

[COMMITTEE PRINT]

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

Calendar No. 000115TH CONGRESS
1ST SESSION**S. 0000****[Report No. 115-000]**

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

IN THE SENATE OF THE UNITED STATES

_____, 2017

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

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 Department of the Interior, environment, and related
4 agencies for the fiscal year ending September 30, 2018,
5 and for other purposes, namely:

6

TITLE I

7

DEPARTMENT OF THE INTERIOR

8

BUREAU OF LAND MANAGEMENT

9

MANAGEMENT OF LANDS AND RESOURCES

10 For necessary expenses for protection, use, improve-
11 ment, development, disposal, cadastral surveying, classi-
12 fication, acquisition of easements and other interests in
13 lands, and performance of other functions, including main-
14 tenance of facilities, as authorized by law, in the manage-
15 ment of lands and their resources under the jurisdiction
16 of the Bureau of Land Management, including the general
17 administration of the Bureau, and assessment of mineral
18 potential of public lands pursuant to section 1010(a) of
19 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,094,492,000,
20 to remain available until expended, including all such
21 amounts as are collected from permit processing fees, as
22 authorized but made subject to future appropriation by
23 section 35(d)(3)(A)(i) of the Mineral Leasing Act (30
24 U.S.C. 191), except that amounts from permit processing
25 fees may be used for any bureau-related expenses associ-

1 ated with the processing of oil and gas applications for
2 permits to drill and related use of authorizations.

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

14 LAND ACQUISITION

15 (INCLUDING RESCISSION OF FUNDS)

16 For expenses necessary to carry out sections 205,
17 206, and 318(d) of Public Law 94–579, including admin-
18 istrative expenses and acquisition of lands or waters, or
19 interests therein, \$24,916,000, to be derived from the
20 Land and Water Conservation Fund and to remain avail-
21 able until expended.

22 Of the unobligated balances available for this account
23 from prior appropriations, \$1,769,000 are permanently re-
24 scinded: *Provided*, That no amounts may be rescinded
25 from amounts that were designated by the Congress as

1 an emergency requirement pursuant to the Concurrent
2 Resolution on the Budget or the Balanced Budget and
3 Emergency Deficit Control Act of 1985.

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; \$101,431,000, 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.

1 ADMINISTRATIVE PROVISIONS

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

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 de-
4 struction of healthy, unadopted, wild horses and burros
5 in the care of the Bureau or its contractors or for the
6 sale of wild horses and burros that results in their destruc-
7 tion for processing into commercial products: *Provided*
8 *further*, That section 35 of the Mineral Leasing Act (30
9 U.S.C. 191) shall be applied for fiscal year 2018 as if the
10 following were inserted after the period in subsection
11 (d)(4):

12 “(5) There is appropriated to the Fee Account
13 established in subsection (c)(3)(B)(ii) of this section,
14 out of any money in the Treasury not otherwise ap-
15 propriated, \$26,000,000 for fiscal year 2018, to re-
16 main available until expended, for the processing of
17 applications for permit to drill and related use au-
18 thorizations, to be reduced by amounts collected by
19 the Bureau and transferred to such Fee Account
20 pursuant to subsection (d)(3)(A)(ii) of this section,
21 so as to result in a final fiscal year 2018 appropria-
22 tion from the general fund estimated at not more
23 than \$0. Any offsetting receipts received in excess of
24 \$26,000,000 in fiscal year 2018 that would have
25 otherwise been transferred to the Fee Account estab-

1 lished in subsection (c)(3)(B)(ii) of this section pur-
2 suant to subsection (d)(3)(A)(ii) of this section shall
3 instead be deposited in the general fund of the
4 Treasury.”.

5 UNITED STATES FISH AND WILDLIFE SERVICE
6 RESOURCE MANAGEMENT

7 For necessary expenses of the United States Fish and
8 Wildlife Service, as authorized by law, and for scientific
9 and economic studies, general administration, and for the
10 performance of other authorized functions related to such
11 resources, \$1,245,831,000, to remain available until Sep-
12 tember 30, 2019: *Provided*, That not to exceed
13 \$17,122,000 shall be used for implementing subsections
14 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
15 cies Act of 1973 (16 U.S.C. 1533) (except for processing
16 petitions, developing and issuing proposed and final regu-
17 lations, and taking any other steps to implement actions
18 described in subsection (c)(2)(A), (c)(2)(B)(i), or
19 (c)(2)(B)(ii)); of which not to exceed \$3,270,000 shall be
20 used for any activity regarding the designation of critical
21 habitat, pursuant to subsection (a)(3), excluding litigation
22 support, for species listed pursuant to subsection (a)(1)
23 prior to October 1, 2015; of which not to exceed
24 \$1,498,000 shall be used for any activity regarding peti-
25 tions to list species that are indigenous to the United

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

7 CONSTRUCTION

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

14 LAND ACQUISITION

15 (INCLUDING RESCISSION OF FUNDS)

16 For expenses necessary to carry out chapter 2003 of
17 title 54, United States Code, including administrative ex-
18 penses, and for acquisition of land or waters, or interest
19 therein, in accordance with statutory authority applicable
20 to the United States Fish and Wildlife Service,
21 \$55,439,000, to be derived from the Land and Water Con-
22 servation Fund and to remain available until expended:
23 *Provided*, That none of the funds appropriated for specific
24 land acquisition projects may be used to pay for any ad-

1 lution on the Budget or the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 NATIONAL WILDLIFE REFUGE FUND

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

6 NORTH AMERICAN WETLANDS CONSERVATION FUND

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

11 NEOTROPICAL MIGRATORY BIRD CONSERVATION

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

15 MULTINATIONAL SPECIES CONSERVATION FUND

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

1 STATE AND TRIBAL WILDLIFE GRANTS

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

1 the Commonwealth of the Northern Mariana Islands, each
2 a sum equal to not more than one-fourth of 1 percent
3 thereof: *Provided further*, That the Secretary shall appor-
4 tion the remaining amount in the following manner: (1)
5 one-third of which is based on the ratio to which the land
6 area of such State bears to the total land area of all such
7 States; and (2) two-thirds of which is based on the ratio
8 to which the population of such State bears to the total
9 population of all such States: *Provided further*, That the
10 amounts apportioned under this paragraph shall be ad-
11 justed equitably so that no State shall be apportioned a
12 sum which is less than 1 percent of the amount available
13 for apportionment under this paragraph for any fiscal year
14 or more than 5 percent of such amount: *Provided further*,
15 That the Federal share of planning grants shall not exceed
16 75 percent of the total costs of such projects and the Fed-
17 eral share of implementation grants shall not exceed 65
18 percent of the total costs of such projects: *Provided fur-*
19 *ther*, That the non-Federal share of such projects may not
20 be derived from Federal grant programs: *Provided further*,
21 That any amount apportioned in 2018 to any State, terri-
22 tory, or other jurisdiction that remains unobligated as of
23 September 30, 2019, shall be reapportioned, together with
24 funds appropriated in 2020, in the manner provided here-
25 in.

1 ADMINISTRATIVE PROVISIONS

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

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

11 NATIONAL PARK SERVICE

12 OPERATION OF THE NATIONAL PARK SYSTEM

13 For expenses necessary for the management, oper-
14 ation, and maintenance of areas and facilities adminis-
15 tered by the National Park Service and for the general
16 administration of the National Park Service,
17 \$2,411,791,000, of which \$10,032,000 for planning and
18 interagency coordination in support of Everglades restora-
19 tion and \$124,461,000 for maintenance, repair, or reha-
20 bilitation projects for constructed assets shall remain
21 available until September 30, 2019: *Provided*, That funds
22 appropriated under this heading in this Act are available
23 for the purposes of section 5 of Public Law 95–348.

1 NATIONAL RECREATION AND PRESERVATION

2 For expenses necessary to carry out recreation pro-
3 grams, natural programs, cultural programs, heritage
4 partnership programs, environmental compliance and re-
5 view, international park affairs, statutory or contractual
6 aid for other activities, and grant administration, not oth-
7 erwise provided for, \$63,049,000: *Provided*, That of the
8 funds provided, \$500,000 is available for implementation
9 of subchapter II of Public Law 99–498, as amended, (20
10 U.S.C. 4441 et seq.).

11 HISTORIC PRESERVATION FUND

12 For expenses necessary in carrying out the National
13 Historic Preservation Act (division A of subtitle III of title
14 54, United States Code), \$77,910,000, to be derived from
15 the Historic Preservation Fund and to remain available
16 until September 30, 2019, of which \$3,000,000 is for com-
17 petitive grants for the restoration of historic properties of
18 national, State and local significance listed on or eligible
19 for inclusion on the National Register of Historic Places,
20 to be made without imposing the usage or direct grant
21 restrictions of section 101(e)(3) (16 U.S.C.
22 470a(e)(3)(A)) of the National Historical Preservation
23 Act: *Provided*, That of the funds provided for the Historic
24 Preservation Fund, \$500,000 is for competitive grants for
25 the survey and nomination of properties to the National

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

14

CONSTRUCTION

15 For construction, improvements, repair, or replace-
16 ment of physical facilities, including modifications author-
17 ized by section 104 of the Everglades National Park Pro-
18 tection and Expansion Act of 1989 (16 U.S.C. 410r-8),
19 and compliance and planning for programs and areas ad-
20 ministered by the National Park Service, \$221,704,000,
21 to remain available until expended: *Provided*, That, not-
22 withstanding any other provision of law, for any project
23 initially funded in fiscal year 2018 with a future phase
24 indicated in the National Park Service 5-Year Line Item
25 Construction Plan, a single procurement may be issued

1 which includes the full scope of the project: *Provided fur-*
2 *ther*, That the solicitation and contract shall contain the
3 clause availability of funds found at 48 CFR 52.232–18:
4 *Provided further*, That National Park Service Donations,
5 Park Concessions Franchise Fees, and Recreation Fees
6 may be made available for the cost of adjustments and
7 changes within the original scope of effort for projects
8 funded by the National Park Service Construction appro-
9 priation: *Provided further*, That the Secretary of the Inte-
10 rior shall consult with the Committees on Appropriations,
11 in accordance with current reprogramming thresholds,
12 prior to making any charges authorized by this section.

13 LAND AND WATER CONSERVATION FUND

14 (RESCISSION)

15 The contract authority provided for fiscal year 2018
16 by section 200308 of title 54, United States Code, is re-
17 scinded.

18 LAND ACQUISITION AND STATE ASSISTANCE

19 (INCLUDING RESCISSION OF FUNDS)

20 For expenses necessary to carry out chapter 2003 of
21 title 54, United States Code, including administrative ex-
22 penses, and for acquisition of lands or waters, or interest
23 therein, in accordance with the statutory authority appli-
24 cable to the National Park Service, \$180,199,000, to be
25 derived from the Land and Water Conservation Fund and

1 to remain available until expended, of which \$124,000,000
2 is for the State assistance program and of which
3 \$10,000,000 shall be for the American Battlefield Protec-
4 tion Program grants as authorized by chapter 3081 of title
5 54, United States Code.

6 Of the unobligated balances for this account from
7 prior appropriations, \$4,500,000 are permanently re-
8 scinded: *Provided*, That no amounts may be rescinded
9 from amounts that were designated by the Congress as
10 an emergency requirement pursuant to the Concurrent
11 Resolution on the Budget or the Balanced Budget and
12 Emergency Deficit Control Act of 1985.

13 CENTENNIAL CHALLENGE

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

1 ADMINISTRATIVE PROVISIONS
2 (INCLUDING TRANSFER OF FUNDS)

3 In addition to other uses set forth in section
4 101917(c)(2) of title 54, United States Code, franchise
5 fees credited to a sub-account shall be available for ex-
6 penditure by the Secretary, without further appropriation,
7 for use at any unit within the National Park System to
8 extinguish or reduce liability for Possessory Interest or
9 leasehold surrender interest. Such funds may only be used
10 for this purpose to the extent that the benefitting unit an-
11 ticipated franchise fee receipts over the term of the con-
12 tract at that unit exceed the amount of funds used to ex-
13 tinguish or reduce liability. Franchise fees at the benefit-
14 ting unit shall be credited to the sub-account of the origi-
15 nating unit over a period not to exceed the term of a single
16 contract at the benefitting unit, in the amount of funds
17 so expended to extinguish or reduce liability.

18 For the costs of administration of the Land and
19 Water Conservation Fund grants authorized by section
20 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
21 of 2006 (Public Law 109-432), the National Park Service
22 may retain up to 3 percent of the amounts which are au-
23 thorized to be disbursed under such section, such retained
24 amounts to remain available until expended.

1 National Park Service funds may be transferred to
2 the Federal Highway Administration (FHWA), Depart-
3 ment of Transportation, for purposes authorized under 23
4 U.S.C. 204. Transfers may include a reasonable amount
5 for FHWA administrative support costs.

6 UNITED STATES GEOLOGICAL SURVEY

7 SURVEYS, INVESTIGATIONS, AND RESEARCH

8 For expenses necessary for the United States Geo-
9 logical Survey to perform surveys, investigations, and re-
10 search covering topography, geology, hydrology, biology,
11 and the mineral and water resources of the United States,
12 its territories and possessions, and other areas as author-
13 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
14 to their mineral and water resources; give engineering su-
15 pervision to power permittees and Federal Energy Regu-
16 latory Commission licensees; administer the minerals ex-
17 ploration program (30 U.S.C. 641); conduct inquiries into
18 the economic conditions affecting mining and materials
19 processing industries (30 U.S.C. 3, 21a, and 1603; 50
20 U.S.C. 98g(1)) and related purposes as authorized by law;
21 and to publish and disseminate data relative to the fore-
22 going activities; \$1,085,167,000, to remain available until
23 September 30, 2019; of which \$70,933,913 shall remain
24 available until expended for satellite operations; and of
25 which \$7,266,000 shall be available until expended for de-

1 ferred maintenance and capital improvement projects that
2 exceed \$100,000 in cost: *Provided*, That none of the funds
3 provided for the ecosystem research activity shall be used
4 to conduct new surveys on private property, unless specifi-
5 cally authorized in writing by the property owner: *Pro-*
6 *vided further*, That no part of this appropriation shall be
7 used to pay more than one-half the cost of topographic
8 mapping or water resources data collection and investiga-
9 tions carried on in cooperation with States and municipali-
10 ties.

11 ADMINISTRATIVE PROVISIONS

12 From within the amount appropriated for activities
13 of the United States Geological Survey such sums as are
14 necessary shall be available for contracting for the fur-
15 nishing of topographic maps and for the making of geo-
16 physical or other specialized surveys when it is administra-
17 tively determined that such procedures are in the public
18 interest; construction and maintenance of necessary build-
19 ings and appurtenant facilities; acquisition of lands for
20 gauging stations, observation wells, and seismic equip-
21 ment; expenses of the United States National Committee
22 for Geological Sciences; and payment of compensation and
23 expenses of persons employed by the Survey duly ap-
24 pointed to represent the United States in the negotiation
25 and administration of interstate compacts: *Provided*, That

1 activities funded by appropriations herein made may be
2 accomplished through the use of contracts, grants, or co-
3 operative agreements as defined in section 6302 of title
4 31, United States Code: *Provided further*, That the United
5 States Geological Survey may enter into contracts or coop-
6 erative agreements directly with individuals or indirectly
7 with institutions or nonprofit organizations, without re-
8 gard to 41 U.S.C. 6101, for the temporary or intermittent
9 services of students or recent graduates, who shall be con-
10 sidered employees for the purpose of chapters 57 and 81
11 of title 5, United States Code, relating to compensation
12 for travel and work injuries, and chapter 171 of title 28,
13 United States Code, relating to tort claims, but shall not
14 be considered to be Federal employees for any other pur-
15 poses.

16 BUREAU OF OCEAN ENERGY MANAGEMENT

17 OCEAN ENERGY MANAGEMENT

18 (INCLUDING RESCISSION OF FUNDS)

19 For expenses necessary for granting leases, ease-
20 ments, rights-of-way and agreements for use for oil and
21 gas, other minerals, energy, and marine-related purposes
22 on the Outer Continental Shelf and approving operations
23 related thereto, as authorized by law; for environmental
24 studies, as authorized by law; for implementing other laws
25 and to the extent provided by Presidential or Secretarial

1 delegation; and for matching grants or cooperative agree-
2 ments, \$171,000,000, of which \$114,166,000 is to remain
3 available until September 30, 2019 and of which
4 \$56,834,000 is to remain available until expended: *Pro-*
5 *vided*, That this total appropriation shall be reduced by
6 amounts collected by the Secretary and credited to this
7 appropriation from additions to receipts resulting from in-
8 creases to lease rental rates in effect on August 5, 1993,
9 and from cost recovery fees from activities conducted by
10 the Bureau of Ocean Energy Management pursuant to the
11 Outer Continental Shelf Lands Act, including studies, as-
12 sessments, analysis, and miscellaneous administrative ac-
13 tivities: *Provided further*, That the sum herein appro-
14 priated shall be reduced as such collections are received
15 during the fiscal year, so as to result in a final fiscal year
16 2018 appropriation estimated at not more than
17 \$114,166,000: *Provided further*, That not to exceed
18 \$3,000 shall be available for reasonable expenses related
19 to promoting volunteer beach and marine cleanup activi-
20 ties.

21 Of the unobligated balances available for this ac-
22 count, \$15,000,000 are permanently rescinded.

1 BUREAU OF SAFETY AND ENVIRONMENTAL
2 ENFORCEMENT
3 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT
4 (INCLUDING RESCISSION OF FUNDS)

5 For expenses necessary for the regulation of oper-
6 ations related to leases, easements, rights-of-way and
7 agreements for use for oil and gas, other minerals, energy,
8 and marine-related purposes on the Outer Continental
9 Shelf, as authorized by law; for enforcing and imple-
10 menting laws and regulations as authorized by law and
11 to the extent provided by Presidential or Secretarial dele-
12 gation; and for matching grants or cooperative agree-
13 ments, \$136,411,000, of which \$108,540,000 is to remain
14 available until September 30, 2019 and of which
15 \$27,871,000 is to remain available until expended: *Pro-*
16 *vided*, That this total appropriation shall be reduced by
17 amounts collected by the Secretary and credited to this
18 appropriation from additions to receipts resulting from in-
19 creases to lease rental rates in effect on August 5, 1993,
20 and from cost recovery fees from activities conducted by
21 the Bureau of Safety and Environmental Enforcement
22 pursuant to the Outer Continental Shelf Lands Act, in-
23 cluding studies, assessments, analysis, and miscellaneous
24 administrative activities: *Provided further*, That the sum
25 herein appropriated shall be reduced as such collections

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

4 For an additional amount, \$50,000,000, to remain
5 available until expended, to be reduced by amounts col-
6 lected by the Secretary and credited to this appropriation,
7 which shall be derived from non-refundable inspection fees
8 collected in fiscal year 2018, as provided in this Act: *Pro-*
9 *vided*, That to the extent that amounts realized from such
10 inspection fees exceed \$50,000,000, the amounts realized
11 in excess of \$50,000,000 shall be credited to this appro-
12 priation and remain available until expended: *Provided*
13 *further*, That for fiscal year 2018, not less than 50 percent
14 of the inspection fees expended by the Bureau of Safety
15 and Environmental Enforcement will be used to fund per-
16 sonnel and mission-related costs to expand capacity and
17 expedite the orderly development, subject to environmental
18 safeguards, of the Outer Continental Shelf pursuant to the
19 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
20 seq.), including the review of applications for permits to
21 drill.

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

1 OIL SPILL RESEARCH

2 For necessary expenses to carry out title I, section
3 1016, title IV, sections 4202 and 4303, title VII, and title
4 VIII, section 8201 of the Oil Pollution Act of 1990,
5 \$12,700,000, which shall be derived from the Oil Spill Li-
6 ability Trust Fund, to remain available until expended.

7 OFFICE OF SURFACE MINING RECLAMATION AND

8 ENFORCEMENT

9 REGULATION AND TECHNOLOGY

10 For necessary expenses to carry out the provisions
11 of the Surface Mining Control and Reclamation Act of
12 1977, Public Law 95–87, \$115,804,000, to remain avail-
13 able until September 30, 2019: *Provided*, That appropria-
14 tions for the Office of Surface Mining Reclamation and
15 Enforcement may provide for the travel and per diem ex-
16 penses of State and tribal personnel attending Office of
17 Surface Mining Reclamation and Enforcement sponsored
18 training.

19 In addition, for costs to review, administer, and en-
20 force permits issued by the Office pursuant to section 507
21 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
22 main available until expended: *Provided*, That fees as-
23 sessed and collected by the Office pursuant to such section
24 507 shall be credited to this account as discretionary off-
25 setting collections, to remain available until expended:

1 *Provided further*, That the sum herein appropriated from
2 the general fund shall be reduced as collections are re-
3 ceived during the fiscal year, so as to result in a fiscal
4 year 2018 appropriation estimated at not more than
5 \$115,804,000.

6 ABANDONED MINE RECLAMATION FUND

7 For necessary expenses to carry out title IV of the
8 Surface Mining Control and Reclamation Act of 1977,
9 Public Law 95–87, \$21,479,000, to be derived from re-
10 ceipts of the Abandoned Mine Reclamation Fund and to
11 remain available until expended: *Provided*, That pursuant
12 to Public Law 97–365, the Department of the Interior is
13 authorized to use up to 20 percent from the recovery of
14 the delinquent debt owed to the United States Government
15 to pay for contracts to collect these debts: *Provided fur-*
16 *ther*, That funds made available under title IV of Public
17 Law 95–87 may be used for any required non-Federal
18 share of the cost of projects funded by the Federal Gov-
19 ernment for the purpose of environmental restoration re-
20 lated to treatment or abatement of acid mine drainage
21 from abandoned mines: *Provided further*, That such
22 projects must be consistent with the purposes and prior-
23 ities of the Surface Mining Control and Reclamation Act:
24 *Provided further*, That amounts provided under this head-
25 ing may be used for the travel and per diem expenses of

1 State and tribal personnel attending Office of Surface
2 Mining Reclamation and Enforcement sponsored training.

3 In addition, \$115,000,000, to remain available until
4 expended, for grants to States for reclamation of aban-
5 doned mine lands and other related activities in accord-
6 ance with the terms and conditions in the report accom-
7 panying this Act: *Provided*, That such additional amount
8 shall be used for economic and community development
9 in conjunction with the priorities in section 403(a) of the
10 Surface Mining Control and Reclamation Act of 1977 (30
11 U.S.C. 1233(a)): *Provided further*, That of such additional
12 amount, \$75,000,000 shall be distributed in equal
13 amounts to the 3 Appalachian States with the greatest
14 amount of unfunded needs to meet the priorities described
15 in paragraphs (1) and (2) of such section, \$30,000,000
16 shall be distributed in equal amounts to the 3 Appalachian
17 States with the subsequent greatest amount of unfunded
18 needs to meet such priorities, and \$10,000,000 shall be
19 for grants to federally recognized Indian Tribes without
20 regard to their status as certified or uncertified under the
21 Surface Mining Control and Reclamation Act of 1977 (30
22 U.S.C. 1233(a)), for reclamation of abandoned mine lands
23 and other related activities in accordance with the terms
24 and conditions in the report accompanying this Act and
25 shall be used for economic and community development

1 in conjunction with the priorities in section 403(a) of the
2 Surface Mining Control and Reclamation Act of 1977:
3 *Provided further*, That such additional amount shall be al-
4 located to States and Indian Tribes within 60 days after
5 the date of enactment of this Act.

6 BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN
7 EDUCATION
8 OPERATION OF INDIAN PROGRAMS
9 (INCLUDING TRANSFER OF FUNDS)

10 For expenses necessary for the operation of Indian
11 programs, as authorized by law, including the Snyder Act
12 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
13 termination and Education Assistance Act of 1975 (25
14 U.S.C. 5301 et seq.), the Education Amendments of 1978
15 (25 U.S.C. 2001–2019), and the Tribally Controlled
16 Schools Act of 1988 (25 U.S.C. 2501 et seq.),
17 \$2,365,373,000, to remain available until September 30,
18 2019, except as otherwise provided herein; of which not
19 to exceed \$8,500 may be for official reception and rep-
20 resentation expenses; of which not to exceed \$76,000,000
21 shall be for welfare assistance payments: *Provided*, That
22 in cases of designated Federal disasters, the Secretary
23 may exceed such cap, from the amounts provided herein,
24 to provide for disaster relief to Indian communities af-
25 fected by the disaster: *Provided further*, That federally rec-

1 ognized Indian tribes and tribal organizations of federally
2 recognized Indian tribes may use their tribal priority allo-
3 cations for unmet welfare assistance costs: *Provided fur-*
4 *ther*, That not to exceed \$656,637,000 for school oper-
5 ations costs of Bureau-funded schools and other education
6 programs shall become available on July 1, 2018, and
7 shall remain available until September 30, 2019: *Provided*
8 *further*, That not to exceed \$51,861,000 shall remain
9 available until expended for housing improvement, road
10 maintenance, attorney fees, litigation support, land
11 records improvement, and the Navajo-Hopi Settlement
12 Program: *Provided further*, That notwithstanding any
13 other provision of law, including but not limited to the
14 Indian Self-Determination Act of 1975 (25 U.S.C. 5301
15 et seq.) and section 1128 of the Education Amendments
16 of 1978 (25 U.S.C. 2008), not to exceed \$80,168,000
17 within and only from such amounts made available for
18 school operations shall be available for administrative cost
19 grants associated with grants approved prior to July 1,
20 2018: *Provided further*, That any forestry funds allocated
21 to a federally recognized tribe which remain unobligated
22 as of September 30, 2019, may be transferred during fis-
23 cal year 2020 to an Indian forest land assistance account
24 established for the benefit of the holder of the funds within
25 the holder's trust fund account: *Provided further*, That

1 any such unobligated balances not so transferred shall ex-
2 pire on September 30, 2020: *Provided further*, That in
3 order to enhance the safety of Bureau field employees, the
4 Bureau may use funds to purchase uniforms or other iden-
5 tifying articles of clothing for personnel.

6 CONTRACT SUPPORT COSTS

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

16 CONSTRUCTION

17 (INCLUDING TRANSFER OF FUNDS)

18 For construction, repair, improvement, and mainte-
19 nance of irrigation and power systems, buildings, utilities,
20 and other facilities, including architectural and engineer-
21 ing services by contract; acquisition of lands, and interests
22 in lands; and preparation of lands for farming, and for
23 construction of the Navajo Indian Irrigation Project pur-
24 suant to Public Law 87-483, \$206,024,000, to remain
25 available until expended: *Provided*, That such amounts as

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

1 codes and Federal, tribal, or State health and safety
2 standards as required by section 1125(b) of title XI of
3 Public Law 95–561 (25 U.S.C. 2005(b)), with respect to
4 organizational and financial management capabilities:
5 *Provided further*, That if the Secretary declines a grant
6 application, the Secretary shall follow the requirements
7 contained in 25 U.S.C. 2506(f) of Public Law 100–297
8 (25 U.S.C. 2504(f)): *Provided further*, That any disputes
9 between the Secretary and any grantee concerning a grant
10 shall be subject to the disputes provision in section
11 5208(e) of Public Law 107–110 (25 U.S.C. 2507(e)): *Pro-*
12 *vided further*, That in order to ensure timely completion
13 of construction projects, the Secretary may assume control
14 of a project and all funds related to the project, if, within
15 18 months of the date of enactment of this Act, any grant-
16 ee receiving funds appropriated in this Act or in any prior
17 Act, has not completed the planning and design phase of
18 the project and commenced construction: *Provided further*,
19 That this appropriation may be reimbursed from the Of-
20 fice of the Special Trustee for American Indians appro-
21 priation for the appropriate share of construction costs for
22 space expansion needed in agency offices to meet trust re-
23 form 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 \$45,045,000, 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 to support expansion of up to
11 one additional grade when the Secretary determines such
12 waiver is needed to support accomplishment of the mission
13 of the Bureau of Indian Education. Appropriations made
14 available in this or any prior Act for schools funded by
15 the Bureau shall be available, in accordance with the Bu-
16 reau's funding formula, only to the schools in the Bureau
17 school system as of September 1, 1996, and to any school
18 or school program that was reinstated in fiscal year 2012.
19 Funds made available under this Act may not be used to
20 establish a charter school at a Bureau-funded school (as
21 that term is defined in section 1141 of the Education
22 Amendments of 1978 (25 U.S.C. 2021)), except that a
23 charter school that is in existence on the date of the enact-
24 ment of this Act and that has operated at a Bureau-fund-
25 ed school before September 1, 1999, may continue to oper-

1 ate during that period, but only if the charter school pays
2 to the Bureau a pro rata share of funds to reimburse the
3 Bureau for the use of the real and personal property (in-
4 cluding buses and vans), the funds of the charter school
5 are kept separate and apart from Bureau funds, and the
6 Bureau does not assume any obligation for charter school
7 programs of the State in which the school is located if
8 the charter school loses such funding. Employees of Bu-
9 reau-funded schools sharing a campus with a charter
10 school and performing functions related to the charter
11 school's operation and employees of a charter school shall
12 not be treated as Federal employees for purposes of chap-
13 ter 171 of title 28, United States Code.

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

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

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

1 DEPARTMENTAL OFFICES

2 OFFICE OF THE SECRETARY

3 DEPARTMENTAL OPERATIONS

4 For necessary expenses for management of the De-
5 partment of the Interior and for grants and cooperative
6 agreements, as authorized by law, \$124,182,000, to re-
7 main available until September 30, 2019; of which not to
8 exceed \$15,000 may be for official reception and represen-
9 tation expenses; and of which up to \$1,000,000 shall be
10 available for workers compensation payments and unem-
11 ployment compensation payments associated with the or-
12 derly closure of the United States Bureau of Mines; and
13 of which \$10,242,000 for the Office of Valuation Services
14 is to be derived from the Land and Water Conservation
15 Fund and shall remain available until expended.

16 ADMINISTRATIVE PROVISIONS

17 For fiscal year 2018, up to \$400,000 of the payments
18 authorized by chapter 69 of title 31, United States Code,
19 may be retained for administrative expenses of the Pay-
20 ments in Lieu of Taxes Program: *Provided*, That the
21 amounts provided under this Act specifically for the Pay-
22 ments in Lieu of Taxes program are the only amounts
23 available for payments authorized under chapter 69 of
24 title 31, United States Code: *Provided further*, That in the
25 event the sums appropriated for any fiscal year for pay-

1 ments pursuant to this chapter are insufficient to make
2 the full payments authorized by that chapter to all units
3 of local government, then the payment to each local gov-
4 ernment shall be made proportionally: *Provided further*,
5 That the Secretary may make adjustments to payment to
6 individual units of local government to correct for prior
7 overpayments or underpayments: *Provided further*, That
8 no payment shall be made pursuant to that chapter to oth-
9 erwise eligible units of local government if the computed
10 amount of the payment is less than \$100.

11 INSULAR AFFAIRS

12 ASSISTANCE TO TERRITORIES

13 For expenses necessary for assistance to territories
14 under the jurisdiction of the Department of the Interior
15 and other jurisdictions identified in section 104(e) of Pub-
16 lic Law 108–188, \$94,236,000, of which: (1) \$84,806,000
17 shall remain available until expended for territorial assist-
18 ance, including general technical assistance, maintenance
19 assistance, disaster assistance, coral reef initiative activi-
20 ties, and brown tree snake control and research; grants
21 to the judiciary in American Samoa for compensation and
22 expenses, as authorized by law (48 U.S.C. 1661(c));
23 grants to the Government of American Samoa, in addition
24 to current local revenues, for construction and support of
25 governmental functions; grants to the Government of the

1 Virgin Islands, as authorized by law; grants to the Govern-
2 ment of Guam, as authorized by law; and grants to the
3 Government of the Northern Mariana Islands, as author-
4 ized by law (Public Law 94–241; 90 Stat. 272); and (2)
5 \$9,430,000 shall be available until September 30, 2019,
6 for salaries and expenses of the Office of Insular Affairs:
7 *Provided*, That all financial transactions of the territorial
8 and local governments herein provided for, including such
9 transactions of all agencies or instrumentalities estab-
10 lished or used by such governments, may be audited by
11 the Government Accountability Office, at its discretion, in
12 accordance with chapter 35 of title 31, United States
13 Code: *Provided further*, That Northern Mariana Islands
14 Covenant grant funding shall be provided according to
15 those terms of the Agreement of the Special Representa-
16 tives on Future United States Financial Assistance for the
17 Northern Mariana Islands approved by Public Law 104–
18 134: *Provided further*, That the funds for the program of
19 operations and maintenance improvement are appro-
20 priated to institutionalize routine operations and mainte-
21 nance improvement of capital infrastructure with terri-
22 torial participation and cost sharing to be determined by
23 the Secretary based on the grantee’s commitment to time-
24 ly maintenance of its capital assets: *Provided further*, That
25 any appropriation for disaster assistance under this head-

1 ing in this Act or previous appropriations Acts may be
2 used as non–Federal matching funds for the purpose of
3 hazard mitigation grants provided pursuant to section 404
4 of the Robert T. Stafford Disaster Relief and Emergency
5 Assistance Act (42 U.S.C. 5170e).

6 COMPACT OF FREE ASSOCIATION

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

15 ADMINISTRATIVE PROVISIONS

16 (INCLUDING TRANSFER OF FUNDS)

17 At the request of the Governor of Guam, the Sec-
18 retary may transfer discretionary funds or mandatory
19 funds provided under section 104(e) of Public Law 108–
20 188 and Public Law 104–134, that are allocated for
21 Guam, to the Secretary of Agriculture for the subsidy cost
22 of direct or guaranteed loans, plus not to exceed three per-
23 cent of the amount of the subsidy transferred for the cost
24 of loan administration, for the purposes authorized by the
25 Rural Electrification Act of 1936 and section 306(a)(1)

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

15 OFFICE OF THE SOLICITOR

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of the Solicitor,
18 \$65,675,000.

19 OFFICE OF INSPECTOR GENERAL

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of Inspector
22 General, \$49,952,000.

1 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN
2 INDIANS
3 FEDERAL TRUST PROGRAMS
4 (INCLUDING TRANSFER OF FUNDS)

5 For the operation of trust programs for Indians by
6 direct expenditure, contracts, cooperative agreements,
7 compacts, and grants, \$119,400,000, to remain available
8 until expended, of which not to exceed \$18,990,000 from
9 this or any other Act, may be available for historical ac-
10 counting: *Provided*, That funds for trust management im-
11 provements and litigation support may, as needed, be
12 transferred to or merged with the Bureau of Indian Af-
13 fairs and Bureau of Indian Education, “Operation of In-
14 dian Programs” account; the Office of the Solicitor, “Sala-
15 ries and Expenses” account; and the Office of the Sec-
16 retary, “Departmental Operations” account: *Provided fur-*
17 *ther*, That funds made available through contracts or
18 grants obligated during fiscal year 2018, as authorized by
19 the Indian Self-Determination Act of 1975 (25 U.S.C. 450
20 et seq.), shall remain available until expended by the con-
21 tractor or grantee: *Provided further*, That, notwith-
22 standing any other provision of law, the Secretary shall
23 not be required to provide a quarterly statement of per-
24 formance for any Indian trust account that has not had
25 activity for at least 15 months and has a balance of \$15

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

1 the balance of the individual accounts, including any ac-
2 crued interest and income, and such funds shall remain
3 available to the individual account holders.

4 DEPARTMENT-WIDE PROGRAMS

5 WILDLAND FIRE MANAGEMENT

6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses for fire preparedness, fire
8 suppression operations, fire science and research, emer-
9 gency rehabilitation, fuels management activities, and
10 rural fire assistance by the Department of the Interior,
11 \$938,087,000, to remain available until expended, of
12 which not to exceed \$8,427,000 shall be for the renovation
13 or construction of fire facilities: *Provided*, That such funds
14 are also available for repayment of advances to other ap-
15 propriation accounts from which funds were previously
16 transferred for such purposes: *Provided further*, That of
17 the funds provided \$184,000,000 is for fuels management
18 activities: *Provided further*, That of the funds provided
19 \$20,470,000 is for burned area rehabilitation: *Provided*
20 *further*, That persons hired pursuant to 43 U.S.C. 1469
21 may be furnished subsistence and lodging without cost
22 from funds available from this appropriation: *Provided*
23 *further*, That notwithstanding 42 U.S.C. 1856d, sums re-
24 ceived by a bureau or office of the Department of the Inte-
25 rior for fire protection rendered pursuant to 42 U.S.C.

1 1856 et seq., protection of United States property, may
2 be credited to the appropriation from which funds were
3 expended to provide that protection, and are available
4 without fiscal year limitation: *Provided further*, That using
5 the amounts designated under this title of this Act, the
6 Secretary of the Interior may enter into procurement con-
7 tracts, grants, or cooperative agreements, for fuels man-
8 agement activities, and for training and monitoring associ-
9 ated with such fuels management activities on Federal
10 land, or on adjacent non-Federal land for activities that
11 benefit resources on Federal land: *Provided further*, That
12 the costs of implementing any cooperative agreement be-
13 tween the Federal Government and any non-Federal entity
14 may be shared, as mutually agreed on by the affected par-
15 ties: *Provided further*, That notwithstanding requirements
16 of the Competition in Contracting Act, the Secretary, for
17 purposes of fuels management activities, may obtain max-
18 imum practicable competition among: (1) local private,
19 nonprofit, or cooperative entities; (2) Youth Conservation
20 Corps crews, Public Lands Corps (Public Law 109–154),
21 or related partnerships with State, local, or nonprofit
22 youth groups; (3) small or micro-businesses; or (4) other
23 entities that will hire or train locally a significant percent-
24 age, defined as 50 percent or more, of the project work-
25 force to complete such contracts: *Provided further*, That

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

1 *Provided further*, That funds provided for wildfire suppres-
2 sion shall be available for support of Federal emergency
3 response actions: *Provided further*, That funds appro-
4 priated under this heading shall be available for assistance
5 to or through the Department of State in connection with
6 forest and rangeland research, technical information, and
7 assistance in foreign countries, and, with the concurrence
8 of the Secretary of State, shall be available to support for-
9 estry, wildland fire management, and related natural re-
10 source activities outside the United States and its terri-
11 tories and possessions, including technical assistance, edu-
12 cation and training, and cooperation with United States
13 and international organizations.

14 For an additional amount, \$11,594,000 for wildfire
15 suppression operations to meet the emergency and unpre-
16 dictable aspects of wildland firefighting including support,
17 response, and emergency stabilization activities, other
18 emergency management activities, and funds necessary to
19 repay any transfers needed for these costs, to remain
20 available until expended: *Provided*, That all such funds are
21 also available for transfer to other appropriations accounts
22 to repay amounts previously transferred for wildfire sup-
23 pression: *Provided further*, That such funds shall only be-
24 come available if funds previously provided for wildland
25 fire suppression will be exhausted imminently and the Sec-

1 retary of the Department of the Interior notifies the Com-
2 mittees on Appropriations of the House of Representatives
3 and the Senate in writing of the need for these additional
4 funds: *Provided further*, That such amount is designated
5 by the Congress as an emergency requirement pursuant
6 to section 251(b)(2)(A)(i) of the Balanced Budget and
7 Emergency Deficit Control Act of 1985, except that such
8 amount shall be available only if the President subse-
9 quently so designates such amount and transmits such
10 designation to the Congress.

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., \$7,767,000, 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, \$61,494,000, 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 Resources 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.

1 PAYMENTS IN LIEU OF TAXES

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

5 OFFICE OF NATURAL RESOURCES REVENUE

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

19 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

20 (INCLUDING TRANSFERS OF FUNDS)

21 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

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

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

10 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

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

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

1 rata basis, accounts from which emergency funds were
2 transferred.

3 AUTHORIZED USE OF FUNDS

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

19 AUTHORIZED USE OF FUNDS, INDIAN TRUST

20 MANAGEMENT

21 SEC. 104. Appropriations made in this Act under the
22 headings Bureau of Indian Affairs and Bureau of Indian
23 Education, and Office of the Special Trustee for American
24 Indians and any unobligated balances from prior appro-
25 priations Acts made under the same headings shall be

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

10 OUTER CONTINENTAL SHELF INSPECTION FEES

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

16 (b) Annual fees shall be collected for facilities that
17 are above the waterline, excluding drilling rigs, and are
18 in place at the start of the fiscal year. Fees for fiscal year
19 2018 shall be:

20 (1) \$10,500 for facilities with no wells, but with
21 processing equipment or gathering lines;

22 (2) \$17,000 for facilities with 1 to 10 wells,
23 with any combination of active or inactive wells; and

1 (3) \$31,500 for facilities with more than 10
2 wells, with any combination of active or inactive
3 wells.

4 (c) Fees for drilling rigs shall be assessed for all in-
5 spections completed in fiscal year 2018. Fees for fiscal
6 year 2018 shall be:

7 (1) \$30,500 per inspection for rigs operating in
8 water depths of 500 feet or more; and

9 (2) \$16,700 per inspection for rigs operating in
10 water depths of less than 500 feet.

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

17 BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION
18 AND ENFORCEMENT REORGANIZATION

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

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 WILDLANDS FUNDING PROHIBITION

8 SEC. 112. None of the funds made available in this
9 Act or any other Act may be used to implement, admin-
10 ister, or enforce Secretarial Order No. 3310 issued by the
11 Secretary of the Interior on December 22, 2010: *Provided*,
12 That nothing in this section shall restrict the Secretary’s
13 authorities under sections 201 and 202 of the Federal
14 Land Policy and Management Act of 1976 (43 U.S.C.
15 1711 and 1712).

16 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

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

1 SAGE-GROUSE

2 SEC. 114. None of the funds made available by this
3 or any other Act may be used by the Secretary of the Inte-
4 rior to write or issue pursuant to section 4 of the Endan-
5 gered Species Act of 1973 (16 U.S.C. 1533)—

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

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

10 HUMANE TRANSFER OF EXCESS ANIMALS

11 SEC. 115. Notwithstanding any other provision of
12 law, the Secretary of the Interior may transfer excess wild
13 horses or burros that have been removed from the public
14 lands to other Federal, State, and local government agen-
15 cies for use as work animals: *Provided*, That the Secretary
16 may make any such transfer immediately upon request of
17 such Federal, State, or local government agency: *Provided*
18 *further*, That any excess animal transferred under this
19 provision shall lose its status as a wild free-roaming horse
20 or burro as defined in the Wild Free-Roaming Horses and
21 Burros Act: *Provided further*, That any Federal, State, or
22 local government agency receiving excess wild horses or
23 burros as authorized in this section shall not: destroy the
24 horses or burros in a way that results in their destruction
25 into commercial products; sell or otherwise transfer the

1 horses or burros in a way that results in their destruction
2 for processing into commercial products; or euthanize the
3 horses or burros except upon the recommendation of a li-
4 censed veterinarian, in cases of severe injury, illness, or
5 advanced age.

6 REPUBLIC OF PALAU

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

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

21 (c) LIMITATIONS ON ASSISTANCE.—(1) IN GEN-
22 ERAL.—The grants and programmatic assistance provided
23 under subsections (a) and (b) shall be provided to the
24 same extent and in the same manner as the grants and
25 assistance were provided in fiscal year 2009.

1 (2) TRUST FUND.—If the Government of Palau with-
2 draws more than \$5,000,000 from the trust fund estab-
3 lished under section 211(f) of the Compact, amounts to
4 be provided under subsections (a) and (b) shall be with-
5 held from the Government of Palau.

6 (3) STATUS OF PAYMENTS.—Amounts provided to
7 the Government of Palau by the Government of the United
8 States in fiscal year 2018 in this section shall be consid-
9 ered as funding to implement the Compact Review Agree-
10 ment and appendices signed by the United States and the
11 Republic of Palau on September 3, 2010, in connection
12 with section 432 of the Compact of Free Association with
13 Palau (Public Law 99–658; 48 U.S.C. 1931 note).

14 (d) ADDITIONAL FUNDS FOR COMPACT OF FREE AS-
15 SOCIATION.—There is appropriated \$110,753,000 for an
16 additional amount for “Compact of Free Association”,
17 which shall become available on October 1, 2018, and shall
18 remain available until expended for use in meeting the fi-
19 nancial obligations of the Government of the United
20 States under the Agreement between the Government of
21 the United States of America and the Government of the
22 Republic of Palau Following the Compact of Free Associa-
23 tion Section 432 Review, signed on September 3, 2010,
24 with the funding schedule therein modified by the Parties
25 as necessary and appropriate (“Compact Review Agree-

1 ment’’: *Provided*, That funds may not be made available
2 under this section prior to the Compact Review Agreement
3 and its appendices entering into force.

4 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES
5 PROGRAM

6 SEC. 117. (a) Notwithstanding any other provision
7 of law relating to Federal grants and cooperative agree-
8 ments, the Secretary of the Interior is authorized to make
9 grants to, or enter into cooperative agreements with, pri-
10 vate nonprofit organizations designated by the Secretary
11 of Labor under title V of the Older Americans Act of 1965
12 to utilize the talents of older Americans in programs au-
13 thorized by other provisions of law administered by the
14 Secretary and consistent with such provisions of law.

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

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

22 (2) result in the use of an individual under the
23 Department of the Interior Experienced Services
24 Program for a job or function in a case in which a
25 Federal employee is in a layoff status from the same

1 or substantially equivalent job within the Depart-
2 ment; or

3 (3) affect existing contracts for services.

4 COLTSVILLE NATIONAL HISTORICAL PARK

5 SEC. 118. Section 3032(b)(2)(B) of Public Law 113–
6 291 (16 U.S.C. 410qqq) is amended by striking “East Ar-
7 mory” and inserting “Colt Armory Complex”.

8 JAY S. HAMMOND WILDERNESS

9 SEC. 119. (a) DESIGNATION.—The approximately
10 2,600,000 acres of National Wilderness Preservation Sys-
11 tem land located within the Lake Clark National Park and
12 Preserve designated by section 701(6) of the Alaska Na-
13 tional Interest Lands Conservation Act (16 U.S.C. 1132
14 note; Public Law 96–487) shall be known and designated
15 as the “Jay S. Hammond Wilderness”.

16 (b) REFERENCES.—Any reference in a law, map, reg-
17 ulation, document, paper, or other record of the United
18 States to the wilderness area referred to in subsection (a)
19 shall be deemed to be a reference to the “Jay S. Ham-
20 mond Wilderness”.

21 REISSUANCE OF FINAL RULES

22 SEC. 120. Before the end of the 60-day period begin-
23 ning on the date of the enactment of this Act, the Sec-
24 retary of the Interior shall reissue the final rule published
25 on December 28, 2011 (76 Fed. Reg. 81666 et seq.) and

1 the final rule published on September 10, 2012 (77 Fed.
2 Reg. 55530 et seq.), without regard to any other provision
3 of statute or regulation that applies to issuance of such
4 rules. Such reissuance (including this section) shall not be
5 subject to judicial review.

6 LESSER PRAIRIE-CHICKEN

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

13 EXTENSION OF AUTHORITIES

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

18 INCORPORATION BY REFERENCE

19 SEC. 123. (a) The following provisions of S. 1460
20 (Energy and Natural Resources Act of 2017) of the 115th
21 Congress, as placed on the calendar of the Senate on June
22 29, 2017, are hereby enacted into law:

23 (1) Section 4640 (Repeal of prior limitation on
24 compensation of the Secretary of the Interior).

1 “PROTECTION OF TRANS-ALASKA PIPELINE SYSTEM
2 CRITICAL INFRASTRUCTURE INFORMATION

3 “SEC. 208. Any information about critical infrastruc-
4 ture, as defined in 42 U.S.C. 5195c(e), concerning the
5 Trans-Alaska Pipeline System or its components, facili-
6 ties, and equipment is exempt from release under the
7 Freedom of Information Act (5 U.S.C. 552 et seq.) pursu-
8 ant to 5 U.S.C. 552(b)(3).”.

9 TITLE II
10 ENVIRONMENTAL PROTECTION AGENCY
11 SCIENCE AND TECHNOLOGY
12 (INCLUDING RESCISSION OF FUNDS)

13 For science and technology, including research and
14 development activities, which shall include research and
15 development activities under the Comprehensive Environ-
16 mental Response, Compensation, and Liability Act of
17 1980; necessary expenses for personnel and related costs
18 and travel expenses; procurement of laboratory equipment
19 and supplies; and other operating expenses in support of
20 research and development, \$661,029,000, to remain avail-
21 able until September 30, 2019: *Provided*, That of the
22 funds included under this heading, \$4,100,000 shall be for
23 Research: National Priorities as specified in the Report
24 accompanying this Act: *Provided further*, That of unobli-
25 gated balances from appropriations made available under

1 this heading, \$27,000,000 are permanently rescinded:
2 *Provided further*, That no amounts may be rescinded pur-
3 suant to the preceding proviso from amounts made avail-
4 able in the first proviso for Research: National Priorities.

5 ENVIRONMENTAL PROGRAMS AND MANAGEMENT
6 (INCLUDING RESCISSION OF FUNDS)

7 For environmental programs and management, in-
8 cluding necessary expenses, not otherwise provided for, for
9 personnel and related costs and travel expenses; hire of
10 passenger motor vehicles; hire, maintenance, and oper-
11 ation of aircraft; purchase of reprints; library member-
12 ships in societies or associations which issue publications
13 to members only or at a price to members lower than to
14 subscribers who are not members; administrative costs of
15 the brownfields program under the Small Business Liabil-
16 ity Relief and Brownfields Revitalization Act of 2002; im-
17 plementation of a coal combustion residual permit pro-
18 gram under section 2301 of the Water and Waste Act of
19 2016; and not to exceed \$19,000 for official reception and
20 representation expenses, \$2,521,543,000, to remain avail-
21 able until September 30, 2019: *Provided*, That of the
22 funds included under this heading, \$12,700,000 shall be
23 for Environmental Protection: National Priorities as speci-
24 fied in the Report accompanying this Act: *Provided fur-*
25 *ther*, That of the funds included under this heading,

1 \$443,857,000 shall be for Geographic Programs specified
2 in the Report accompanying this Act: *Provided further*,
3 That of the unobligated balances from appropriations
4 made available under this heading, \$41,000,000 are per-
5 manently rescinded: *Provided further*, That no amounts
6 may be rescinded pursuant to the preceding proviso from
7 amounts made available in the first proviso for Environ-
8 mental Protection: National Priorities, from amounts
9 made available in the second proviso for Geographic Pro-
10 grams, or from the National Estuary Program (33 U.S.C.
11 1330).

12 In addition, \$10,000,000 to remain available until ex-
13 pended, for necessary expenses of activities described in
14 section 26(b)(1) of the Toxic Substances Control Act (15
15 U.S.C. 2625(b)(1)): *Provided*, That fees collected pursu-
16 ant to that section of that Act and deposited in the “TSCA
17 Service Fee Fund” as discretionary offsetting receipts in
18 fiscal year 2018 shall be retained and used for necessary
19 salaries and expenses in this appropriation and shall re-
20 main available until expended: *Provided further*, That the
21 sum herein appropriated in this paragraph from the gen-
22 eral fund for fiscal year 2018 shall be reduced by the
23 amount of discretionary offsetting receipts received during
24 fiscal year 2018, so as to result in a final fiscal year 2018
25 appropriation from the general fund estimated at not more

1 than \$0: *Provided further*, That to the extent that amounts
2 realized from such receipts exceed \$10,000,000, those
3 amount in excess of \$10,000,000 shall be deposited in the
4 “TSCA Service Fee Fund” as discretionary offsetting re-
5 ceipts in fiscal year 2018, shall be retained and used for
6 necessary salaries and expenses in this account, and shall
7 remain available until expended: *Provided further*, That of
8 the funds included in the first paragraph under this head-
9 ing, the Chemical Risk Review and Reduction program
10 project shall be allocated for this fiscal year, excluding the
11 amount of any fees appropriated, not less than the amount
12 of appropriations for that program project for fiscal year
13 2014.

14 HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM
15 FUND

16 For necessary expenses to carry out section 3024 of
17 the Solid Waste Disposal Act (42 U.S.C. 6939g), includ-
18 ing the development, operation, maintenance, and upgrad-
19 ing of the hazardous waste electronic manifest system es-
20 tablished by such section, \$3,674,000, to remain available
21 until expended: *Provided*, That the sum herein appro-
22 priated from the general fund shall be reduced as offset-
23 ting collections under such section 3024 are received dur-
24 ing fiscal year 2018, which shall remain available until ex-
25 pended and be used for necessary expenses in this appro-

1 priation, so as to result in a final fiscal year 2018 appro-
2 priation from the general fund estimated at not more than
3 \$0: *Provided further*, That to the extent such offsetting
4 collections received in fiscal year 2018 exceed \$3,674,000,
5 those excess amounts shall remain available until ex-
6 pended and be used for necessary expenses in this appro-
7 priation.

8 OFFICE OF INSPECTOR GENERAL

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

13 BUILDINGS AND FACILITIES

14 For construction, repair, improvement, extension, al-
15 teration, and purchase of fixed equipment or facilities of,
16 or for use by, the Environmental Protection Agency,
17 \$34,467,000, to remain available until expended.

18 HAZARDOUS SUBSTANCE SUPERFUND

19 (INCLUDING TRANSFERS OF FUNDS)

20 For necessary expenses to carry out the Comprehen-
21 sive Environmental Response, Compensation, and Liabil-
22 ity Act of 1980 (CERCLA), including sections 111(c)(3),
23 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611)
24 \$1,090,735,000, to remain available until expended, con-
25 sisting of such sums as are available in the Trust Fund

1 on September 30, 2017, as authorized by section 517(a)
2 of the Superfund Amendments and Reauthorization Act
3 of 1986 (SARA) and up to \$1,090,735,000 as a payment
4 from general revenues to the Hazardous Substance Super-
5 fund for purposes as authorized by section 517(b) of
6 SARA: *Provided*, That funds appropriated under this
7 heading may be allocated to other Federal agencies in ac-
8 cordance with section 111(a) of CERCLA: *Provided fur-*
9 *ther*, That of the funds appropriated under this heading,
10 \$8,778,000 shall be paid to the “Office of Inspector Gen-
11 eral” appropriation to remain available until September
12 30, 2019, and \$15,496,000 shall be paid to the “Science
13 and Technology” appropriation to remain available until
14 September 30, 2019.

15 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
16 PROGRAM

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

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

7 INLAND OIL SPILL PROGRAMS

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

13 STATE AND TRIBAL ASSISTANCE GRANTS

14 For environmental programs and infrastructure as-
15 sistance, including capitalization grants for State revolv-
16 ing funds and performance partnership grants,
17 \$3,553,041,000, to remain available until expended, of
18 which—

19 (1) \$1,394,000,000 shall be for making capital-
20 ization grants for the Clean Water State Revolving
21 Funds under title VI of the Federal Water Pollution
22 Control Act; and of which \$864,000,000 shall be for
23 making capitalization grants for the Drinking Water
24 State Revolving Funds under section 1452 of the
25 Safe Drinking Water Act: *Provided*, That for fiscal

1 year 2018, to the extent there are sufficient eligible
2 project applications and projects are consistent with
3 State Intended Use Plans, not less than 10 percent
4 of the funds made available under this title to each
5 State for Clean Water State Revolving Fund capital-
6 ization grants shall be used by the State for projects
7 to address green infrastructure, water or energy effi-
8 ciency improvements, or other environmentally inno-
9 vative activities: *Provided further*, That for fiscal
10 year 2018, funds made available under this title to
11 each State for Drinking Water State Revolving
12 Fund capitalization grants may, at the discretion of
13 each State, be used for projects to address green in-
14 frastructure, water or energy efficiency improve-
15 ments, or other environmentally innovative activities:
16 *Provided further*, That notwithstanding section
17 603(d)(7) of the Federal Water Pollution Control
18 Act, the limitation on the amounts in a State water
19 pollution control revolving fund that may be used by
20 a State to administer the fund shall not apply to
21 amounts included as principal in loans made by such
22 fund in fiscal year 2018 and prior years where such
23 amounts represent costs of administering the fund
24 to the extent that such amounts are or were deemed
25 reasonable by the Administrator, accounted for sepa-

1 rately from other assets in the fund, and used for
2 eligible purposes of the fund, including administra-
3 tion: *Provided further*, That for fiscal year 2018,
4 notwithstanding the provisions of subsections (g)(1),
5 (h), and (l) of section 201 of the Federal Water Pol-
6 lution Control Act, grants made under title II of
7 such Act for American Samoa, Guam, the common-
8 wealth of the Northern Marianas, the United States
9 Virgin Islands, and the District of Columbia may
10 also be made for the purpose of providing assistance:
11 (1) solely for facility plans, design activities, or
12 plans, specifications, and estimates for any proposed
13 project for the construction of treatment works; and
14 (2) for the construction, repair, or replacement of
15 privately owned treatment works serving one or
16 more principal residences or small commercial estab-
17 lishments: *Provided further*, That for fiscal year
18 2018, notwithstanding the provisions of such sub-
19 sections (g)(1), (h), and (l) of section 201 and sec-
20 tion 518(c) of the Federal Water Pollution Control
21 Act, funds reserved by the Administrator for grants
22 under section 518(c) of the Federal Water Pollution
23 Control Act may also be used to provide assistance:
24 (1) solely for facility plans, design activities, or
25 plans, specifications, and estimates for any proposed

1 project for the construction of treatment works; and
2 (2) for the construction, repair, or replacement of
3 privately owned treatment works serving one or
4 more principal residences or small commercial estab-
5 lishments: *Provided further*, That for fiscal year
6 2018, notwithstanding any provision of the Federal
7 Water Pollution Control Act and regulations issued
8 pursuant thereof, up to a total of \$2,000,000 of the
9 funds reserved by the Administrator for grants
10 under section 518(c) of such Act may also be used
11 for grants for training, technical assistance, and
12 educational programs relating to the operation and
13 management of the treatment works specified in sec-
14 tion 518(c) of such Act: *Provided further*, That for
15 fiscal year 2018, funds reserved under section
16 518(c) of such Act shall be available for grants only
17 to Indian tribes, as defined in section 518(h) of such
18 Act and former Indian reservations in Oklahoma (as
19 determined by the Secretary of the Interior) and Na-
20 tive Villages as defined in Public Law 92-203: *Pro-*
21 *vided further*, That for fiscal year 2018, notwith-
22 standing the limitation on amounts in section 518(c)
23 of the Federal Water Pollution Control Act, up to a
24 total of 2 percent of the funds appropriated, or
25 \$30,000,000, whichever is greater, and notwith-

1 standing the limitation on amounts in section
2 1452(i) of the Safe Drinking Water Act, up to a
3 total of 2 percent of the funds appropriated, or
4 \$20,000,000, whichever is greater, for State Revolv-
5 ing Funds under such Acts may be reserved by the
6 Administrator for grants under section 518(c) and
7 section 1452(i) of such Acts: *Provided further*, That
8 for fiscal year 2018, notwithstanding the amounts
9 specified in section 205(c) of the Federal Water Pol-
10 lution Control Act, up to 1.5 percent of the aggre-
11 gate funds appropriated for the Clean Water State
12 Revolving Fund program under the Act less any
13 sums reserved under section 518(c) of the Act, may
14 be reserved by the Administrator for grants made
15 under title II of the Federal Water Pollution Control
16 Act for American Samoa, Guam, the Commonwealth
17 of the Northern Marianas, and United States Virgin
18 Islands: *Provided further*, That for fiscal year 2018,
19 notwithstanding the limitations on amounts specified
20 in section 1452(j) of the Safe Drinking Water Act,
21 up to 1.5 percent of the funds appropriated for the
22 Drinking Water State Revolving Fund programs
23 under the Safe Drinking Water Act may be reserved
24 by the Administrator for grants made under section
25 1452(j) of the Safe Drinking Water Act: *Provided*

1 *further*, That 10 percent of the funds made available
2 under this title to each State for Clean Water State
3 Revolving Fund capitalization grants and 20 percent
4 of the funds made available under this title to each
5 State for Drinking Water State Revolving Fund cap-
6 italization grants shall be used by the State to pro-
7 vide additional subsidy to eligible recipients in the
8 form of forgiveness of principal, negative interest
9 loans, or grants (or any combination of these), and
10 shall be so used by the State only where such funds
11 are provided as initial financing for an eligible re-
12 cipient or to buy, refinance, or restructure the debt
13 obligations of eligible recipients only where such debt
14 was incurred on or after the date of enactment of
15 this Act, or where such debt was incurred prior to
16 the date of enactment of this Act if the State, with
17 concurrence from the Administrator, determines that
18 such funds could be used to help address a threat
19 to public health from heightened exposure to lead in
20 drinking water or if a Federal or State emergency
21 declaration has been issued due to a threat to public
22 health from heightened exposure to lead in a munic-
23 ipal drinking water supply before the date of enact-
24 ment of this Act: *Provided further*, That in a State
25 in which such an emergency declaration has been

1 issued, the State may use more than 20 percent of
2 the funds made available under this title to the
3 State for Drinking Water State Revolving Fund cap-
4 italization grants to provide additional subsidy to eli-
5 gible recipients;

6 (2) \$10,000,000 shall be for architectural, engi-
7 neering, planning, design, construction and related
8 activities in connection with the construction of high
9 priority water and wastewater facilities in the area
10 of the United States-Mexico Border, after consulta-
11 tion with the appropriate border commission: *Pro-*
12 *vided*, That no funds provided by this appropriations
13 Act to address the water, wastewater and other crit-
14 ical infrastructure needs of the colonias in the
15 United States along the United States-Mexico bor-
16 der shall be made available to a county or municipal
17 government unless that government has established
18 an enforceable local ordinance, or other zoning rule,
19 which prevents in that jurisdiction the development
20 or construction of any additional colonia areas, or
21 the development within an existing colonia the con-
22 struction of any new home, business, or other struc-
23 ture which lacks water, wastewater, or other nec-
24 essary infrastructure;

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

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

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

13 (5) \$40,000,000 shall be for grants under title
14 VII, subtitle G of the Energy Policy Act of 2005;

15 (6) \$30,000,000 shall be for targeted airshed
16 grants in accordance with the terms and conditions
17 of the report accompanying this Act;

18 (7) \$4,000,000 shall be to carry out the water
19 quality program authorized in section 5004(d) of the
20 Water Infrastructure Improvements for the Nation
21 Act (Public Law 114–322);

22 (8) \$20,000,000 shall be for grants for small
23 and disadvantaged communities authorized in sec-
24 tion 2104 of the Water Infrastructure Improvements
25 for the Nation Act (Public Law 114–322); and

1 (9) \$1,091,041,000 shall be for grants, includ-
2 ing associated program support costs, to States, fed-
3 erally recognized tribes, interstate agencies, tribal
4 consortia, and air pollution control agencies for
5 multi-media or single media pollution prevention,
6 control and abatement and related activities, includ-
7 ing activities pursuant to the provisions set forth
8 under this heading in Public Law 104–134, and for
9 making grants under section 103 of the Clean Air
10 Act for particulate matter monitoring and data col-
11 lection activities subject to terms and conditions
12 specified by the Administrator, of which:
13 \$47,745,000 shall be for carrying out section 128 of
14 CERCLA; \$9,646,000 shall be for Environmental
15 Information Exchange Network grants, including as-
16 sociated program support costs; \$1,498,000 shall be
17 for grants to States under section 2007(f)(2) of the
18 Solid Waste Disposal Act, which shall be in addition
19 to funds appropriated under the heading “Leaking
20 Underground Storage Tank Trust Fund Program”
21 to carry out the provisions of the Solid Waste Dis-
22 posal Act specified in section 9508(c) of the Internal
23 Revenue Code other than section 9003(h) of the
24 Solid Waste Disposal Act; \$17,848,000 of the funds
25 available for grants under section 106 of the Federal

1 Water Pollution Control Act shall be for State par-
2 ticipation in national- and State-level statistical sur-
3 veys of water resources and enhancements to State
4 monitoring programs; \$10,000,000 shall be for mul-
5 tipurpose grants, including interagency agreements:
6 *Provided*, That hereafter, notwithstanding other ap-
7 plicable provisions of law, the funds appropriated for
8 the Indian Environmental General Assistance Pro-
9 gram shall be available to federally recognized tribes
10 for solid waste and recovered materials collection,
11 transportation, backhaul, and disposal services.

12 WATER INFRASTRUCTURE FINANCE AND INNOVATION

13 PROGRAM ACCOUNT

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

1 In addition, fees authorized to be collected pursuant
2 to sections 5029 and 5030 of the Water Infrastructure
3 Finance and Innovation Act of 2014 shall be deposited
4 in this account, to remain available until expended, for the
5 purposes provided in such sections.

6 In addition, for administrative expenses to carry out
7 the direct and guaranteed loan programs, notwithstanding
8 section 5033 of the Water Infrastructure Finance and In-
9 novation Act of 2014, \$5,000,000, to remain available
10 until September 30, 2019.

11 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL

12 PROTECTION AGENCY

13 (INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

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

1 ed from funds designated for State financial assistance
2 agreements.

3 The Administrator of the Environmental Protection
4 Agency is authorized to collect and obligate pesticide reg-
5 istration service fees in accordance with section 33 of the
6 Federal Insecticide, Fungicide, and Rodenticide Act, as
7 amended by Public Law 112–177, the Pesticide Registra-
8 tion Improvement Extension Act of 2012.

9 Notwithstanding section 33(d)(2) of the Federal In-
10 secticide, Fungicide, and Rodenticide Act (FIFRA) (7
11 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-
12 mental Protection Agency may assess fees under section
13 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2018.

14 The Administrator is authorized to transfer up to
15 \$300,000,000 of the funds appropriated for the Great
16 Lakes Restoration Initiative under the heading “Environ-
17 mental Programs and Management” to the head of any
18 Federal department or agency, with the concurrence of
19 such head, to carry out activities that would support the
20 Great Lakes Restoration Initiative and Great Lakes
21 Water Quality Agreement programs, projects, or activities;
22 to enter into an interagency agreement with the head of
23 such Federal department or agency to carry out these ac-
24 tivities; and to make grants to governmental entities, non-
25 profit organizations, institutions, and individuals for plan-

1 ning, research, monitoring, outreach, and implementation
2 in furtherance of the Great Lakes Restoration Initiative
3 and the Great Lakes Water Quality Agreement.

4 The Science and Technology, Environmental Pro-
5 grams and Management, Office of Inspector General, Haz-
6 ardous Substance Superfund, and Leaking Underground
7 Storage Tank Trust Fund Program accounts are available
8 for the construction, alteration, repair, rehabilitation, and
9 renovation of facilities, provided that the cost does not ex-
10 ceed \$150,000 per project.

11 For fiscal year 2018, and notwithstanding section
12 518(f) of the Federal Water Pollution Control Act (33
13 U.S.C. 1377(f)), the Administrator is authorized to use
14 the amounts appropriated for any fiscal year under section
15 319 of the Act to make grants to Indian tribes pursuant
16 to sections 319(h) and 518(e) of that Act.

17 The Administrator is authorized to use the amounts
18 appropriated under the heading “Environmental Pro-
19 grams and Management” for fiscal year 2018 to provide
20 grants to implement the Southeastern New England Wa-
21 tershed Restoration Program.

22 Notwithstanding the limitation on amounts in section
23 320(i) of the Federal Water Pollution Control Act, funds
24 made available under this title for the National Estuary
25 Program shall be used for the development, implementa-

1 tion, and monitoring of comprehensive conservation and
2 management plans.

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

15 TITLE III

16 RELATED AGENCIES

17 DEPARTMENT OF AGRICULTURE

18 FOREST SERVICE

19 FOREST AND RANGELAND RESEARCH

20 For necessary expenses of forest and rangeland re-
21 search as authorized by law, \$282,420,000, to remain
22 available through September 30, 2021: *Provided*, That of
23 the funds provided, \$77,000,000 is for the forest inventory
24 and analysis program.

1 STATE AND PRIVATE FORESTRY

2 For necessary expenses of cooperating with and pro-
3 viding technical and financial assistance to States, terri-
4 tories, possessions, and others, and for forest health man-
5 agement, and conducting an international program as au-
6 thorized, \$306,546,000, to remain available through Sep-
7 tember 30, 2021, as authorized by law; of which
8 \$58,920,000 is to be derived from the Land and Water
9 Conservation Fund to be used for the Forest Legacy Pro-
10 gram, to remain available until expended.

11 NATIONAL FOREST SYSTEM

12 For necessary expenses of the Forest Service, not
13 otherwise provided for, for management, protection, im-
14 provement, and utilization of the National Forest System,
15 and for hazardous fuels management on or adjacent to
16 such lands, \$1,881,319,000, to remain available through
17 September 30, 2021: *Provided*, That of the funds pro-
18 vided, \$39,285,000 shall be deposited in the Collaborative
19 Forest Landscape Restoration Fund for ecological restora-
20 tion treatments as authorized by 16 U.S.C. 7303(f): *Pro-*
21 *vided further*, That of the funds provided, \$365,500,000
22 shall be for forest products: *Provided further*, That of the
23 funds provided, \$392,500,000 shall be for hazardous fuels
24 management activities, of which not to exceed
25 \$15,000,000 may be used to make grants, using any au-

1 thorities available to the Forest Service under the “State
2 and Private Forestry” appropriation, for the purpose of
3 creating incentives for increased use of biomass from Na-
4 tional Forest System lands: *Provided further*, That
5 \$15,000,000 may be used by the Secretary of Agriculture
6 to enter into procurement contracts or cooperative agree-
7 ments or to issue grants for hazardous fuels management
8 activities, and for training or monitoring associated with
9 such hazardous fuels management activities on Federal
10 land, or on non-Federal land if the Secretary determines
11 such activities benefit resources on Federal land: *Provided*
12 *further*, That funds made available to implement the Com-
13 munity Forestry Restoration Act, Public Law 106–393,
14 title VI, shall be available for use on non-Federal lands
15 in accordance with authorities made available to the For-
16 est Service under the “State and Private Forestry” appro-
17 priations: *Provided further*, That notwithstanding section
18 33 of the Bankhead Jones Farm Tenant Act (7 U.S.C.
19 1012), the Secretary of Agriculture, in calculating a fee
20 for grazing on a National Grassland, may provide a credit
21 of up to 50 percent of the calculated fee to a Grazing As-
22 sociation or direct permittee for a conservation practice
23 approved by the Secretary in advance of the fiscal year
24 in which the cost of the conservation practice is incurred.
25 And, that the amount credited shall remain available to

1 the Grazing Association or the direct permittee, as appro-
2 priate, in the fiscal year in which the credit is made and
3 each fiscal year thereafter for use on the project for con-
4 servation practices approved by the Secretary.

5 CAPITAL IMPROVEMENT AND MAINTENANCE

6 For necessary expenses of the Forest Service, not
7 otherwise provided for, \$401,162,000, to remain available
8 through September 30, 2021, for construction, capital im-
9 provement, maintenance and acquisition of buildings and
10 other facilities and infrastructure; and for construction,
11 reconstruction, decommissioning of roads that are no
12 longer needed, including unauthorized roads that are not
13 part of the transportation system, and maintenance of for-
14 est roads and trails by the Forest Service as authorized
15 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*
16 *vided*, That funds becoming available in fiscal year 2018
17 under the Act of March 4, 1913 (16 U.S.C. 501) shall
18 be transferred to the General Fund of the Treasury and
19 shall not be available for transfer or obligation for any
20 other purpose unless the funds are appropriated.

21 LAND ACQUISITION

22 (INCLUDING RESCISSION OF FUNDS)

23 For expenses necessary to carry out the provisions
24 of chapter 2003 of title 54, United States Code, including
25 administrative expenses, and for acquisition of land or wa-

1 posited by non-Federal parties pursuant to Land Sale and
2 Exchange Acts, pursuant to the Act of December 4, 1967
3 (16 U.S.C. 484a), to remain available through September
4 30, 2021, (16 U.S.C. 516–617a, 555a; Public Law 96–
5 586; Public Law 76–589, 76–591; and Public Law 78–
6 310).

7 RANGE BETTERMENT FUND

8 For necessary expenses of range rehabilitation, pro-
9 tection, and improvement, 50 percent of all moneys re-
10 ceived during the prior fiscal year, as fees for grazing do-
11 mestic livestock on lands in National Forests in the 16
12 Western States, pursuant to section 401(b)(1) of Public
13 Law 94–579, to remain available through September 30,
14 2021, of which not to exceed 6 percent shall be available
15 for administrative expenses associated with on-the-ground
16 range rehabilitation, protection, and improvements.

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

19 For expenses authorized by 16 U.S.C. 1643(b),
20 \$45,000, to remain available through September 30, 2021,
21 to be derived from the fund established pursuant to the
22 above Act.

1 MANAGEMENT OF NATIONAL FOREST LANDS FOR
2 SUBSISTENCE USES

3 For necessary expenses of the Forest Service to man-
4 age Federal lands in Alaska for subsistence uses under
5 title VIII of the Alaska National Interest Lands Conserva-
6 tion Act (Public Law 96–487), \$2,500,000, to remain
7 available through September 30, 2021.

8 WILDLAND FIRE MANAGEMENT
9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses for forest fire presuppression
11 activities on National Forest System lands, for emergency
12 wildland fire suppression on or adjacent to such lands or
13 other lands under fire protection agreement, and for emer-
14 gency rehabilitation of burned-over National Forest Sys-
15 tem lands and water, \$2,380,338,000, to remain available
16 through September 30, 2021: *Provided*, That such funds
17 including unobligated balances under this heading, are
18 available for repayment of advances from other appropria-
19 tions accounts previously transferred for such purposes:
20 *Provided further*, That any unobligated funds appropriated
21 in a previous fiscal year for hazardous fuels management
22 may be transferred to the “National Forest System” ac-
23 count: *Provided further*, That such funds shall be available
24 to reimburse State and other cooperating entities for serv-
25 ices provided in response to wildfire and other emergencies

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

13 For an additional amount, \$495,182,000 for wildfire
14 suppression operations to meet the emergency and unpre-
15 dictable aspects of wildland firefighting including support,
16 response, and emergency stabilization activities, other
17 emergency management activities, and funds necessary to
18 repay any transfers needed for these costs, to remain
19 available until expended: *Provided*, That all such funds are
20 also available for transfer to other appropriations accounts
21 to repay amounts previously transferred for wildfire sup-
22 pression: *Provided further*, That such funds shall only be-
23 come available if funds previously provided for wildland
24 fire suppression will be exhausted imminently and the Sec-
25 retary of Agriculture notifies the Committees on Appro-

1 priations of the House of Representatives and the Senate
2 in writing of the need for these additional funds: *Provided*
3 *further*, That such amount is designated by the Congress
4 as an emergency requirement pursuant to section
5 251(b)(2)(A)(i) of the Balanced Budget and Emergency
6 Deficit Control Act of 1985, except that such amount shall
7 be available only if the President subsequently so des-
8 ignates such amount and transmits such designation to
9 the Congress.

10 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

11 (INCLUDING TRANSFERS OF FUNDS)

12 Appropriations to the Forest Service for the current
13 fiscal year shall be available for: (1) purchase of passenger
14 motor vehicles; acquisition of passenger motor vehicles
15 from excess sources, and hire of such vehicles; purchase,
16 lease, operation, maintenance, and acquisition of aircraft
17 to maintain the operable fleet for use in Forest Service
18 wildland fire programs and other Forest Service programs;
19 notwithstanding other provisions of law, existing aircraft
20 being replaced may be sold, with proceeds derived or
21 trade-in value used to offset the purchase price for the
22 replacement aircraft; (2) services pursuant to 7 U.S.C.
23 2225, and not to exceed \$100,000 for employment under
24 5 U.S.C. 3109; (3) purchase, erection, and alteration of
25 buildings and other public improvements (7 U.S.C. 2250);

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

7 Any appropriations or funds available to the Forest
8 Service may be transferred to the Wildland Fire Manage-
9 ment appropriation for forest firefighting, emergency re-
10 habilitation of burned-over or damaged lands or waters
11 under its jurisdiction, and fire preparedness due to severe
12 burning conditions upon the Secretary’s notification of the
13 House and Senate Committees on Appropriations that all
14 fire suppression funds appropriated under the heading
15 “Wildland Fire Management” and “FLAME Wildfire
16 Suppression Reserve Fund” 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 Not more than \$50,000,000 of funds appropriated to
21 the Forest Service shall be available for expenditure or
22 transfer to the Department of the Interior for wildland
23 fire management, hazardous fuels management, and State
24 fire assistance when such transfers would facilitate and
25 expedite wildland fire management programs and projects.

1 Notwithstanding any other provision of this Act, the
2 Forest Service may transfer unobligated balances of dis-
3 cretionary funds appropriated to the Forest Service by
4 this Act to or within the National Forest System Account,
5 or reprogram funds to be used for the purposes of haz-
6 ardous fuels management and urgent rehabilitation of
7 burned-over National Forest System lands and water,
8 such transferred funds shall remain available through Sep-
9 tember 30, 2021: *Provided*, That none of the funds trans-
10 ferred pursuant to this section shall be available for obli-
11 gation without written notification to and the prior ap-
12 proval of the Committees on Appropriations of both
13 Houses of Congress: *Provided further*, That this section
14 does not apply to funds appropriated to the FLAME Wild-
15 fire Suppression Reserve Fund or funds derived from the
16 Land and Water Conservation Fund.

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

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

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

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

23 None of the funds available to the Forest Service may
24 be reprogrammed without the advance approval of the
25 House and Senate Committees on Appropriations in ac-

1 cordance with the reprogramming procedures contained in
2 the report accompanying this Act.

3 Not more than \$82,000,000 of funds available to the
4 Forest Service shall be transferred to the Working Capital
5 Fund of the Department of Agriculture and not more than
6 \$14,500,000 of funds available to the Forest Service shall
7 be transferred to the Department of Agriculture for De-
8 partment Reimbursable Programs, commonly referred to
9 as Greenbook charges, of which \$875,000 shall be used
10 to fund the Office of the Under Secretary for Natural Re-
11 sources and Environment. Nothing in this paragraph shall
12 prohibit or limit the use of reimbursable agreements re-
13 quested by the Forest Service in order to obtain services
14 from the Department of Agriculture's National Informa-
15 tion Technology Center and the Department of Agri-
16 culture's International Technology Service.

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

1 Of the funds available to the Forest Service, \$4,000
2 is available to the Chief of the Forest Service for official
3 reception and representation expenses.

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

22 Pursuant to section 2(b)(2) of Public Law 98–244,
23 up to \$3,000,000 of the funds available to the Forest
24 Service may be advanced to the National Fish and Wildlife
25 Foundation in a lump sum to aid cost-share conservation

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

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

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

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

23 The Forest Service shall not assess funds for the pur-
24 pose of performing fire, administrative, and other facilities
25 maintenance and decommissioning.

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

13 An eligible individual who is employed in any project
14 funded under title V of the Older Americans Act of 1965
15 (42 U.S.C. 3056 et seq.) and administered by the Forest
16 Service shall be considered to be a Federal employee for
17 purposes of chapter 171 of title 28, United States Code.

18 Notwithstanding any other provision of this Act,
19 through the Office of Budget and Program Analysis, the
20 Forest Service shall report no later than 30 business days
21 following the close of each fiscal quarter all current and
22 prior year unobligated balances, by fiscal year, budget line
23 item and account, to the House and Senate Committees
24 on Appropriations.

1 The Forest Service shall submit, through the Office
2 of Budget and Program Analysis, to the Office of Manage-
3 ment and Budget a proposed system of administrative
4 control of funds for its accounts, as described in 31 U.S.C.
5 1514, not later than December 31, 2017.

6 DEPARTMENT OF HEALTH AND HUMAN
7 SERVICES

8 INDIAN HEALTH SERVICE

9 INDIAN HEALTH SERVICES

10 For expenses necessary to carry out the Act of Au-
11 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
12 tion and Education Assistance Act, the Indian Health
13 Care Improvement Act, and titles II and III of the Public
14 Health Service Act with respect to the Indian Health Serv-
15 ice, \$3,759,258,000, together with payments received dur-
16 ing the fiscal year pursuant to 42 U.S.C. 238(b) and
17 238b, for services furnished by the Indian Health Service:
18 *Provided*, That funds made available to tribes and tribal
19 organizations through contracts, grant agreements, or any
20 other agreements or compacts authorized by the Indian
21 Self-Determination and Education Assistance Act of 1975
22 (25 U.S.C. 450), shall be deemed to be obligated at the
23 time of the grant or contract award and thereafter shall
24 remain available to the tribe or tribal organization without
25 fiscal year limitation: *Provided further*, That \$2,000,000

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1 shall be available for grants or contracts with public or
2 private institutions to provide alcohol or drug treatment
3 services to Indians, including alcohol detoxification serv-
4 ices: *Provided further*, That \$930,484,000 for Purchased/
5 Referred Care, including \$53,000,000 for the Indian Cat-
6 astrophic Health Emergency Fund, shall remain available
7 until expended: *Provided further*, That, of the funds pro-
8 vided, up to \$36,000,000 shall remain available until ex-
9 pended for implementation of the loan repayment program
10 under section 108 of the Indian Health Care Improvement
11 Act: *Provided further*, That, of the funds provided,
12 \$11,000,000 shall remain available until expended to sup-
13 plement funds available for operational costs at tribal clin-
14 ics operated under an Indian Self-Determination and Edu-
15 cation Assistance Act compact or contract where health
16 care is delivered in space acquired through a full service
17 lease, which is not eligible for maintenance and improve-
18 ment and equipment funds from the Indian Health Serv-
19 ice, and \$29,000,000 shall be for costs related to or result-
20 ing from accreditation emergencies, of which up to
21 \$4,000,000 may be used to supplement amounts otherwise
22 available for Purchased and Referred Care: *Provided fur-*
23 *ther*, That the amounts collected by the Federal Govern-
24 ment as authorized by sections 104 and 108 of the Indian
25 Health Care Improvement Act (25 U.S.C. 1613a and

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

1 main available until expended for the purpose of achieving
2 compliance with the applicable conditions and require-
3 ments of titles XVIII and XIX of the Social Security Act,
4 except for those related to the planning, design, or con-
5 struction of new facilities: *Provided further*, That funding
6 contained herein for scholarship programs under the In-
7 dian Health Care Improvement Act (25 U.S.C. 1613)
8 shall remain available until expended: *Provided further*,
9 That amounts received by tribes and tribal organizations
10 under title IV of the Indian Health Care Improvement Act
11 shall be reported and accounted for and available to the
12 receiving tribes and tribal organizations until expended:
13 *Provided further*, That the Bureau of Indian Affairs may
14 collect from the Indian Health Service, tribes and tribal
15 organizations operating health facilities pursuant to Pub-
16 lic Law 93-638, such individually identifiable health infor-
17 mation relating to disabled children as may be necessary
18 for the purpose of carrying out its functions under the
19 Individuals with Disabilities Education Act (20 U.S.C.
20 1400 et seq.): *Provided further*, That the Indian Health
21 Care Improvement Fund may be used, as needed, to carry
22 out activities typically funded under the Indian Health Fa-
23 cilities account.

1 CONTRACT SUPPORT COSTS

2 For payments to tribes and tribal organizations for
3 contract support costs associated with Indian Self-Deter-
4 mination and Education Assistance Act agreements with
5 the Indian Health Service for fiscal year 2018, such sums
6 as may be necessary: *Provided further*, That, notwith-
7 standing any other provision of law, no amounts made
8 available under this heading shall be available for transfer
9 to another budget account.

10 INDIAN HEALTH FACILITIES

11 For construction, repair, maintenance, improvement,
12 and equipment of health and related auxiliary facilities,
13 including quarters for personnel; preparation of plans,
14 specifications, and drawings; acquisition of sites, purchase
15 and erection of modular buildings, and purchases of trail-
16 ers; and for provision of domestic and community sanita-
17 tion facilities for Indians, as authorized by section 7 of
18 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
19 Self-Determination Act, and the Indian Health Care Im-
20 provement Act, and for expenses necessary to carry out
21 such Acts and titles II and III of the Public Health Serv-
22 ice Act with respect to environmental health and facilities
23 support activities of the Indian Health Service,
24 \$563,658,000, to remain available until expended: *Pro-*
25 *vided*, That, notwithstanding any other provision of law,

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

1 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

2 Appropriations provided in this Act to the Indian
3 Health Service shall be available for services as authorized
4 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
5 equivalent to the maximum rate payable for senior-level
6 positions under 5 U.S.C. 5376; hire of passenger motor
7 vehicles and aircraft; purchase of medical equipment; pur-
8 chase of reprints; purchase, renovation and erection of
9 modular buildings and renovation of existing facilities;
10 payments for telephone service in private residences in the
11 field, when authorized under regulations approved by the
12 Secretary; uniforms or allowances therefor as authorized
13 by 5 U.S.C. 5901–5902; and for expenses of attendance
14 at meetings that relate to the functions or activities of the
15 Indian Health Service: *Provided*, That in accordance with
16 the provisions of the Indian Health Care Improvement
17 Act, non-Indian patients may be extended health care at
18 all tribally administered or Indian Health Service facili-
19 ties, subject to charges, and the proceeds along with funds
20 recovered under the Federal Medical Care Recovery Act
21 (42 U.S.C. 2651–2653) shall be credited to the account
22 of the facility providing the service and shall be available
23 without fiscal year limitation: *Provided further*, That not-
24 withstanding any other law or regulation, funds trans-
25 ferred from the Department of Housing and Urban Devel-

1 opment to the Indian Health Service shall be administered
2 under Public Law 86–121, the Indian Sanitation Facilities
3 Act and Public Law 93–638: *Provided further*, That funds
4 appropriated to the Indian Health Service in this Act, ex-
5 cept those used for administrative and program direction
6 purposes, shall not be subject to limitations directed at
7 curtailing Federal travel and transportation: *Provided fur-*
8 *ther*, That none of the funds made available to the Indian
9 Health Service in this Act shall be used for any assess-
10 ments or charges by the Department of Health and
11 Human Services unless identified in the budget justifica-
12 tion and provided in this Act, or approved by the House
13 and Senate Committees on Appropriations through the re-
14 programming process: *Provided further*, That notwith-
15 standing any other provision of law, funds previously or
16 herein made available to a tribe or tribal organization
17 through a contract, grant, or agreement authorized by
18 title I or title V of the Indian Self-Determination and
19 Education Assistance Act of 1975 (25 U.S.C. 450), may
20 be deobligated and reobligated to a self-determination con-
21 tract under title I, or a self-governance agreement under
22 title V of such Act and thereafter shall remain available
23 to the tribe or tribal organization without fiscal year limi-
24 tation: *Provided further*, That none of the funds made
25 available to the Indian Health Service in this Act shall

1 be used to implement the final rule published in the Fed-
2 eral Register on September 16, 1987, by the Department
3 of Health and Human Services, relating to the eligibility
4 for the health care services of the Indian Health Service
5 until the Indian Health Service has submitted a budget
6 request reflecting the increased costs associated with the
7 proposed final rule, and such request has been included
8 in an appropriations Act and enacted into law: *Provided*
9 *further*, That with respect to functions transferred by the
10 Indian Health Service to tribes or tribal organizations, the
11 Indian Health Service is authorized to provide goods and
12 services to those entities on a reimbursable basis, includ-
13 ing payments in advance with subsequent adjustment, and
14 the reimbursements received therefrom, along with the
15 funds received from those entities pursuant to the Indian
16 Self-Determination Act, may be credited to the same or
17 subsequent appropriation account from which the funds
18 were originally derived, with such amounts to remain
19 available until expended: *Provided further*, That reim-
20 bursements for training, technical assistance, or services
21 provided by the Indian Health Service will contain total
22 costs, including direct, administrative, and overhead asso-
23 ciated with the provision of goods, services, or technical
24 assistance: *Provided further*, That the Indian Health Serv-
25 ice may provide to civilian medical personnel serving in

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

9 NATIONAL INSTITUTES OF HEALTH

10 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

11 SCIENCES

12 For necessary expenses for the National Institute of
13 Environmental Health Sciences in carrying out activities
14 set forth in section 311(a) of the Comprehensive Environ-
15 mental Response, Compensation, and Liability Act of
16 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
17 Superfund Amendments and Reauthorization Act of 1986,
18 \$77,349,000.

19 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

20 REGISTRY

21 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

22 HEALTH

23 For necessary expenses for the Agency for Toxic Sub-
24 stances and Disease Registry (ATSDR) in carrying out
25 activities set forth in sections 104(i) and 111(c)(4) of the

1 Comprehensive Environmental Response, Compensation,
2 and Liability Act of 1980 (CERCLA) and section 3019
3 of the Solid Waste Disposal Act, \$74,691,000: *Provided*,
4 That notwithstanding any other provision of law, in lieu
5 of performing a health assessment under section 104(i)(6)
6 of CERCLA, the Administrator of ATSDR may conduct
7 other appropriate health studies, evaluations, or activities,
8 including, without limitation, biomedical testing, clinical
9 evaluations, medical monitoring, and referral to accredited
10 healthcare providers: *Provided further*, That in performing
11 any such health assessment or health study, evaluation,
12 or activity, the Administrator of ATSDR shall not be
13 bound by the deadlines in section 104(i)(6)(A) of
14 CERCLA: *Provided further*, That none of the funds appro-
15 priated under this heading shall be available for ATSDR
16 to issue in excess of 40 toxicological profiles pursuant to
17 section 104(i) of CERCLA during fiscal year 2018, and
18 existing profiles may be updated as necessary.

19 OTHER RELATED AGENCIES

20 EXECUTIVE OFFICE OF THE PRESIDENT

21 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

22 ENVIRONMENTAL QUALITY

23 For necessary expenses to continue functions as-
24 signed to the Council on Environmental Quality and Office
25 of Environmental Quality pursuant to the National Envi-

1 ronmental Policy Act of 1969, the Environmental Quality
2 Improvement Act of 1970, and Reorganization Plan No.
3 1 of 1977, and not to exceed \$750 for official reception
4 and representation expenses, \$3,000,000: *Provided*, That
5 notwithstanding section 202 of the National Environ-
6 mental Policy Act of 1970, the Council shall consist of
7 one member, appointed by the President, by and with the
8 advice and consent of the Senate, serving as chairman and
9 exercising all powers, functions, and duties of the Council.

10 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

11 SALARIES AND EXPENSES

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

1 position of Inspector General of the Board: *Provided fur-*
2 *ther*, That notwithstanding any other provision of law, the
3 Inspector General of the Board shall utilize personnel of
4 the Office of Inspector General of EPA in performing the
5 duties of the Inspector General of the Board, and shall
6 not appoint any individuals to positions within the Board.

7 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

8 SALARIES AND EXPENSES

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses of the Office of Navajo and
11 Hopi Indian Relocation as authorized by Public Law 93–
12 531, \$14,970,000, to remain available until expended:
13 *Provided*, That funds provided in this or any other appro-
14 priations Act are to be used to relocate eligible individuals
15 and groups including evictees from District 6, Hopi-parti-
16 tioned lands residents, those in significantly substandard
17 housing, and all others certified as eligible and not in-
18 cluded in the preceding categories: *Provided further*, That
19 none of the funds contained in this or any other Act may
20 be used by the Office of Navajo and Hopi Indian Reloca-
21 tion to evict any single Navajo or Navajo family who, as
22 of November 30, 1985, was physically domiciled on the
23 lands partitioned to the Hopi Tribe unless a new or re-
24 placement home is provided for such household: *Provided*
25 *further*, That no relocatee will be provided with more than

1 one new or replacement home: *Provided further*, That the
2 Office shall relocate any certified eligible relocatees who
3 have selected and received an approved homesite on the
4 Navajo reservation or selected a replacement residence off
5 the Navajo reservation or on the land acquired pursuant
6 to section 11 of Public Law 93–531 (88 Stat. 1716): *Pro-*
7 *vided further*, That \$200,000 shall be transferred to the
8 Office of Inspector General of the Department of the Inte-
9 rior, to remain available until expended, for audits and
10 investigations of the Office of Navajo and Hopi Indian Re-
11 location, consistent with the Inspector General Act of
12 1978 (5 U.S.C. App.).

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

15 PAYMENT TO THE INSTITUTE

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

22 SMITHSONIAN INSTITUTION

23 SALARIES AND EXPENSES

24 For necessary expenses of the Smithsonian Institu-
25 tion, as authorized by law, including research in the fields

1 of art, science, and history; development, preservation, and
2 documentation of the National Collections; presentation of
3 public exhibits and performances; collection, preparation,
4 dissemination, and exchange of information and publica-
5 tions; conduct of education, training, and museum assist-
6 ance programs; maintenance, alteration, operation, lease
7 agreements of no more than 30 years, and protection of
8 buildings, facilities, and approaches; not to exceed
9 \$100,000 for services as authorized by 5 U.S.C. 3109; and
10 purchase, rental, repair, and cleaning of uniforms for em-
11 ployees, \$729,444,000, to remain available until Sep-
12 tember 30, 2019, except as otherwise provided herein; of
13 which not to exceed \$6,908,000 for the instrumentation
14 program, collections acquisition, exhibition reinstallation,
15 and the repatriation of skeletal remains program shall re-
16 main available until expended; and including such funds
17 as may be necessary to support American overseas re-
18 search centers: *Provided*, That funds appropriated herein
19 are available for advance payments to independent con-
20 tractors performing research services or participating in
21 official Smithsonian presentations.

22 FACILITIES CAPITAL

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

1 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
2 and for construction, including necessary personnel,
3 \$149,000,000, to remain available until expended, of
4 which not to exceed \$10,000 shall be for services as au-
5 thorized by 5 U.S.C. 3109.

6 NATIONAL GALLERY OF ART

7 SALARIES AND EXPENSES

8 For the upkeep and operations of the National Gal-
9 lery of Art, the protection and care of the works of art
10 therein, and administrative expenses incident thereto, as
11 authorized by the Act of March 24, 1937 (50 Stat. 51),
12 as amended by the public resolution of April 13, 1939
13 (Public Resolution 9, Seventy-sixth Congress), including
14 services as authorized by 5 U.S.C. 3109; payment in ad-
15 vance when authorized by the treasurer of the Gallery for
16 membership in library, museum, and art associations or
17 societies whose publications or services are available to
18 members only, or to members at a price lower than to the
19 general public; purchase, repair, and cleaning of uniforms
20 for guards, and uniforms, or allowances therefor, for other
21 employees as authorized by law (5 U.S.C. 5901–5902);
22 purchase or rental of devices and services for protecting
23 buildings and contents thereof, and maintenance, alter-
24 ation, improvement, and repair of buildings, approaches,
25 and grounds; and purchase of services for restoration and

1 repair of works of art for the National Gallery of Art by
2 contracts made, without advertising, with individuals,
3 firms, or organizations at such rates or prices and under
4 such terms and conditions as the Gallery may deem prop-
5 er, \$133,961,000, to remain available until September 30,
6 2019, of which not to exceed \$3,620,000 for the special
7 exhibition program shall remain available until expended.

8 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

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

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

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

7 CAPITAL REPAIR AND RESTORATION

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

12 WOODROW WILSON INTERNATIONAL CENTER FOR
13 SCHOLARS

14 SALARIES AND EXPENSES

15 For expenses necessary in carrying out the provisions
16 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
17 1356) including hire of passenger vehicles and services as
18 authorized by 5 U.S.C. 3109, \$10,500,000, to remain
19 available until September 30, 2019.

20 NATIONAL FOUNDATION ON THE ARTS AND THE
21 HUMANITIES

22 NATIONAL ENDOWMENT FOR THE ARTS
23 GRANTS AND ADMINISTRATION

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

1 \$149,849,000 shall be available to the National Endow-
2 ment for the Arts for the support of projects and produc-
3 tions in the arts, including arts education and public out-
4 reach activities, through assistance to organizations and
5 individuals pursuant to section 5 of the Act, for program
6 support, and for administering the functions of the Act,
7 to remain available until expended.

8 NATIONAL ENDOWMENT FOR THE HUMANITIES

9 GRANTS AND ADMINISTRATION

10 For necessary expenses to carry out the National
11 Foundation on the Arts and the Humanities Act of 1965,
12 \$149,848,000 to remain available until expended, of which
13 \$139,148,000 shall be available for support of activities
14 in the humanities, pursuant to section 7(c) of the Act and
15 for administering the functions of the Act; and
16 \$10,700,000 shall be available to carry out the matching
17 grants program pursuant to section 10(a)(2) of the Act,
18 including \$8,500,000 for the purposes of section 7(h):
19 *Provided*, That appropriations for carrying out section
20 10(a)(2) shall be available for obligation only in such
21 amounts as may be equal to the total amounts of gifts,
22 bequests, devises of money, and other property accepted
23 by the chairman or by grantees of the National Endow-
24 ment for the Humanities under the provisions of sections
25 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-

1 ceding fiscal years for which equal amounts have not pre-
2 viously been appropriated.

3 ADMINISTRATIVE PROVISIONS

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

21 COMMISSION OF FINE ARTS

22 SALARIES AND EXPENSES

23 For expenses of the Commission of Fine Arts under
24 chapter 91 of title 40, United States Code, \$2,762,000:
25 *Provided*, That the Commission is authorized to charge

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

13 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

14 For necessary expenses as authorized by Public Law
15 99–190 (20 U.S.C. 956a), \$2,000,000.

16 ADVISORY COUNCIL ON HISTORIC PRESERVATION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Advisory Council on
19 Historic Preservation (Public Law 89–665), \$6,400,000.

20 NATIONAL CAPITAL PLANNING COMMISSION

21 SALARIES AND EXPENSES

22 For necessary expenses of the National Capital Plan-
23 ning Commission under chapter 87 of title 40, United
24 States Code, including services as authorized by 5 U.S.C.
25 3109, \$7,948,000: *Provided*, That one-quarter of 1 per-

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

5 UNITED STATES HOLOCAUST MEMORIAL MUSEUM
6 HOLOCAUST MEMORIAL MUSEUM

7 For expenses of the Holocaust Memorial Museum, as
8 authorized by Public Law 106–292 (36 U.S.C. 2301–
9 2310), \$57,000,000, of which \$1,215,000 shall remain
10 available until September 30, 2020, for the Museum’s
11 equipment replacement program; and of which \$2,500,000
12 for the Museum’s repair and rehabilitation program and
13 \$1,264,000 for the Museum’s outreach initiatives program
14 shall remain available until expended.

15 DWIGHT D. EISENHOWER MEMORIAL COMMISSION
16 SALARIES AND EXPENSES

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

20 CAPITAL CONSTRUCTION

21 For necessary expenses of the Dwight D. Eisenhower
22 Memorial Commission for design and construction of a
23 memorial in honor of Dwight D. Eisenhower, as author-
24 ized by Public Law 106–79, \$15,000,000, to remain avail-
25 able until expended: *Provided*, That the contract with re-

1 spect to the procurement shall contain the “availability of
2 funds” clause described in section 52.232.18 of title 48,
3 Code of Federal Regulations: *Provided further*, That the
4 funds appropriated herein shall be deemed to satisfy the
5 criteria for issuing a permit contained in 40 U.S.C.
6 8906(a)(4) and (b).

7 WOMEN’S SUFFRAGE CENTENNIAL COMMISSION

8 SALARIES AND EXPENSES

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

14 WORLD WAR I CENTENNIAL COMMISSION

15 SALARIES AND EXPENSES

16 Notwithstanding section 9 of the World War I Cen-
17 tennial Commission Act, as authorized by the World War
18 I Centennial Commission Act (Public Law 112–272) and
19 the Carl Levin and Howard P. “Buck” McKeon National
20 Defense Authorization Act for Fiscal Year 2015 (Public
21 Law 113–291), for necessary expenses of the World War
22 I Centennial Commission, \$3,500,000, to remain available
23 until expended: *Provided*, That in addition to the authority
24 provided by section 6(g) of such Act, the World War I
25 Commission may accept money, in-kind personnel services,

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

3 TITLE IV

4 GENERAL PROVISIONS

5 (INCLUDING TRANSFERS OF FUNDS)

6 RESTRICTION ON USE OF FUNDS

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

14 OBLIGATION OF APPROPRIATIONS

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

18 DISCLOSURE OF ADMINISTRATIVE EXPENSES

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

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

5 MINING APPLICATIONS

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

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

22 (c) REPORT.—On September 30, 2019, the Secretary
23 of the Interior shall file with the House and Senate Com-
24 mittees on Appropriations and the Committee on Natural
25 Resources of the House and the Committee on Energy and

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

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

19 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

20 SEC. 405. Sections 405 and 406 of division F of the
21 Consolidated and Further Continuing Appropriations Act,
22 2015 (Public Law 113–235) shall continue in effect in fis-
23 cal year 2018.

1 CONTRACT SUPPORT COSTS, FISCAL YEAR 2018

2 LIMITATION

3 SEC. 406. Amounts provided by this Act for fiscal
4 year 2018 under the headings “Department of Health and
5 Human Services, Indian Health Service, Contract Support
6 Costs” and “Department of the Interior, Bureau of Indian
7 Affairs and Bureau of Indian Education, Contract Sup-
8 port Costs” are the only amounts available for contract
9 support costs arising out of self-determination or self-gov-
10 ernance contracts, grants, compacts, or annual funding
11 agreements for fiscal year 2018 with the Bureau of Indian
12 Affairs or the Indian Health Service: *Provided*, That such
13 amounts provided by this Act are not available for pay-
14 ment of claims for contract support costs for prior years,
15 or for repayments of payments for settlements or judg-
16 ments awarding contract support costs for prior years.

17 FOREST MANAGEMENT PLANS

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

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

8 PROHIBITION WITHIN NATIONAL MONUMENTS

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

19 LIMITATION ON TAKINGS

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

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

6 TIMBER SALE REQUIREMENTS

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

22 PROHIBITION ON NO-BID CONTRACTS

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

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

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

9 (2) such contract is authorized by the Indian
10 Self-Determination and Education Assistance Act
11 (Public Law 93–638, 25 U.S.C. 450 et seq.) or by
12 any other Federal laws that specifically authorize a
13 contract within an Indian tribe as defined in section
14 4(e) of that Act (25 U.S.C. 450b(e)); or

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

17 POSTING OF REPORTS

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

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

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

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

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

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

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

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

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

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

6 STATUS OF BALANCES OF APPROPRIATIONS

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

14 PROHIBITION ON USE OF FUNDS

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

23 GREENHOUSE GAS REPORTING RESTRICTIONS

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

1 Act may be used to implement any provision in a rule,
2 if that provision requires mandatory reporting of green-
3 house gas emissions from manure management systems.

4 MODIFICATION OF AUTHORITIES

5 SEC. 418. Section 8162(m)(3) of the Department of
6 Defense Appropriations Act, 2000 (40 U.S.C. 8903 note;
7 Public Law 106–79) shall be applied by substituting “Sep-
8 tember 30, 2018” for “September 30, 2017”.

9 FUNDING PROHIBITION

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

15 CONTRACTING AUTHORITIES

16 SEC. 420. Section 412 of division E of Public Law
17 112–74, as last amended by section 421 of division G of
18 Public Law 114–113, shall be applied by substituting “fis-
19 cal year 2018” for “fiscal year 2017”.

20 CHESAPEAKE BAY INITIATIVE

21 SEC. 421. Section 502(c) of the Chesapeake Bay Ini-
22 tiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461
23 note) is amended by striking “2017” and inserting
24 “2019”.

1 EXTENSION OF GRAZING PERMITS

2 SEC. 422. The terms and conditions of section 325
3 of Public Law 108–108 (117 Stat. 1307), regarding graz-
4 ing permits issued by the Forest Service on any lands not
5 subject to administration under section 402 of the Federal
6 Lands Policy and Management Act (43 U.S.C. 1752),
7 shall remain in effect for fiscal year 2018.

8 FUNDING PROHIBITION

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

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

17 CLARIFICATION OF EXEMPTIONS

18 SEC. 424. None of the funds made available in this
19 Act may be used to require a permit for the discharge
20 of dredged or fill material under the Federal Water Pollu-
21 tion Control Act (33 U.S.C. 1251 et seq.) for the activities
22 identified in subparagraphs (A) and (C) of section
23 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

1 FOREST SERVICE FACILITY REALIGNMENT AND
2 ENHANCEMENT ACT

3 SEC. 425. Section 503(f) of the Forest Service Facil-
4 ity Realignment and Enhancement Act of 2005 (16 U.S.C.
5 580d note; Public Law 109–54) shall be applied by sub-
6 stituting “2018” for “2016”.

7 USE OF AMERICAN IRON AND STEEL

8 SEC. 426. (a)(1) None of the funds made available
9 by a State water pollution control revolving fund as au-
10 thorized by section 1452 of the Safe Drinking Water Act
11 (42 U.S.C. 300j–12) shall be used for a project for the
12 construction, alteration, maintenance, or repair of a public
13 water system or treatment works unless all of the iron and
14 steel products used in the project are produced in the
15 United States.

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

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

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

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

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

9 (c) If the Administrator receives a request for a waiv-
10 er under this section, the Administrator shall make avail-
11 able to the public on an informal basis a copy of the re-
12 quest and information available to the Administrator con-
13 cerning the request, and shall allow for informal public
14 input on the request for at least 15 days prior to making
15 a finding based on the request. The Administrator shall
16 make the request and accompanying information available
17 by electronic means, including on the official public Inter-
18 net Web site of the Environmental Protection Agency.

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

22 (e) The Administrator may retain up to 0.25 percent
23 of the funds appropriated in this Act for the Clean and
24 Drinking Water State Revolving Funds for carrying out

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

3 MIDWAY ISLAND

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

9 POLICIES RELATING TO BIOMASS ENERGY

10 SEC. 428. For fiscal year 2018 and each fiscal year
11 thereafter, to support the key role that forests in the
12 United States can play in addressing the energy needs of
13 the United States, the Secretary of Energy, the Secretary
14 of Agriculture, and the Administrator of the Environ-
15 mental Protection Agency shall, consistent with their mis-
16 sions, jointly—

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

19 (A) is consistent across all Federal depart-
20 ments and agencies; and

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

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

4 (A) reflect the carbon-neutrality of forest
5 bioenergy and recognize biomass as a renewable
6 energy source, provided the use of forest bio-
7 mass for energy production does not cause con-
8 version of forests to non-forest use;

9 (B) encourage private investment through-
10 out the forest biomass supply chain, including
11 in—

- 12 (i) working forests;
13 (ii) harvesting operations;
14 (iii) forest improvement operations;
15 (iv) forest bioenergy production;
16 (v) wood products manufacturing; or
17 (vi) paper manufacturing;

18 (C) encourage forest management to im-
19 prove forest health; and

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

22 JOHN F. KENNEDY CENTER REAUTHORIZATION

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

1 “(a) MAINTENANCE, REPAIR, AND SECURITY.—
2 There is authorized to be appropriated to the Board to
3 carry out section 4(a)(1)(H), \$23,740,000 for fiscal year
4 2018.

5 “(b) CAPITAL PROJECTS.—There is authorized to be
6 appropriated to the Board to carry out subparagraphs (F)
7 and (G) of section 4(a)(1), \$13,000,000 for fiscal year
8 2018.”.

9 AVAILABILITY OF VACANT GRAZING ALLOTMENTS

10 SEC. 430. The Secretary of the Interior, with respect
11 to public lands administered by the Bureau of Land Man-
12 agement, and the Secretary of Agriculture, with respect
13 to the National Forest System lands, shall make vacant
14 grazing allotments available to a holder of a grazing per-
15 mit or lease issued by either Secretary if the lands covered
16 by the permit or lease or other grazing lands used by the
17 holder of the permit or lease are unusable because of
18 drought or wildfire, as determined by the Secretary con-
19 cerned. The terms and conditions contained in a permit
20 or lease made available pursuant to this section shall be
21 the same as the terms and conditions of the most recent
22 permit or lease that was applicable to the vacant grazing
23 allotment made available. Section 102 of the National En-
24 vironmental Policy Act of 1969 (42 U.S.C. 4332) shall

1 not apply with respect to any Federal agency action under
2 this section.

3 CONSULTATION FOR FOREST MANAGEMENT PROJECTS

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

19 LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANS-
20 FERS OF EXCESS EQUIPMENT AND SUPPLIES FOR
21 WILDFIRES

22 SEC. 432. The Secretary of the Interior is authorized
23 to enter into grants and cooperative agreements with local
24 cooperators to provide for wildland fire training and equip-
25 ment, including supplies and communication devices. Not-

1 withstanding 121(c) of title 40, United States Code, or
2 section 521 of title 40, United States Code, the Secretary
3 of the Interior is further authorized to transfer title to
4 excess Department of the Interior firefighting equipment
5 to local cooperators under these agreements.

6 FLOOD CONTROL

7 SEC. 433. (a) Notwithstanding the final determina-
8 tion of the Environmental Protection Agency entitled
9 “Final Determination of the Assistant Administrator for
10 Water Pursuant to Section 404(c) of the Clean Water Act
11 Concerning the Proposed Yazoo Backwater Area Pumps
12 Project in Issaquena County, MS” (73 Fed. Reg. 54398
13 (September 19, 2008)), or any other provision of law, the
14 Secretary of the Army shall, immediately and without
15 delay or administrative or judicial review, construct or
16 provide for the construction of “Alternative 5” as de-
17 scribed in the Reformulation Main Report and Final Sup-
18 plemental Environmental Impact Statement released by
19 the Corps of Engineers in November 2007, in order to
20 achieve the flood control objectives authorized under sub-
21 section (b) under the heading “LOWER MISSISSIPPI
22 RIVER” under section 3 of the Act of August 18, 1941
23 (55 Stat. 642; chapter 377).

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

1 contract, which shall be carried out by awarding con-
2 tinuing contracts in accordance with section 10 of the Act
3 of September 22, 1922 (33 U.S.C. 621).

4 WATERS OF THE UNITED STATES

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

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

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

1 Rule: Definition of ‘Waters of the United States’” on
2 June 29, 2015 (80 Fed. Reg. 37053).

3 SMALL REMOTE INCINERATORS

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

10 ALASKA NATIVE REGIONAL HEALTH ENTITIES

11 SEC. 436. Section 424 of the Consolidated Appropria-
12 tions Act, 2014 (Public Law 113–76) is amended by strik-
13 ing “2018” and inserting “2019”.

14 TREATMENT OF CERTAIN HOSPITALS

15 SEC. 437. The “Parallel Low-Volume Hospital Pay-
16 ment Adjustment Regarding Hospitals Operated by the
17 Indian Health Services (IHS) or a Tribe” provisions de-
18 scribed in the final rule published by the Centers for Medi-
19 care & Medicaid Services in the Federal Register on Au-
20 gust 14, 2017, and entitled “Medicare Program; Hospital
21 Inpatient Prospective Payment Systems for Acute Care
22 Hospitals and the Long-Term Care Hospital Prospective
23 Payment System and Policy Changes and Fiscal Year
24 2018 Rates; Quality Reporting Requirements for Specific
25 Providers; Medicare and Medicaid Electronic Health

1 Record (EHR) Incentive Program Requirements for Eligi-
2 ble Hospitals, Critical Access Hospitals, and Eligible Pro-
3 fessionals; Provider-Based Status of Indian Health Serv-
4 ice and Tribal Facilities and Organizations; Costs Report-
5 ing and Provider Requirements; Agreement Termination
6 Notices” (82 Fed Reg. 37990; 38188–38189), shall apply
7 with respect to discharges occurring in fiscal year 2014
8 and subsequent fiscal years.

9

RECREATION FEES

10 SEC. 438. Section 810 of the Federal Lands Recre-
11 ation Enhancement Act (16 U.S.C. 6809) shall be applied
12 by substituting “October 1, 2019” for “September 30,
13 2019”.

14

TITLE V

15

WILDFIRE DISASTER FUNDING

16

WILDFIRE DISASTER FUNDING AUTHORITY

17 SEC. 501. (a) DISASTER FUNDING.—Section
18 251(b)(2)(D) of the Balanced Budget and Emergency
19 Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)) is
20 amended—

21

(1) in clause (i)—

22

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

24

(B) in subclause (II), by striking the pe-
25 riod at the end and inserting “; less”; and

1 (C) by adding the following:

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

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

8 “(v) Beginning in fiscal year 2020,
9 and for each fiscal year thereafter, the cal-
10 culation of the ‘average funding provided
11 for disaster relief over the previous 10
12 years’ shall include for each year within
13 that average the additional new budget au-
14 thority provided in an appropriation Act
15 for wildfire suppression operations pursu-
16 ant to subparagraph (E) for the preceding
17 fiscal year.”.

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

22 “(E) WILDFIRE SUPPRESSION.—

23 “(i) DEFINITIONS.—In this subpara-
24 graph:

1 “(I) ADDITIONAL NEW BUDGET
2 AUTHORITY.—The term ‘additional
3 new budget authority’ means the
4 amount provided for a fiscal year in
5 an appropriation Act that is—

6 “(aa) in excess of 100 per-
7 cent of the average costs for wild-
8 fire suppression operations over
9 the previous 10 years; and

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

13 “(II) WILDFIRE SUPPRESSION
14 OPERATIONS.—The term ‘wildfire sup-
15 pression operations’ means the emer-
16 gency and unpredictable aspects of
17 wildland firefighting, including—

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

20 “(bb) other emergency man-
21 agement activities; and

22 “(cc) the funds necessary to
23 repay any transfers needed for
24 the costs of wildfire suppression
25 operations.

1 “(ii) ADDITIONAL NEW BUDGET AU-
2 THORITY.—If a bill or joint resolution
3 making appropriations for a fiscal year is
4 enacted that specifies an amount for wild-
5 fire suppression operations in the Wildland
6 Fire Management accounts at the Depart-
7 ment of Agriculture or the Department of
8 the Interior, then the adjustments for that
9 fiscal year shall be the amount of addi-
10 tional new budget authority provided in
11 that Act for wildfire suppression operations
12 for that fiscal year, but shall not exceed
13 \$2,007,000,000 in additional new budget
14 authority for fiscal years 2018 through
15 2027.

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

23 REPORTING REQUIREMENTS

24 SEC. 502. (a) SUPPLEMENTAL APPROPRIATIONS.—If
25 the Secretary of the Interior or the Secretary of Agri-

1 culture determines that supplemental appropriations are
2 necessary for a fiscal year for wildfire suppression oper-
3 ations, a request for the supplemental appropriations shall
4 promptly be submitted to Congress.

5 (b) NOTICE OF NEED FOR ADDITIONAL FUNDS.—
6 Prior to the obligation of any of the additional new budget
7 authority for wildfire suppression operations specified for
8 purposes of section 251(b)(2)(E)(ii) of the Balanced
9 Budget and Emergency Deficit Control Act of 1985 (2
10 U.S.C. 901(b)(2)(E)(ii)), the Secretary of the Interior or
11 the Secretary of Agriculture, as applicable, shall submit
12 to the Committees on Appropriations and the Budget of
13 the House of Representatives and the Committees on Ap-
14 propriations and the Budget of the Senate written notifi-
15 cation that describes—

16 (1) that the amount for wildfire suppression oper-
17 erations to meet the terms of section 251(b)(2)(E)
18 of that Act for that fiscal year will be exhausted im-
19 minently; and

20 (2) the need for additional new budget author-
21 ity for wildfire suppression operations.

22 (c) ACCOUNTING, REPORTS AND ACCOUNTABILITY.—

23 (1) ACCOUNTING AND REPORTING REQUIRE-
24 MENTS.—For each fiscal year, the Secretary of the
25 Interior and the Secretary of Agriculture shall ac-

1 count for and report on the amounts used from the
2 additional new budget authority for wildfire suppres-
3 sion operations provided to the Secretary of the In-
4 terior or Secretary of Agriculture, as applicable, in
5 an appropriations Act pursuant to section
6 251(b)(2)(E)(ii) of the Balanced Budget and Emer-
7 gency Deficit Control Act of 1985 (2 U.S.C.
8 901(b)(2)(E)(ii)).

9 (2) ANNUAL REPORT.—

10 (A) IN GENERAL.—Not later than 180
11 days after the end of the fiscal year for which
12 additional new budget authority is used, pursu-
13 ant to section 251(b)(2)(E)(ii) of the Balanced
14 Budget and Emergency Deficit Control Act of
15 1985 (2 U.S.C. 901(b)(2)(E)(ii)), the Secretary
16 of the Interior or the Secretary of Agriculture,
17 as applicable, shall—

18 (i) prepare an annual report with re-
19 spect to the additional new budget author-
20 ity;

21 (ii) submit to the Committees on Ap-
22 propriations, the Budget, and Natural Re-
23 sources of the House of Representatives
24 and the Committees on Appropriations, the
25 Budget, and Energy and Natural Re-

1 sources of the Senate the annual report
2 prepared under clause (i); and

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

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

7 (i) document risk-based factors that
8 influenced management decisions with re-
9 spect to wildfire suppression operations;

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

13 (I) cost drivers;

14 (II) the effectiveness of risk man-
15 agement techniques and whether fire
16 operations strategy tracked the risk
17 assessment;

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

20 (IV) the impact of investments in
21 wildfire suppression operations pre-
22 paredness;

23 (V) effectiveness of wildfire sup-
24 pression operations, including an anal-

1 ysis of resources lost versus dollars in-
2 vested;

3 (VI) effectiveness of any fuel
4 treatments on fire behavior and sup-
5 pression expenditures;

6 (VII) levels of exposure experi-
7 enced by firefighters;

8 (VIII) suggested corrective ac-
9 tions; and

10 (IX) any other factors the Sec-
11 retary of the Interior or Secretary of
12 Agriculture determines to be appro-
13 priate;

14 (iii) include an accounting of overall
15 fire management and spending by the De-
16 partment of the Interior or the Depart-
17 ment of Agriculture, which shall be ana-
18 lyzed by fire size, cost, regional location,
19 and other factors;

20 (iv) describe any lessons learned in
21 the conduct of wildfire suppression oper-
22 ations; and

23 (v) include any other elements that
24 the Secretary of the Interior or the Sec-

1 retary of Agriculture determines to be nec-
2 essary.

3 SENSE OF THE SENATE

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

5 (1) the amendments made by section 501 fall
6 within the exclusive jurisdiction of the Committee on
7 the Budget; and

8 (2) the final version of an amendment made by
9 section 501 that makes an adjustment for new budg-
10 et authority should be prepared in consultation with
11 the Committee on the Budget of the Senate.

12 WILDFIRE RISK REDUCTION PROJECTS

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

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

25 (1) conducted in areas that—

- 1 (A) are within or adjacent to—
- 2 (i) at-risk communities (as defined in
- 3 section 204(b)(1)); or
- 4 (ii) high-value watersheds;
- 5 (B) have very high wildfire hazard poten-
- 6 tial; and
- 7 (C) are in Fire Regime Group I, II, or III;
- 8 and
- 9 (2) designed to achieve 1 or more of the goals
- 10 established in the report of the Secretaries entitled
- 11 “The National Strategy: the Final Phase of the De-
- 12 velopment of the National Cohesive Wildland Fire
- 13 Management Strategy” and dated April 2014—
- 14 (A) to create fire-adapted communities;
- 15 (B) to restore and maintain resilient land-
- 16 scapes; and
- 17 (C) to achieve safe, effective fire response.
- 18 (c) ADDITIONAL NEW BUDGET AUTHORITY.—
- 19 (1) Amounts referenced in subsection (a) may
- 20 only be available for wildfire risk reduction projects
- 21 if no additional new budget authority for wildfire
- 22 suppression operations specified for purposes of sec-
- 23 tion 251(b)(2)(E)(ii) of the Balanced Budget and
- 24 Emergency Deficit Control Act of 1985 (2 U.S.C.

1 901(b)(2)(E)(ii) has been obligated for a fiscal
2 year; and

3 (2) Once an amount is made available for wild-
4 fire risk reduction projects for a fiscal year, no addi-
5 tional new budget authority for wildfire suppression
6 operations specified for that purpose by that Act
7 may be obligated thereafter for that fiscal year.

8 (d) ANNUAL REPORTS.—The Secretary concerned
9 shall submit with the annual budget of the United States
10 submitted by the President under section 1105 of title 31,
11 United States Code, a list of projects to be implemented
12 using amounts made available to the Secretary concerned
13 under subsection (a).

14 ENVIRONMENTAL ANALYSIS FOR CERTAIN FOREST
15 MANAGEMENT ACTIVITIES

16 SEC. 505. (a) APPLICATION TO CERTAIN ENVIRON-
17 MENTAL ASSESSMENTS AND ENVIRONMENTAL IMPACT
18 STATEMENTS.—This section shall apply in any case in
19 which the Secretary of Agriculture or the Secretary of the
20 Interior (referred to in this section as the “Secretary con-
21 cerned”) prepares an environmental assessment or an en-
22 vironmental impact statement pursuant to section 102(2)
23 of the National Environmental Policy Act of 1969 (42
24 U.S.C. 4332(2)) for a forest management activity—

25 (1) that is—

1 (A) developed—

2 (i) through a collaborative process
3 that—

4 (I) includes a diverse and bal-
5 anced stakeholder representation;

6 (II) establishes clear expectations
7 and goals;

8 (III) strives for maximum trans-
9 parency in the decisionmaking proc-
10 ess;

11 (IV) encourages stakeholders to
12 function as representatives;

13 (V) fosters long-term participa-
14 tion;

15 (VI) recognizes timeframes and
16 resources; and

17 (VII) enhances agency decision-
18 making;

19 (ii) under the Collaborative Forest
20 Landscape Restoration Program estab-
21 lished under section 4003 of the Omnibus
22 Public Land Management Act of 2009 (16
23 U.S.C. 7303); or

24 (iii) by a resource advisory committee
25 (as defined in section 201 of the Secure

1 Rural Schools and Community Self-Deter-
2 mination Act of 2000 (16 U.S.C. 7121));

3 or

4 (B) covered by a community wildfire pro-
5 tection plan; and

6 (2) the primary purpose of which is—

7 (A) the reduction of hazardous fuel loads;

8 (B) the installation of fuel and fire breaks
9 appropriate for the forest type;

10 (C) the protection of a municipal water
11 supply system or a municipal watershed on con-
12 dition class 3 Federal land (as described in sec-
13 tion 102(a)(2) of the Healthy Forests Restora-
14 tion Act of 2003 (16 U.S.C. 6512(a)(2));

15 (D) the improvement of wildlife habitat to
16 meet management and conservation goals; or

17 (E) a combination of 2 or more of the pur-
18 poses described in subparagraphs (A) through
19 (D).

20 (b) CONSIDERATION OF ALTERNATIVES.—In an envi-
21 ronmental assessment or environmental impact statement
22 described in subsection (a), the Secretary concerned shall
23 study, develop, and describe only the following 2 alter-
24 natives:

1 (1) The forest management activity, as pro-
2 posed under subsection (a).

3 (2) The alternative of no action.

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

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

7 (2) any congressionally designated wilderness
8 study area;

9 (3) any research natural area; or

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

13 (d) ROAD BUILDING.—

14 (1) PERMANENT ROADS.—A forest management
15 activity carried out under this section shall not in-
16 clude the construction of any new, permanent road.

17 (2) EXISTING ROADS.—The Secretary con-
18 cerned may carry out any necessary maintenance of,
19 repairs to, or reconstruction of an existing perma-
20 nent road under a forest management activity car-
21 ried out under this section.

22 (3) TEMPORARY ROADS.—The Secretary con-
23 cerned shall decommission any temporary road con-
24 structed under a forest management activity carried
25 out under this section by not later than the date

1 that is 3 years after the date on which the project
2 is completed.

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

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

13 (g) EFFECT OF SECTION.—Nothing in this section
14 affects, or otherwise biases, the use by the Secretary con-
15 cerned of any other statutory or administrative authority
16 (including any categorical exclusion available under the
17 National Environmental Policy Act of 1969 (42 U.S.C.
18 4321 et seq.)) to carry out 1 or more forest management
19 activities under this section.

20 DEFINITION OF FOREST, RANGELAND, AND WATERSHED

21 RESTORATION SERVICES

22 SEC. 506. Section 8206(a)(3)(B)(i) of the Agricul-
23 tural Act of 2014 (16 U.S.C. 2113a(a)(3)(B)(i)) is
24 amended by striking “or permanent”.

1 STEWARDSHIP END RESULT CONTRACTING

2 SEC. 507. (a) CANCELLATION CEILINGS FOR STEW-
3 ARDSHIP END RESULT CONTRACTING PROJECTS.—Sec-
4 tion 604 of the Healthy Forests Restoration Act of 2003
5 (16 U.S.C. 6591c) is amended—

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

8 (2) by inserting after subsection (g) the fol-
9 lowing:

10 “(h) CANCELLATION CEILINGS.—

11 “(1) IN GENERAL.—The Chief and the Director
12 may obligate funds to cover any potential cancella-
13 tion or termination costs for an agreement or con-
14 tract under subsection (b) in stages that are eco-
15 nomically or programmatically viable.

16 “(2) ADVANCE NOTICE TO CONGRESS OF CAN-
17 CELLATION CEILING IN EXCESS OF \$25,000,000.—Not
18 later than 30 days before entering into a multiyear
19 agreement or contract under subsection (b) that in-
20 cludes a cancellation ceiling in excess of
21 \$25,000,000, but does not include proposed funding
22 for the costs of cancelling the agreement or contract
23 up to the cancellation ceiling established in the
24 agreement or contract, the Chief or the Director, as
25 applicable, shall submit to the Committees on En-

1 ergy and Natural Resources and Agriculture, Nutri-
2 tion, and Forestry of the Senate and the Committees
3 on Natural Resources and Agriculture of the House
4 of Representatives a written notice that includes—

5 “(A) a description of the cancellation ceil-
6 ing amounts proposed for each program year in
7 the agreement or contract;

8 “(B) the reasons for which the proposed
9 cancellation ceiling amounts under subpara-
10 graph (A) were selected;

11 “(C) a description of the extent to which
12 the costs of contract cancellation are not in-
13 cluded in the budget for the agreement or con-
14 tract; and

15 “(D) an assessment of the financial risk of
16 not including budgeting for the costs of agree-
17 ment or contract cancellation.

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

24 (b) EXCESS OFFSET VALUE.—Section 604(g)(2) of
25 the Healthy Forests Restoration Act of 2003 (16 U.S.C.

1 6591c(g)(2)) is amended by striking subparagraphs (A)
2 and (B) and inserting the following:

3 “(A) use the excess to satisfy any out-
4 standing liabilities for cancelled agreements or
5 contracts; or

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

9 (c) SUBMISSION OF EXISTING ANNUAL REPORT.—
10 Subsection (j) of section 604 of the Healthy Forests Res-
11 toration Act of 2003 (16 U.S.C. 6591c) (as redesignated
12 by subsection (a)(1)(A)), is amended, in the matter pre-
13 ceding paragraph (1), by striking “report to the Com-
14 mittee on Agriculture, Nutrition, and Forestry of the Sen-
15 ate and the Committee on Agriculture of the House of
16 Representatives” and inserting “submit to the congres-
17 sional committees described in subsection (h)(2) a report”.

18 TONGASS NATIONAL FOREST

19 SEC. 508. (a) TRANSITION TO YOUNG GROWTH MAN-
20 AGEMENT.—The Secretary of Agriculture (referred to in
21 this section as the “Secretary”) shall not accelerate the
22 transition to a timber sale program on the Tongass Na-
23 tional Forest that is based primarily on young growth
24 management, as required by the document entitled “Land

1 and Resource Management Plan – Tongass National For-
2 est” and dated December 2016.

3 (b) REVISION OF LAND AND RESOURCE MANAGE-
4 MENT PLAN.—

5 (1) IN GENERAL.—Not later than January 31,
6 2018, the Secretary shall publish in the Federal
7 Register a Notice of Intent to revise or amend, as
8 determined by the Secretary, the land and resource
9 management plan for the Tongass National Forest.

10 (2) REQUIREMENTS.—The Secretary shall in-
11 clude in the revision or amendment under paragraph
12 (1) the following:

13 (A)(i) A comprehensive inventory of the
14 approximately 360,000 acres of young growth
15 stands in the Tongass National Forest, includ-
16 ing stand-level field work in the young growth
17 stands; and

18 (ii) an analysis of the inventory that pre-
19 dicts the supply of economic young growth
20 available and the sustainable harvest rates nec-
21 essary to transition to a timber sale program
22 based primarily on young growth management,
23 including—

24 (I) an analysis of each age class of
25 timber inventoried; and

1 (II) updates to and expansion of
2 growth and yield studies—

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

5 (bb) to identify potential reduc-
6 tions to suitable and available acres
7 due to impacts to operability in a
8 stand; and

9 (cc) to improve the forecasting
10 of—

11 (AA) yields in young growth
12 stands; and

13 (BB) economic options con-
14 cerning the stands inventoried.

15 (B) Changes in the management direction
16 of the Tongass National Forest to ensure that
17 any transition to a timber sale program based
18 primarily on young growth management be ac-
19 complished in a timeframe and in a manner
20 that maintains an economically viable timber in-
21 dustry in Southeast Alaska.

22 (C) An exemption from the Roadless Area
23 Conservation Rule established under part 294
24 of title 36, Code of Federal Regulations (and

1 successor regulations), of the Tongass National
2 Forest.

3 (D) Modifications to the old growth habi-
4 tat conservation strategy included in the land
5 and resource management plan described in
6 paragraph (1).

7 (3) EFFECTIVENESS OF 2008 PLAN.—During
8 the period beginning on the date of enactment of
9 this Act and ending on the date on which the land
10 and resource management plan is revised or amend-
11 ed under paragraph (1), the document entitled
12 “Land and Resource Management Plan – Tongass
13 National Forest” and dated January 2008 shall be
14 effective with respect to timber management on the
15 Tongass National Forest, including the transition to
16 a timber sale program on the Tongass National For-
17 est that is based primarily on young growth manage-
18 ment.

19 ROADLESS AREA CONSERVATION RULE

20 APPLICATION OF ROADLESS AREA CONSERVATION RULE

21 SEC. 509. The Roadless Area Conservation Rule es-
22 tablished under part 294 of title 36, Code of Federal Reg-
23 ulations (or successor regulations), shall not apply with
24 respect to any National Forest System land in the State
25 of Alaska.

1 This Act may be cited as the “Department of the In-
2 terior, Environment, and Related Agencies Appropriations
3 Act, 2018”.

[COMMITTEE PRINT]

Calendar No. 000

115TH CONGRESS
1ST Session

S. 0000

[Report No. 115-000]

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.

_____, 2017

Read twice and placed on the calendar