception and representation ex-
6 penses: *Provided further*, That the Chairperson of the Na-
7 tional Endowment for the Arts may approve grants of up
8 to \$10,000, if in the aggregate the amount of such grants
9 does not exceed 5 percent of the sums appropriated for
10 grantmaking purposes per year: *Provided further*, That
11 such small grant actions are taken pursuant to the terms
12 of an expressed and direct delegation of authority from
13 the National Council on the Arts to the Chairperson.

14 COMMISSION OF FINE ARTS

15 SALARIES AND EXPENSES

16 For expenses of the Commission of Fine Arts under
17 chapter 91 of title 40, United States Code, \$2,600,000:
18 *Provided*, That the Commission is authorized to charge
19 fees to cover the full costs of its publications, and such
20 fees shall be credited to this account as an offsetting col-
21 lection, to remain available until expended without further
22 appropriation: *Provided further*, That the Commission is
23 authorized to accept gifts, including objects, papers, art-
24 work, drawings and artifacts, that pertain to the history
25 and design of the Nation's Capital or the history and ac-

1 tivities of the Commission of Fine Arts, for the purpose
2 of artistic display, study, or education: *Provided further*,
3 That one-tenth of one percent of the funds provided under
4 this heading may be used for official reception and rep-
5 resentation expenses.

6 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

7 For necessary expenses as authorized by Public Law
8 99-190 (20 U.S.C. 956a), \$2,000,000.

9 ADVISORY COUNCIL ON HISTORIC PRESERVATION

10 SALARIES AND EXPENSES

11 For necessary expenses of the Advisory Council on
12 Historic Preservation (Public Law 89-665), \$6,400,000.

13 NATIONAL CAPITAL PLANNING COMMISSION

14 SALARIES AND EXPENSES

15 For necessary expenses of the National Capital Plan-
16 ning Commission under chapter 87 of title 40, United
17 States Code, including services as authorized by 5 U.S.C.
18 3109, \$7,948,000: *Provided*, That one-quarter of 1 per-
19 cent of the funds provided under this heading may be used
20 for official reception and representational expenses associ-
21 ated with hosting international visitors engaged in the
22 planning and physical development of world capitals.

1 UNITED STATES HOLOCAUST MEMORIAL MUSEUM
2 HOLOCAUST MEMORIAL MUSEUM

3 For expenses of the Holocaust Memorial Museum, as
4 authorized by Public Law 106–292 (36 U.S.C. 2301–
5 2310), \$57,000,000, of which \$1,215,000 shall remain
6 available until September 30, 2020, for the Museum’s
7 equipment replacement program; and of which \$2,500,000
8 for the Museum’s repair and rehabilitation program and
9 \$1,264,000 for the Museum’s outreach initiatives program
10 shall remain available until expended.

11 DWIGHT D. EISENHOWER MEMORIAL COMMISSION
12 SALARIES AND EXPENSES

13 For necessary expenses of the Dwight D. Eisenhower
14 Memorial Commission, \$1,600,000, to remain available
15 until expended.

16 CAPITAL CONSTRUCTION

17 For necessary expenses of the Dwight D. Eisenhower
18 Memorial Commission for design and construction of a
19 memorial in honor of Dwight D. Eisenhower, as author-
20 ized by Public Law 106–79, \$15,000,000, to remain avail-
21 able until expended: *Provided*, That the contract with re-
22 spect to the procurement shall contain the “availability of
23 funds” clause described in section 52.232.18 of title 48,
24 Code of Federal Regulations: *Provided further*, That the
25 funds appropriated herein shall be deemed to satisfy the

1 criteria for issuing a permit contained in 40 U.S.C.
2 8906(a)(4) and (b).

3 WOMEN’S SUFFRAGE CENTENNIAL COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Women’s Suffrage
6 Centennial Commission, as authorized by Public Law
7 115–31, \$1,000,000, to remain available until expended.

8 WORLD WAR I CENTENNIAL COMMISSION

9 SALARIES AND EXPENSES

10 For activities of the World War I Centennial Com-
11 mission as authorized by the World War I Centennial
12 Commission Act (Public Law 112–272) and the Carl
13 Levin and Howard P. “Buck” McKeon National Defense
14 Authorization Act for Fiscal Year 2015 (Public Law 113–
15 291), \$3,000,000: *Provided*, That the Commission may ac-
16 cept money, in-kind personnel services, contractual sup-
17 port, or any appropriate support from any executive
18 branch agency for activities of the Commission.

19 TITLE IV

20 GENERAL PROVISIONS

21 (INCLUDING TRANSFERS OF FUNDS)

22 RESTRICTION ON USE OF FUNDS

23 SEC. 401. No part of any appropriation contained in
24 this Act shall be available for any activity or the publica-
25 tion or distribution of literature that in any way tends to

1 promote public support or opposition to any legislative
2 proposal on which Congressional action is not complete
3 other than to communicate to Members of Congress as
4 described in 18 U.S.C. 1913.

5 OBLIGATION OF APPROPRIATIONS

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

9 DISCLOSURE OF ADMINISTRATIVE EXPENSES

10 SEC. 403. The amount and basis of estimated over-
11 head charges, deductions, reserves or holdbacks, including
12 working capital fund and cost pool charges, from pro-
13 grams, projects, activities and subactivities to support gov-
14 ernment-wide, departmental, agency, or bureau adminis-
15 trative functions or headquarters, regional, or central op-
16 erations shall be presented in annual budget justifications
17 and subject to approval by the Committees on Appropria-
18 tions of the House of Representatives and the Senate.
19 Changes to such estimates shall be presented to the Com-
20 mittees on Appropriations for approval.

21 MINING APPLICATIONS

22 SEC. 404. (a) LIMITATION OF FUNDS.—None of the
23 funds appropriated or otherwise made available pursuant
24 to this Act shall be obligated or expended to accept or

1 process applications for a patent for any mining or mill
2 site claim located under the general mining laws.

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

14 (c) REPORT.—On September 30, 2019, the Secretary
15 of the Interior shall file with the House and Senate Com-
16 mittees on Appropriations and the Committee on Natural
17 Resources of the House and the Committee on Energy and
18 Natural Resources of the Senate a report on actions taken
19 by the Department under the plan submitted pursuant to
20 section 314(c) of the Department of the Interior and Re-
21 lated Agencies Appropriations Act, 1997 (Public Law
22 104–208).

23 (d) MINERAL EXAMINATIONS.—In order to process
24 patent applications in a timely and responsible manner,
25 upon the request of a patent applicant, the Secretary of

1 the Interior shall allow the applicant to fund a qualified
2 third-party contractor to be selected by the Director of the
3 Bureau of Land Management to conduct a mineral exam-
4 ination of the mining claims or mill sites contained in a
5 patent application as set forth in subsection (b). The Bu-
6 reau of Land Management shall have the sole responsi-
7 bility to choose and pay the third-party contractor in ac-
8 cordance with the standard procedures employed by the
9 Bureau of Land Management in the retention of third-
10 party contractors.

11 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

12 SEC. 405. Sections 405 and 406 of division F of the
13 Consolidated and Further Continuing Appropriations Act,
14 2015 (Public Law 113–235) shall continue in effect in fis-
15 cal year 2018.

16 CONTRACT SUPPORT COSTS, FISCAL YEAR 2018

17 LIMITATION

18 SEC. 406. Amounts provided by this Act for fiscal
19 year 2018 under the headings “Department of Health and
20 Human Services, Indian Health Service, Contract Support
21 Costs” and “Department of the Interior, Bureau of Indian
22 Affairs and Bureau of Indian Education, Contract Sup-
23 port Costs” are the only amounts available for contract
24 support costs arising out of self-determination or self-gov-
25 ernance contracts, grants, compacts, or annual funding

1 agreements for fiscal year 2018 with the Bureau of Indian
2 Affairs or the Indian Health Service: *Provided*, That such
3 amounts provided by this Act are not available for pay-
4 ment of claims for contract support costs for prior years,
5 or for repayments of payments for settlements or judg-
6 ments awarding contract support costs for prior years.

7 FOREST MANAGEMENT PLANS

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

23 PROHIBITION WITHIN NATIONAL MONUMENTS

24 SEC. 408. No funds provided in this Act may be ex-
25 pended to conduct preleasing, leasing and related activities

1 under either the Mineral Leasing Act (30 U.S.C. 181 et
2 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
3 1331 et seq.) within the boundaries of a National Monu-
4 ment established pursuant to the Act of June 8, 1906 (16
5 U.S.C. 431 et seq.) as such boundary existed on January
6 20, 2001, except where such activities are allowed under
7 the Presidential proclamation establishing such monu-
8 ment.

9 LIMITATION ON TAKINGS

10 SEC. 409. Unless otherwise provided herein, no funds
11 appropriated in this Act for the acquisition of lands or
12 interests in lands may be expended for the filing of dec-
13 larations of taking or complaints in condemnation without
14 the approval of the House and Senate Committees on Ap-
15 propriations: *Provided*, That this provision shall not apply
16 to funds appropriated to implement the Everglades Na-
17 tional Park Protection and Expansion Act of 1989, or to
18 funds appropriated for Federal assistance to the State of
19 Florida to acquire lands for Everglades restoration pur-
20 poses.

21 TIMBER SALE REQUIREMENTS

22 SEC. 410. No timber sale in Alaska's Region 10 shall
23 be advertised if the indicated rate is deficit (defined as
24 the value of the timber is not sufficient to cover all logging
25 and stumpage costs and provide a normal profit and risk

1 allowance under the Forest Service's appraisal process)
 2 when appraised using a residual value appraisal. The west-
 3 ern red cedar timber from those sales which is surplus
 4 to the needs of the domestic processors in Alaska, shall
 5 be made available to domestic processors in the contiguous
 6 48 United States at prevailing domestic prices. All addi-
 7 tional western red cedar volume not sold to Alaska or con-
 8 tiguous 48 United States domestic processors may be ex-
 9 ported to foreign markets at the election of the timber sale
 10 holder. All Alaska yellow cedar may be sold at prevailing
 11 export prices at the election of the timber sale holder.

12 PROHIBITION ON NO-BID CONTRACTS

13 SEC. 411. None of the funds appropriated or other-
 14 wise made available by this Act to executive branch agen-
 15 cies may be used to enter into any Federal contract unless
 16 such contract is entered into in accordance with the re-
 17 quirements of Chapter 33 of title 41, United States Code,
 18 or Chapter 137 of title 10, United States Code, and the
 19 Federal Acquisition Regulation, unless—

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

24 (2) such contract is authorized by the Indian
 25 Self-Determination and Education Assistance Act

1 (Public Law 93–638, 25 U.S.C. 450 et seq.) or by
2 any other Federal laws that specifically authorize a
3 contract within an Indian tribe as defined in section
4 4(e) of that Act (25 U.S.C. 450b(e)); or
5 (3) such contract was awarded prior to the date
6 of enactment of this Act.

7 POSTING OF REPORTS

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

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

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

17 (2) the report contains proprietary information.

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

22 NATIONAL ENDOWMENT FOR THE ARTS GRANT

23 GUIDELINES

24 SEC. 413. Of the funds provided to the National En-
25 dowment for the Arts—

(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.

19 PRIORITIES

•HR 3354 RH

1 projects, productions, workshops, or programs that serve
2 underserved populations.

3 (b) In this section:

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

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

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

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

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

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

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

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

19 STATUS OF BALANCES OF APPROPRIATIONS

20 SEC. 415. The Department of the Interior, the Envi-
21 ronmental Protection Agency, the Forest Service, and the
22 Indian Health Service shall provide the Committees on
23 Appropriations of the House of Representatives and Sen-
24 ate quarterly reports on the status of balances of appro-

1 priations including all uncommitted, committed, and unob-
2 ligated funds in each program and activity.

3 RECREATION FEE

4 SEC. 416. Section 810 of the Federal Lands Recre-
5 ation Enhancement Act (16 U.S.C. 6809) is amended by
6 striking “September 30, 2018” and inserting “September
7 30, 2019”.

8 PROHIBITION ON USE OF FUNDS

9 SEC. 417. Notwithstanding any other provision of
10 law, none of the funds made available in this Act or any
11 other Act may be used to promulgate or implement any
12 regulation requiring the issuance of permits under title V
13 of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon
14 dioxide, nitrous oxide, water vapor, or methane emissions
15 resulting from biological processes associated with live-
16 stock production.

17 GREENHOUSE GAS REPORTING RESTRICTIONS

18 SEC. 418. Notwithstanding any other provision of
19 law, none of the funds made available in this or any other
20 Act may be used to implement any provision in a rule,
21 if that provision requires mandatory reporting of green-
22 house gas emissions from manure management systems.

23 MODIFICATION OF AUTHORITIES

24 SEC. 419. Section 8162(m)(3) of the Department of
25 Defense Appropriations Act, 2000 (40 U.S.C. 8903 note;

1 Public Law 106–79) is amended by striking “September
2 30, 2017” and inserting “September 30, 2018”.

3 FUNDING PROHIBITION

4 SEC. 420. None of the funds made available by this
5 or any other Act may be used to regulate the lead content
6 of ammunition, ammunition components, or fishing tackle
7 under the Toxic Substances Control Act (15 U.S.C. 2601
8 et seq.) or any other law.

9 CONTRACTING AUTHORITIES

10 SEC. 421. Section 412 of Division E of Public Law
11 112–74 is amended by striking “fiscal year 2017” and in-
12 serting “fiscal year 2019”.

13 CHESAPEAKE BAY INITIATIVE

14 SEC. 422. Section 502(c) of the Chesapeake Bay Ini-
15 tiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461
16 note) is amended by striking “2017” and inserting
17 “2019”.

18 EXTENSION OF GRAZING PERMITS

19 SEC. 423. The terms and conditions of section 325
20 of Public Law 108–108 (117 Stat. 1307), regarding graz-
21 ing permits issued by the Forest Service on any lands not
22 subject to administration under section 402 of the Federal
23 Lands Policy and Management Act (43 U.S.C. 1752),
24 shall remain in effect for fiscal year 2018.

FUNDING PROHIBITION

FOREST SERVICE FACILITY REALIGNMENT AND
ENHANCEMENT ACT

USE OF AMERICAN IRON AND STEEL

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

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

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

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

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

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

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

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

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

12 MIDWAY ISLAND

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

18 POLICIES RELATING TO BIOMASS ENERGY

19 SEC. 428. For fiscal year 2018 and each fiscal year
20 thereafter, to support the key role that forests in the
21 United States can play in addressing the energy needs of
22 the United States, the Secretary of Energy, the Secretary
23 of Agriculture, and the Administrator of the Environ-
24 mental Protection Agency shall, consistent with their mis-
25 sions, jointly—

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

3 (A) is consistent across all Federal depart-
4 ments and agencies; and

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

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

11 (A) reflect the carbon-neutrality of forest
12 bioenergy and recognize biomass as a renewable
13 energy source, provided the use of forest bio-
14 mass for energy production does not cause con-
15 version of forests to non-forest use.

16 (B) encourage private investment through-
17 out the forest biomass supply chain, including
18 in—

19 (i) working forests;

20 (ii) harvesting operations;

21 (iii) forest improvement operations;

22 (iv) forest bioenergy production;

23 (v) wood products manufacturing; or

24 (vi) paper manufacturing;

1 (C) encourage forest management to im-
2 prove forest health; and

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

5 JOHN F. KENNEDY CENTER REAUTHORIZATION

6 SEC. 429. Section 13 of the John F. Kennedy Center
7 Act (20 U.S.C. 76r) is amended by striking subsections
8 (a) and (b) and inserting the following:

9 “(a) MAINTENANCE, REPAIR, AND SECURITY.—
10 There is authorized to be appropriated to the Board to
11 carry out section 4(a)(1)(H), \$24,000,000 for fiscal year
12 2018.

13 “(b) CAPITAL PROJECTS.—There is authorized to be
14 appropriated to the Board to carry out subparagraphs (F)
15 and (G) of section 4(a)(1), \$13,000,000 for fiscal year
16 2018.”.

17 CLARIFICATION OF EXEMPTIONS

18 SEC. 430. Notwithstanding section 404(f)(2) of the
19 Federal Water Pollution Control Act (33 U.S.C.
20 1344(f)(2)), none of the funds made available by this Act
21 may be used to require a permit for the discharge of
22 dredged or fill material under the Federal Water Pollution
23 Control Act (33 U.S.C. 1251 et seq.) for the activities
24 identified in subparagraphs (A) and (C) of section
25 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

1 WATERS OF THE UNITED STATES

2 SEC. 431. (a) AUTHORIZATION.—The Administrator
3 of the Environmental Protection Agency and the Secretary
4 of the Army may withdraw the Waters of the United
5 States rule without regard to any provision of statute or
6 regulation that establishes a requirement for such with-
7 drawal.

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

18 (c) DEFINITIONS.—In this section the term “Waters
19 of the United States rule” means the final rule issued by
20 the Administrator of the Environmental Protection Agen-
21 cy and the Secretary of the Army entitled “Clean Water
22 Rule: Definition of ‘Waters of the United States’” on
23 June 29, 2015 (80 Fed. Reg. 37053).

OZONE

SEC. 432. To implement the national ambient air quality standards for ozone published in the Federal Register on October 26, 2015 (80 Fed. Reg. 65292):

(1) the Governor of each State shall designate areas of the State as attainment, nonattainment, or unclassifiable with respect to the standards not later than October 26, 2024;

(2) the Administrator of the Environmental Protection Agency shall promulgate final designations for all areas in all States with respect to the standards not later than October 26, 2025;

(3) each State shall submit the plan required by section 110(a)(1) of the Clean Air Act (42 U.S.C. 7410(a)(1)) for the standards not later than October 26, 2026;

(4) the standards shall not apply to the review and disposition of a preconstruction permit application required under part C or D of title I of the Clean Air Act (42 U.S.C. 7470 et seq.) if the Administrator or the State, local or tribal permitting authority, as applicable, has determined the application to be complete prior to the date of promulgation of final designations, or has published a public notice of a preliminary determination or draft permit

1 before the date that is 60 days after the date of pro-
2 mulgation of final designations; and

3 (5) the provisions of subsections (1) through
4 (4) above shall apply notwithstanding the deadlines
5 set forth in Section 107(d) of the Clean Air Act (42
6 U.S.C. 7407(d)) and Section 110(a)(1) of the Clean
7 Air Act (42 U.S.C. 7410(a)(1)).

8 FINANCIAL ASSURANCE

9 SEC. 433. None of the funds made available by this
10 or any other Act may be used to finalize, implement, ad-
11 minister, or enforce the proposed rule entitled “Financial
12 Responsibility Requirements Under CERCLA § 108(b)
13 for Classes of Facilities in the Hardrock Mining Industry”
14 published by the Environmental Protection Agency in the
15 Federal Register on January 11, 2017 (82 Fed. Reg. 3388
16 et seq.).

17 AGRICULTURAL NUTRIENTS

18 SEC. 434. None of the funds made available by this
19 Act may be used by the Administrator of the Environ-
20 mental Protection Agency to issue any regulation under
21 the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.)
22 that applies to an animal feeding operation, including a
23 concentrated animal feeding operation and a large con-
24 centrated animal feeding operation, as such terms are de-

3 LIMITATION ON USE OF FUNDS FOR NATIONAL OCEAN
4 POLICY

5 SEC. 435. None of the funds made available by this
6 Act may be used to further implementation of the coastal
7 and marine spatial planning and ecosystem-based manage-
8 ment components of the National Ocean Policy developed
9 under Executive Order 13547.

10 HUNTING, FISHING, AND RECREATIONAL SHOOTING ON
11 FEDERAL LAND

12 SEC. 436. (a) LIMITATION ON USE OF FUNDS.—
13 None of the funds made available by this or any other
14 Act for any fiscal year may be used to prohibit the use
15 of or access to Federal land (as such term is defined in
16 section 3 of the Healthy Forests Restoration Act of 2003
17 (16 U.S.C. 6502)) for hunting, fishing, or recreational
18 shooting if such use or access—

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

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

1 (b) TEMPORARY CLOSURES ALLOWED.—Notwith-
2 standing subsection (a), the Secretary of the Interior or
3 the Secretary of Agriculture may temporarily close, for a
4 period not to exceed 30 days, Federal land managed by
5 the Secretary to hunting, fishing, or recreational shooting
6 if the Secretary determines that the temporary closure is
7 necessary to accommodate a special event or for public
8 safety reasons. The Secretary may extend a temporary clo-
9 sure for one additional 90-day period only if the Secretary
10 determines the extension is necessary because of extraor-
11 dinary weather conditions or for public safety reasons.

12 (c) AUTHORITY OF STATES.—Nothing in this section
13 shall be construed as affecting the authority, jurisdiction,
14 or responsibility of the several States to manage, control,
15 or regulate fish and resident wildlife under State law or
16 regulations.

17 AVAILABILITY OF VACANT GRAZING ALLOTMENTS

18 SEC. 437. The Secretary of the Interior, with respect
19 to public lands administered by the Bureau of Land Man-
20 agement, and the Secretary of Agriculture, with respect
21 to the National Forest System lands, shall make vacant
22 grazing allotments available to a holder of a grazing per-
23 mit or lease issued by either Secretary if the lands covered
24 by the permit or lease or other grazing lands used by the
25 holder of the permit or lease are unusable because of

1 drought or wildfire, as determined by the Secretary con-
2 cerned. The terms and conditions contained in a permit
3 or lease made available pursuant to this section shall be
4 the same as the terms and conditions of the most recent
5 permit or lease that was applicable to the vacant grazing
6 allotment made available. Section 102 of the National En-
7 vironmental Policy Act of 1969 (42 U.S.C. 4332) shall
8 not apply with respect to any Federal agency action under
9 this section.

10 WIND TURBINE FUNDING LIMITATION

11 SEC. 438. None of the funds made available by this
12 Act may be used to conduct reviews of site assessment
13 or construction and operation plans for any project that
14 would entail the construction or location of wind turbines
15 less than 24 nautical miles from the State of Maryland
16 shoreline.

17 SPENDING REDUCTION ACCOUNT

18 SEC. 439. \$0.

19 This Act may be cited as the “Department of the In-
20 terior, Environment, and Related Agencies Appropriations
21 Act, 2018”.

Union Calendar No. 170

115TH CONGRESS
1ST Session

H. R. 3354

[Report No. 115-238]

A BILL

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

JULY 21, 2017

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