

[COMMITTEE PRINT]

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

Calendar No. 000

115TH CONGRESS
2D 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, 2019, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE _____, 2018

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, 2019, 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, 2019,
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)), \$1,196,143,000,
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 2019, so as to result in a final
10 appropriation estimated at not more than \$1,196,143,000,
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 For expenses necessary to carry out sections 205,
16 206, and 318(d) of Public Law 94–579, including admin-
17 istrative expenses and acquisition of lands or waters, or
18 interests therein, \$26,016,000, to be derived from the
19 Land and Water Conservation Fund and to remain avail-
20 able until expended.

21 OREGON AND CALIFORNIA GRANT LANDS

22 For expenses necessary for management, protection,
23 and development of resources and for construction, oper-
24 ation, and maintenance of access roads, reforestation, and
25 other improvements on the revested Oregon and California

1 Railroad grant lands, on other Federal lands in the Or-
2 egon and California land-grant counties of Oregon, and
3 on adjacent rights-of-way; and acquisition of lands or in-
4 terests therein, including existing connecting roads on or
5 adjacent to such grant lands; \$106,543,000, to remain
6 available until expended: *Provided*, That 25 percent of the
7 aggregate of all receipts during the current fiscal year
8 from the revested Oregon and California Railroad grant
9 lands is hereby made a charge against the Oregon and
10 California land-grant fund and shall be transferred to the
11 General Fund in the Treasury in accordance with the sec-
12 ond paragraph of subsection (b) of title II of the Act of
13 August 28, 1937 (43 U.S.C. 2605).

14 RANGE IMPROVEMENTS

15 For rehabilitation, protection, and acquisition of
16 lands and interests therein, and improvement of Federal
17 rangelands pursuant to section 401 of the Federal Land
18 Policy and Management Act of 1976 (43 U.S.C. 1751),
19 notwithstanding any other Act, sums equal to 50 percent
20 of all moneys received during the prior fiscal year under
21 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
22 315b, 315m) and the amount designated for range im-
23 provements from grazing fees and mineral leasing receipts
24 from Bankhead-Jones lands transferred to the Depart-
25 ment of the Interior pursuant to law, but not less than

1 \$10,000,000, to remain available until expended: *Pro-*
2 *vided*, That not to exceed \$600,000 shall be available for
3 administrative expenses.

4 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

5 For administrative expenses and other costs related
6 to processing application documents and other authoriza-
7 tions for use and disposal of public lands and resources,
8 for costs of providing copies of official public land docu-
9 ments, for monitoring construction, operation, and termi-
10 nation of facilities in conjunction with use authorizations,
11 and for rehabilitation of damaged property, such amounts
12 as may be collected under Public Law 94–579 (43 U.S.C.
13 1701 et seq.), and under section 28 of the Mineral Leasing
14 Act (30 U.S.C. 185), to remain available until expended:
15 *Provided*, That notwithstanding any provision to the con-
16 trary of section 305(a) of Public Law 94–579 (43 U.S.C.
17 1735(a)), any moneys that have been or will be received
18 pursuant to that section, whether as a result of forfeiture,
19 compromise, or settlement, if not appropriate for refund
20 pursuant to section 305(c) of that Act (43 U.S.C.
21 1735(c)), shall be available and may be expended under
22 the authority of this Act by the Secretary to improve, pro-
23 tect, or rehabilitate any public lands administered through
24 the Bureau of Land Management which have been dam-
25 aged by the action of a resource developer, purchaser, per-

1 mittee, or any unauthorized person, without regard to
2 whether all moneys collected from each such action are
3 used on the exact lands damaged which led to the action:
4 *Provided further*, That any such moneys that are in excess
5 of amounts needed to repair damage to the exact land for
6 which funds were collected may be used to repair other
7 damaged public lands.

8 MISCELLANEOUS TRUST FUNDS

9 In addition to amounts authorized to be expended
10 under existing laws, there is hereby appropriated such
11 amounts as may be contributed under section 307 of Pub-
12 lic Law 94–579 (43 U.S.C. 1737), and such amounts as
13 may be advanced for administrative costs, surveys, ap-
14 praisals, and costs of making conveyances of omitted lands
15 under section 211(b) of that Act (43 U.S.C. 1721(b)), to
16 remain available until expended.

17 ADMINISTRATIVE PROVISIONS

18 The Bureau of Land Management may carry out the
19 operations funded under this Act by direct expenditure,
20 contracts, grants, cooperative agreements and reimburs-
21 able agreements with public and private entities, including
22 with States. Appropriations for the Bureau shall be avail-
23 able for purchase, erection, and dismantlement of tem-
24 porary structures, and alteration and maintenance of nec-
25 essary buildings and appurtenant facilities to which the

1 United States has title; up to \$100,000 for payments, at
2 the discretion of the Secretary, for information or evidence
3 concerning violations of laws administered by the Bureau;
4 miscellaneous and emergency expenses of enforcement ac-
5 tivities authorized or approved by the Secretary and to be
6 accounted for solely on the Secretary's certificate, not to
7 exceed \$10,000: *Provided*, That notwithstanding Public
8 Law 90-620 (44 U.S.C. 501), the Bureau may, under co-
9 operative cost-sharing and partnership arrangements au-
10 thorized by law, procure printing services from cooperators
11 in connection with jointly produced publications for which
12 the cooperators share the cost of printing either in cash
13 or in services, and the Bureau determines the cooperator
14 is capable of meeting accepted quality standards: *Provided*
15 *further*, That projects to be funded pursuant to a written
16 commitment by a State government to provide an identi-
17 fied amount of money in support of the project may be
18 carried out by the Bureau on a reimbursable basis. Appro-
19 priations herein made shall not be available for the de-
20 struction of healthy, unadopted, wild horses and burros
21 in the care of the Bureau or its contractors or for the
22 sale of wild horses and burros that results in their destruc-
23 tion for processing into commercial products.

1 UNITED STATES FISH AND WILDLIFE SERVICE

2 RESOURCE MANAGEMENT

3 For necessary expenses of the United States Fish and
4 Wildlife Service, as authorized by law, and for scientific
5 and economic studies, general administration, and for the
6 performance of other authorized functions related to such
7 resources, \$1,292,067,000, to remain available until Sep-
8 tember 30, 2020: *Provided*, That not to exceed
9 \$17,818,000 shall be used for implementing subsections
10 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
11 cies Act of 1973 (16 U.S.C. 1533) (except for processing
12 petitions, developing and issuing proposed and final regu-
13 lations, and taking any other steps to implement actions
14 described in subsection (c)(2)(A), (c)(2)(B)(i), or
15 (c)(2)(B)(ii)).

16 CONSTRUCTION

17 For construction, improvement, acquisition, or re-
18 moval of buildings and other facilities required in the con-
19 servation, management, investigation, protection, and uti-
20 lization of fish and wildlife resources, and the acquisition
21 of lands and interests therein; \$50,413,000, to remain
22 available until expended.

23 LAND ACQUISITION

24 For expenses necessary to carry out chapter 2003 of
25 title 54, United States Code, including administrative ex-

1 penses, and for acquisition of land or waters, or interest
2 therein, in accordance with statutory authority applicable
3 to the United States Fish and Wildlife Service,
4 \$45,189,000, to be derived from the Land and Water Con-
5 servation Fund and to remain available until expended:
6 *Provided*, That none of the funds appropriated for specific
7 land acquisition projects may be used to pay for any ad-
8 ministrative overhead, planning or other management
9 costs.

10 COOPERATIVE ENDANGERED SPECIES CONSERVATION

11 FUND

12 For expenses necessary to carry out section 6 of the
13 Endangered Species Act of 1973 (16 U.S.C. 1535),
14 \$49,495,000, to remain available until expended, of which
15 \$18,695,000 is to be derived from the Cooperative Endan-
16 gered Species Conservation Fund; and of which
17 \$30,800,000 is to be derived from the Land and Water
18 Conservation Fund.

19 NATIONAL WILDLIFE REFUGE FUND

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

22 NORTH AMERICAN WETLANDS CONSERVATION FUND

23 For expenses necessary to carry out the provisions
24 of the North American Wetlands Conservation Act (16

1 U.S.C. 4401 et seq.), \$43,000,000, to remain available
2 until expended.

3 NEOTROPICAL MIGRATORY BIRD CONSERVATION

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

7 MULTINATIONAL SPECIES CONSERVATION FUND

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

16 STATE AND TRIBAL WILDLIFE GRANTS

17 For wildlife conservation grants to States and to the
18 District of Columbia, Puerto Rico, Guam, the United
19 States Virgin Islands, the Northern Mariana Islands,
20 American Samoa, and Indian tribes under the provisions
21 of the Fish and Wildlife Act of 1956 and the Fish and
22 Wildlife Coordination Act, for the development and imple-
23 mentation of programs for the benefit of wildlife and their
24 habitat, including species that are not hunted or fished,
25 \$65,571,000, to remain available until expended: *Pro-*

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

1 justed equitably so that no State shall be apportioned a
2 sum which is less than 1 percent of the amount available
3 for apportionment under this paragraph for any fiscal year
4 or more than 5 percent of such amount: *Provided further*,
5 That the Federal share of planning grants shall not exceed
6 75 percent of the total costs of such projects and the Fed-
7 eral share of implementation grants shall not exceed 65
8 percent of the total costs of such projects: *Provided fur-*
9 *ther*, That the non-Federal share of such projects may not
10 be derived from Federal grant programs: *Provided further*,
11 That any amount apportioned in 2019 to any State, terri-
12 tory, or other jurisdiction that remains unobligated as of
13 September 30, 2020, shall be reapportioned, together with
14 funds appropriated in 2021, in the manner provided here-
15 in.

16 ADMINISTRATIVE PROVISIONS

17 The United States Fish and Wildlife Service may
18 carry out the operations of Service programs by direct ex-
19 penditure, contracts, grants, cooperative agreements and
20 reimbursable agreements with public and private entities.
21 Appropriations and funds available to the United States
22 Fish and Wildlife Service shall be available for repair of
23 damage to public roads within and adjacent to reservation
24 areas caused by operations of the Service; options for the
25 purchase of land at not to exceed \$1 for each option; facili-

1 ties incident to such public recreational uses on conserva-
2 tion areas as are consistent with their primary purpose;
3 and the maintenance and improvement of aquaria, build-
4 ings, and other facilities under the jurisdiction of the Serv-
5 ice and to which the United States has title, and which
6 are used pursuant to law in connection with management,
7 and investigation of fish and wildlife resources: *Provided*,
8 That notwithstanding 44 U.S.C. 501, the Service may,
9 under cooperative cost sharing and partnership arrange-
10 ments authorized by law, procure printing services from
11 cooperators in connection with jointly produced publica-
12 tions for which the cooperators share at least one-half the
13 cost of printing either in cash or services and the Service
14 determines the cooperator is capable of meeting accepted
15 quality standards: *Provided further*, That the Service may
16 accept donated aircraft as replacements for existing air-
17 craft: *Provided further*, That notwithstanding 31 U.S.C.
18 3302, all fees collected for non-toxic shot review and ap-
19 proval shall be deposited under the heading “United
20 States Fish and Wildlife Service—Resource Management”
21 and shall be available to the Secretary, without further
22 appropriation, to be used for expenses of processing of
23 such non-toxic shot type or coating applications and revis-
24 ing regulations as necessary, and shall remain available
25 until expended.

1 NATIONAL PARK SERVICE

2 OPERATION OF THE NATIONAL PARK SYSTEM

3 For expenses necessary for the management, oper-
4 ation, and maintenance of areas and facilities adminis-
5 tered by the National Park Service and for the general
6 administration of the National Park Service,
7 \$2,500,369,000, of which \$10,032,000 for planning and
8 interagency coordination in support of Everglades restora-
9 tion and \$141,961,000 for maintenance, repair, or reha-
10 bilitation projects for constructed assets and
11 \$149,075,000 for cyclic maintenance projects for con-
12 structed assets shall remain available until September 30,
13 2020: *Provided*, That funds appropriated under this head-
14 ing in this Act are available for the purposes of section
15 5 of Public Law 95–348.

16 NATIONAL RECREATION AND PRESERVATION

17 For expenses necessary to carry out recreation pro-
18 grams, natural programs, cultural programs, heritage
19 partnership programs, environmental compliance and re-
20 view, international park affairs, and grant administration,
21 not otherwise provided for, \$64,138,000.

22 HISTORIC PRESERVATION FUND

23 For expenses necessary in carrying out the National
24 Historic Preservation Act (division A of subtitle III of title
25 54, United States Code), \$88,910,000, to be derived from

1 the Historic Preservation Fund and to remain available
2 until September 30, 2020: *Provided*, That of the funds
3 provided for the Historic Preservation Fund, \$500,000 is
4 for competitive grants for the survey and nomination of
5 properties to the National Register of Historic Places and
6 as National Historic Landmarks associated with commu-
7 nities currently under-represented, as determined by the
8 Secretary, \$13,000,000 is for competitive grants to pre-
9 serve the sites and stories of the Civil Rights movement,
10 \$5,000,000 is for grants to Historically Black Colleges
11 and Universities, and \$5,000,000 is for competitive grants
12 for the restoration of historic properties of national, State
13 and local significance listed on or eligible for inclusion on
14 the National Register of Historic Places, to be made with-
15 out imposing the usage or direct grant restrictions of sec-
16 tion 101(e)(3) (54 U.S.C. 302904) of the National Histor-
17 ical Preservation Act: *Provided further*, That such com-
18 petitive grants shall be made without imposing the match-
19 ing requirements in section 302902(b)(3) of title 54,
20 United States Code, to States and Indian tribes as defined
21 in chapter 3003 of such title, Native Hawaiian organiza-
22 tions, local governments, including Certified Local Govern-
23 ments, and non-profit organizations.

16

1 CONSTRUCTION

2 For construction, improvements, repair, or replace-
3 ment of physical facilities, and compliance and planning
4 for programs and areas administered by the National
5 Park Service, \$364,704,000, to remain available until ex-
6 pended: *Provided*, That notwithstanding any other provi-
7 sion of law, for any project initially funded in fiscal year
8 2019 with a future phase indicated in the National Park
9 Service 5-Year Line Item Construction Plan, a single pro-
10 curement may be issued which includes the full scope of
11 the project: *Provided further*, That the solicitation and
12 contract shall contain the clause availability of funds
13 found at 48 CFR 52.232–18: *Provided further*, That Na-
14 tional Park Service Donations, Park Concessions Fran-
15 chise Fees, and Recreation Fees may be made available
16 for the cost of adjustments and changes within the origi-
17 nal scope of effort for projects funded by the National
18 Park Service Construction appropriation: *Provided further*,
19 That the Secretary of the Interior shall consult with the
20 Committees on Appropriations, in accordance with current
21 reprogramming thresholds, prior to making any charges
22 authorized by this section.

23 LAND ACQUISITION AND STATE ASSISTANCE

24 For expenses necessary to carry out chapter 2003 of
25 title 54, United States Code, including administrative ex-

1 penses, and for acquisition of lands or waters, or interest
2 therein, in accordance with the statutory authority appli-
3 cable to the National Park Service, \$174,444,000, to be
4 derived from the Land and Water Conservation Fund and
5 to remain available until expended, of which \$124,006,000
6 is for the State assistance program and of which
7 \$15,000,000 shall be for the American Battlefield Protec-
8 tion Program grants as authorized by chapter 3081 of title
9 54, United States Code.

10 CENTENNIAL CHALLENGE

11 For expenses necessary to carry out the provisions
12 of section 101701 of title 54, United States Code, relating
13 to challenge cost share agreements, \$23,000,000, to re-
14 main available until expended, for Centennial Challenge
15 projects and programs: *Provided* , That not less than 50
16 percent of the total cost of each project or program shall
17 be derived from non-Federal sources in the form of do-
18 nated cash, assets, or a pledge of donation guaranteed by
19 an irrevocable letter of credit.

20 ADMINISTRATIVE PROVISIONS

21 (INCLUDING TRANSFER OF FUNDS)

22 In addition to other uses set forth in section
23 101917(c)(2) of title 54, United States Code, franchise
24 fees credited to a sub-account shall be available for ex-
25 penditure by the Secretary, without further appropriation,

1 for use at any unit within the National Park System to
2 extinguish or reduce liability for Possessory Interest or
3 leasehold surrender interest. Such funds may only be used
4 for this purpose to the extent that the benefitting unit an-
5 ticipated franchise fee receipts over the term of the con-
6 tract at that unit exceed the amount of funds used to ex-
7 tinguish or reduce liability. Franchise fees at the benefit-
8 ting unit shall be credited to the sub-account of the origi-
9 nating unit over a period not to exceed the term of a single
10 contract at the benefitting unit, in the amount of funds
11 so expended to extinguish or reduce liability.

12 For the costs of administration of the Land and
13 Water Conservation Fund grants authorized by section
14 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
15 of 2006 (Public Law 109–432), the National Park Service
16 may retain up to 3 percent of the amounts which are au-
17 thorized to be disbursed under such section, such retained
18 amounts to remain available until expended.

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

1 UNITED STATES GEOLOGICAL SURVEY

2 SURVEYS, INVESTIGATIONS, AND RESEARCH

3 For expenses necessary for the United States Geo-
4 logical Survey to perform surveys, investigations, and re-
5 search covering topography, geology, hydrology, biology,
6 and the mineral and water resources of the United States,
7 its territories and possessions, and other areas as author-
8 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
9 to their mineral and water resources; give engineering su-
10 pervision to power permittees and Federal Energy Regu-
11 latory Commission licensees; administer the minerals ex-
12 ploration program (30 U.S.C. 641); conduct inquiries into
13 the economic conditions affecting mining and materials
14 processing industries (30 U.S.C. 3, 21a, and 1603; 50
15 U.S.C. 98g(1)) and related purposes as authorized by law;
16 and to publish and disseminate data relative to the fore-
17 going activities; \$1,148,457,000, to remain available until
18 September 30, 2020; of which \$84,337,000 shall remain
19 available until expended for satellite operations; and of
20 which \$15,164,000 shall be available until expended for
21 deferred maintenance and capital improvement projects
22 that exceed \$100,000 in cost: *Provided*, That none of the
23 funds provided for the ecosystem research activity shall
24 be used to conduct new surveys on private property, unless
25 specifically authorized in writing by the property owner:

1 *Provided further*, That no part of this appropriation shall
2 be used to pay more than one-half the cost of topographic
3 mapping or water resources data collection and investiga-
4 tions carried on in cooperation with States and municipali-
5 ties.

6 ADMINISTRATIVE PROVISIONS

7 From within the amount appropriated for activities
8 of the United States Geological Survey such sums as are
9 necessary shall be available for contracting for the fur-
10 nishing of topographic maps and for the making of geo-
11 physical or other specialized surveys when it is administra-
12 tively determined that such procedures are in the public
13 interest; construction and maintenance of necessary build-
14 ings and appurtenant facilities; acquisition of lands for
15 gauging stations, observation wells, and seismic equip-
16 ment; expenses of the United States National Committee
17 for Geological Sciences; and payment of compensation and
18 expenses of persons employed by the Survey duly ap-
19 pointed to represent the United States in the negotiation
20 and administration of interstate compacts: *Provided*, That
21 activities funded by appropriations herein made may be
22 accomplished through the use of contracts, grants, or co-
23 operative agreements as defined in section 6302 of title
24 31, United States Code: *Provided further*, That the United
25 States Geological Survey may enter into contracts or coop-

1 erative agreements directly with individuals or indirectly
2 with institutions or nonprofit organizations, without re-
3 gard to 41 U.S.C. 6101, for the temporary or intermittent
4 services of students or recent graduates, who shall be con-
5 sidered employees for the purpose of chapters 57 and 81
6 of title 5, United States Code, relating to compensation
7 for travel and work injuries, and chapter 171 of title 28,
8 United States Code, relating to tort claims, but shall not
9 be considered to be Federal employees for any other pur-
10 poses.

11 BUREAU OF OCEAN ENERGY MANAGEMENT

12 OCEAN ENERGY MANAGEMENT

13 For expenses necessary for granting and admin-
14 istering leases, easements, rights-of-way and agreements
15 for use for oil and gas, other minerals, energy, and ma-
16 rine-related purposes on the Outer Continental Shelf and
17 approving operations related thereto, as authorized by law;
18 for environmental studies, as authorized by law; for imple-
19 menting other laws and to the extent provided by Presi-
20 dential or Secretarial delegation; and for matching grants
21 or cooperative agreements, \$179,266,000, of which
22 \$129,450,000 is to remain available until September 30,
23 2020, and of which \$49,816,000 is to remain available
24 until expended: *Provided*, That this total appropriation
25 shall be reduced by amounts collected by the Secretary

1 and credited to this appropriation from additions to re-
2 cepts resulting from increases to lease rental rates in ef-
3 fect on August 5, 1993, and from cost recovery fees from
4 activities conducted by the Bureau of Ocean Energy Man-
5 agement pursuant to the Outer Continental Shelf Lands
6 Act, including studies, assessments, analysis, and miscella-
7 neous administrative activities: *Provided further*, That the
8 sum herein appropriated shall be reduced as such collec-
9 tions are received during the fiscal year, so as to result
10 in a final fiscal year 2019 appropriation estimated at not
11 more than \$129,450,000: *Provided further*, That not to
12 exceed \$3,000 shall be available for reasonable expenses
13 related to promoting volunteer beach and marine cleanup
14 activities.

15 BUREAU OF SAFETY AND ENVIRONMENTAL
16 ENFORCEMENT
17 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT
18 For expenses necessary for the regulation of oper-
19 ations related to leases, easements, rights-of-way and
20 agreements for use for oil and gas, other minerals, energy,
21 and marine-related purposes on the Outer Continental
22 Shelf, as authorized by law; for enforcing and imple-
23 menting laws and regulations as authorized by law and
24 to the extent provided by Presidential or Secretarial dele-
25 gation; and for matching grants or cooperative agree-

1 ments, \$145,475,000, of which \$121,351,000 is to remain
2 available until September 30, 2020, and of which
3 \$24,124,000 is to remain available until expended: *Pro-*
4 *vided*, That this total appropriation shall be reduced by
5 amounts collected by the Secretary and credited to this
6 appropriation from additions to receipts resulting from in-
7 creases to lease rental rates in effect on August 5, 1993,
8 and from cost recovery fees from activities conducted by
9 the Bureau of Safety and Environmental Enforcement
10 pursuant to the Outer Continental Shelf Lands Act, in-
11 cluding studies, assessments, analysis, and miscellaneous
12 administrative activities: *Provided further*, That the sum
13 herein appropriated shall be reduced as such collections
14 are received during the fiscal year, so as to result in a
15 final fiscal year 2019 appropriation estimated at not more
16 than \$121,351,000.

17 For an additional amount, \$41,765,000, to remain
18 available until expended, to be reduced by amounts col-
19 lected by the Secretary and credited to this appropriation,
20 which shall be derived from non-refundable inspection fees
21 collected in fiscal year 2019, as provided in this Act: *Pro-*
22 *vided*, That to the extent that amounts realized from such
23 inspection fees exceed \$41,765,000, the amounts realized
24 in excess of \$41,765,000 shall be credited to this appro-
25 priation and remain available until expended: *Provided*

1 *further*, That for fiscal year 2019, not less than 50 percent
2 of the inspection fees expended by the Bureau of Safety
3 and Environmental Enforcement will be used to fund per-
4 sonnel and mission-related costs to expand capacity and
5 expedite the orderly development, subject to environmental
6 safeguards, of the Outer Continental Shelf pursuant to the
7 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
8 seq.), including the review of applications for permits to
9 drill.

10

OIL SPILL RESEARCH

11 For necessary expenses to carry out title I, section
12 1016, title IV, sections 4202 and 4303, title VII, and title
13 VIII, section 8201 of the Oil Pollution Act of 1990,
14 \$12,700,000, which shall be derived from the Oil Spill Li-
15 ability Trust Fund, to remain available until expended.

16

OFFICE OF SURFACE MINING RECLAMATION AND

17

ENFORCEMENT

18

REGULATION AND TECHNOLOGY

19 For necessary expenses to carry out the provisions
20 of the Surface Mining Control and Reclamation Act of
21 1977, Public Law 95–87, \$114,900,000, to remain avail-
22 able until September 30, 2020: *Provided*, That appropria-
23 tions for the Office of Surface Mining Reclamation and
24 Enforcement may provide for the travel and per diem ex-
25 penses of State and tribal personnel attending Office of

1 Surface Mining Reclamation and Enforcement sponsored
2 training.

3 In addition, for costs to review, administer, and en-
4 force permits issued by the Office pursuant to section 507
5 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
6 main available until expended: *Provided*, That fees as-
7 sessed and collected by the Office pursuant to such section
8 507 shall be credited to this account as discretionary off-
9 setting collections, to remain available until expended:
10 *Provided further*, That the sum herein appropriated from
11 the general fund shall be reduced as collections are re-
12 ceived during the fiscal year, so as to result in a fiscal
13 year 2019 appropriation estimated at not more than
14 \$114,900,000.

15 ABANDONED MINE RECLAMATION FUND

16 For necessary expenses to carry out title IV of the
17 Surface Mining Control and Reclamation Act of 1977,
18 Public Law 95–87, \$22,952,000, to be derived from re-
19 ceipts of the Abandoned Mine Reclamation Fund and to
20 remain available until expended: *Provided*, That pursuant
21 to Public Law 97–365, the Department of the Interior is
22 authorized to use up to 20 percent from the recovery of
23 the delinquent debt owed to the United States Government
24 to pay for contracts to collect these debts: *Provided fur-*
25 *ther*, That funds made available under title IV of Public

1 Law 95–87 may be used for any required non-Federal
2 share of the cost of projects funded by the Federal Gov-
3 ernment for the purpose of environmental restoration re-
4 lated to treatment or abatement of acid mine drainage
5 from abandoned mines: *Provided further*, That such
6 projects must be consistent with the purposes and prior-
7 ities of the Surface Mining Control and Reclamation Act:
8 *Provided further*, That amounts provided under this head-
9 ing may be used for the travel and per diem expenses of
10 State and tribal personnel attending Office of Surface
11 Mining Reclamation and Enforcement sponsored training.

12 In addition, \$115,000,000, to remain available until
13 expended, for grants to States and federally recognized In-
14 dian Tribes for reclamation of abandoned mine lands and
15 other related activities in accordance with the terms and
16 conditions in the report accompanying this Act: *Provided*,
17 That such additional amount shall be used for economic
18 and community development in conjunction with the prior-
19 ities in section 403(a) of the Surface Mining Control and
20 Reclamation Act of 1977 (30 U.S.C. 1233(a)): *Provided*
21 *further*, That of such additional amount, \$75,000,000
22 shall be distributed in equal amounts to the 3 Appalachian
23 States with the greatest amount of unfunded needs to
24 meet the priorities described in paragraphs (1) and (2)
25 of such section, \$30,000,000 shall be distributed in equal

1 amounts to the 3 Appalachian States with the subsequent
2 greatest amount of unfunded needs to meet such prior-
3 ities, and \$10,000,000 shall be for grants to federally rec-
4 ognized Indian Tribes without regard to their status as
5 certified or uncertified under the Surface Mining Control
6 and Reclamation Act of 1977 (30 U.S.C. 1233(a)), for
7 reclamation of abandoned mine lands and other related
8 activities in accordance with the terms and conditions in
9 the report accompanying this Act and shall be used for
10 economic and community development in conjunction with
11 the priorities in section 403(a) of the Surface Mining Con-
12 trol and Reclamation Act of 1977: *Provided further*, That
13 such additional amount shall be allocated to States and
14 Indian Tribes within 60 days after the date of enactment
15 of this Act.

16 BUREAU OF INDIAN AFFAIRS AND BUREAU OF INDIAN
17 EDUCATION

18 OPERATION OF INDIAN PROGRAMS

19 (INCLUDING TRANSFER OF FUNDS)

20 For expenses necessary for the operation of Indian
21 programs, as authorized by law, including the Snyder Act
22 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
23 termination and Education Assistance Act of 1975 (25
24 U.S.C. 5301 et seq.), the Education Amendments of 1978
25 (25 U.S.C. 2001–2019), and the Tribally Controlled

1 Schools Act of 1988 (25 U.S.C. 2501 et seq.),
2 \$2,403,890,000, to remain available until September 30,
3 2020, except as otherwise provided herein; of which not
4 to exceed \$8,500 may be for official reception and rep-
5 resentation expenses; of which not to exceed \$76,000,000
6 shall be for welfare assistance payments: *Provided*, That
7 in cases of designated Federal disasters, the Secretary
8 may exceed such cap, from the amounts provided herein,
9 to provide for disaster relief to Indian communities af-
10 fected by the disaster: *Provided further*, That federally rec-
11 ognized Indian tribes and tribal organizations of federally
12 recognized Indian tribes may use their tribal priority allo-
13 cations for unmet welfare assistance costs: *Provided fur-*
14 *ther*, That not to exceed \$680,673,000 for school oper-
15 ations costs of Bureau-funded schools and other education
16 programs shall become available on July 1, 2019, and
17 shall remain available until September 30, 2020: *Provided*
18 *further*, That not to exceed \$54,174,000 shall remain
19 available until expended for housing improvement, road
20 maintenance, attorney fees, litigation support, land
21 records improvement, and the Navajo-Hopi Settlement
22 Program: *Provided further*, That notwithstanding any
23 other provision of law, including but not limited to the
24 Indian Self-Determination Act of 1975 (25 U.S.C. 5301
25 et seq.) and section 1128 of the Education Amendments

1 of 1978 (25 U.S.C. 2008), not to exceed \$81,036,000
2 within and only from such amounts made available for
3 school operations shall be available for administrative cost
4 grants associated with grants approved prior to July 1,
5 2019: *Provided further*, That any forestry funds allocated
6 to a federally recognized tribe which remain unobligated
7 as of September 30, 2020, may be transferred during fis-
8 cal year 2021 to an Indian forest land assistance account
9 established for the benefit of the holder of the funds within
10 the holder's trust fund account: *Provided further*, That
11 any such unobligated balances not so transferred shall ex-
12 pire on September 30, 2021: *Provided further*, That in
13 order to enhance the safety of Bureau field employees, the
14 Bureau may use funds to purchase uniforms or other iden-
15 tifying articles of clothing for personnel.

16 CONTRACT SUPPORT COSTS

17 For payments to tribes and tribal organizations for
18 contract support costs associated with Indian Self-Deter-
19 mination and Education Assistance Act agreements with
20 the Bureau of Indian Affairs for fiscal year 2019, such
21 sums as may be necessary, which shall be available for
22 obligation through September 30, 2020: *Provided*, That
23 notwithstanding any other provision of law, no amounts
24 made available under this heading shall be available for
25 transfer to another budget account.

1 CONSTRUCTION

2 (INCLUDING TRANSFER OF FUNDS)

3 For construction, repair, improvement, and mainte-
4 nance of irrigation and power systems, buildings, utilities,
5 and other facilities, including architectural and engineer-
6 ing services by contract; acquisition of lands, and interests
7 in lands; and preparation of lands for farming, and for
8 construction of the Navajo Indian Irrigation Project pur-
9 suant to Public Law 87–483; \$359,419,000, to remain
10 available until expended: *Provided*, That such amounts as
11 may be available for the construction of the Navajo Indian
12 Irrigation Project may be transferred to the Bureau of
13 Reclamation: *Provided further*, That not to exceed 6 per-
14 cent of contract authority available to the Bureau of In-
15 dian Affairs from the Federal Highway Trust Fund may
16 be used to cover the road program management costs of
17 the Bureau: *Provided further*, That any funds provided for
18 the Safety of Dams program pursuant to the Act of No-
19 vember 2, 1921 (25 U.S.C. 13), shall be made available
20 on a nonreimbursable basis: *Provided further*, That for fis-
21 cal year 2019, in implementing new construction, replace-
22 ment facilities construction, or facilities improvement and
23 repair project grants in excess of \$100,000 that are pro-
24 vided to grant schools under Public Law 100–297, the
25 Secretary of the Interior shall use the Administrative and

1 Audit Requirements and Cost Principles for Assistance
2 Programs contained in part 12 of title 43, Code of Federal
3 Regulations, as the regulatory requirements: *Provided fur-*
4 *ther*, That such grants shall not be subject to section
5 12.61 of title 43, Code of Federal Regulations; the Sec-
6 retary and the grantee shall negotiate and determine a
7 schedule of payments for the work to be performed: *Pro-*
8 *vided further*, That in considering grant applications, the
9 Secretary shall consider whether such grantee would be
10 deficient in assuring that the construction projects con-
11 form to applicable building standards and codes and Fed-
12 eral, tribal, or State health and safety standards as re-
13 quired by section 1125(b) of title XI of Public Law 95-
14 561 (25 U.S.C. 2005(b)), with respect to organizational
15 and financial management capabilities: *Provided further*,
16 That if the Secretary declines a grant application, the Sec-
17 retary shall follow the requirements contained in section
18 5206(f) of Public Law 100-297 (25 U.S.C. 2504(f)): *Pro-*
19 *vided further*, That any disputes between the Secretary
20 and any grantee concerning a grant shall be subject to
21 the disputes provision in section 5208(e) of Public Law
22 107-110 (25 U.S.C. 2507(e)): *Provided further*, That in
23 order to ensure timely completion of construction projects,
24 the Secretary may assume control of a project and all
25 funds related to the project, if, within 18 months of the

1 date of enactment of this Act, any grantee receiving funds
2 appropriated in this Act or in any prior Act, has not com-
3 pleted the planning and design phase of the project and
4 commenced construction: *Provided further*, That this ap-
5 propriation may be reimbursed from the Office of the Spe-
6 cial Trustee for American Indians appropriation for the
7 appropriate share of construction costs for space expan-
8 sion needed in agency offices to meet trust reform imple-
9 mentation.

10 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
11 MISCELLANEOUS PAYMENTS TO INDIANS

12 For payments and necessary administrative expenses
13 for implementation of Indian land and water claim settle-
14 ments pursuant to Public Laws 99-264, 100-580, 101-
15 618, 111-11, 111-291, and 114-322, and for implemen-
16 tation of other land and water rights settlements,
17 \$55,457,000, to remain available until expended: *Pro-*
18 *vided*, That the Secretary shall make payments in such
19 amounts as necessary to satisfy the total authorized
20 amount for the Navajo Nation Water Rights Trust Fund.

21 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

22 For the cost of guaranteed loans and insured loans,
23 \$9,279,000, of which \$1,252,000 is for administrative ex-
24 penses, as authorized by the Indian Financing Act of
25 1974: *Provided*, That such costs, including the cost of

1 modifying such loans, shall be as defined in section 502
2 of the Congressional Budget Act of 1974: *Provided fur-*
3 *ther*, That these funds are available to subsidize total loan
4 principal, any part of which is to be guaranteed or insured,
5 not to exceed \$123,565,389.

6 ADMINISTRATIVE PROVISIONS

7 The Bureau of Indian Affairs may carry out the oper-
8 ation of Indian programs by direct expenditure, contracts,
9 cooperative agreements, compacts, and grants, either di-
10 rectly or in cooperation with States and other organiza-
11 tions.

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

16 Notwithstanding any other provision of law, no funds
17 available to the Bureau of Indian Affairs for central office
18 oversight and Executive Direction and Administrative
19 Services (except executive direction and administrative
20 services funding for Tribal Priority Allocations, regional
21 offices, and facilities operations and maintenance) shall be
22 available for contracts, grants, compacts, or cooperative
23 agreements with the Bureau of Indian Affairs under the
24 provisions of the Indian Self-Determination Act or the

1 Tribal Self-Governance Act of 1994 (Public Law 103–
2 413).

3 In the event any tribe returns appropriations made
4 available by this Act to the Bureau of Indian Affairs, this
5 action shall not diminish the Federal Government’s trust
6 responsibility to that tribe, or the government-to-govern-
7 ment relationship between the United States and that
8 tribe, or that tribe’s ability to access future appropria-
9 tions.

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

16 No funds available to the Bureau of Indian Edu-
17 cation shall be used to support expanded grades for any
18 school or dormitory beyond the grade structure in place
19 or approved by the Secretary of the Interior at each school
20 in the Bureau of Indian Education school system as of
21 October 1, 1995, except that the Secretary of the Interior
22 may waive this prohibition to support expansion of up to
23 one additional grade when the Secretary determines such
24 waiver is needed to support accomplishment of the mission
25 of the Bureau of Indian Education, or more than one

1 grade to expand the elementary grade structure for Bu-
2 reau-funded schools with a K-2 grade structure on Octo-
3 ber 1, 1996. Appropriations made available in this or any
4 prior Act for schools funded by the Bureau shall be avail-
5 able, in accordance with the Bureau's funding formula,
6 only to the schools in the Bureau school system as of Sep-
7 tember 1, 1996, and to any school or school program that
8 was reinstated in fiscal year 2012. Funds made available
9 under this Act may not be used to establish a charter
10 school at a Bureau-funded school (as that term is defined
11 in section 1141 of the Education Amendments of 1978
12 (25 U.S.C. 2021)), except that a charter school that is
13 in existence on the date of the enactment of this Act and
14 that has operated at a Bureau-funded school before Sep-
15 tember 1, 1999, may continue to operate during that pe-
16 riod, but only if the charter school pays to the Bureau
17 a pro rata share of funds to reimburse the Bureau for
18 the use of the real and personal property (including buses
19 and vans), the funds of the charter school are kept sepa-
20 rate and apart from Bureau funds, and the Bureau does
21 not assume any obligation for charter school programs of
22 the State in which the school is located if the charter
23 school loses such funding. Employees of Bureau-funded
24 schools sharing a campus with a charter school and per-
25 forming functions related to the charter school's operation

1 and employees of a charter school shall not be treated as
2 Federal employees for purposes of chapter 171 of title 28,
3 United States Code.

4 Notwithstanding any other provision of law, including
5 section 113 of title I of appendix C of Public Law 106–
6 113, if in fiscal year 2003 or 2004 a grantee received indi-
7 rect and administrative costs pursuant to a distribution
8 formula based on section 5(f) of Public Law 101–301, the
9 Secretary shall continue to distribute indirect and admin-
10 istrative cost funds to such grantee using the section 5(f)
11 distribution formula.

12 Funds available under this Act may not be used to
13 establish satellite locations of schools in the Bureau school
14 system as of September 1, 1996, except that the Secretary
15 may waive this prohibition in order for an Indian tribe
16 to provide language and cultural immersion educational
17 programs for non-public schools located within the juris-
18 dictional area of the tribal government which exclusively
19 serve tribal members, do not include grades beyond those
20 currently served at the existing Bureau-funded school,
21 provide an educational environment with educator pres-
22 ence and academic facilities comparable to the Bureau-
23 funded school, comply with all applicable Tribal, Federal,
24 or State health and safety standards, and the Americans
25 with Disabilities Act, and demonstrate the benefits of es-

1 tablishing operations at a satellite location in lieu of incur-
2 ring extraordinary costs, such as for transportation or
3 other impacts to students such as those caused by busing
4 students extended distances: *Provided*, That no funds
5 available under this Act may be used to fund operations,
6 maintenance, rehabilitation, construction or other facili-
7 ties-related costs for such assets that are not owned by
8 the Bureau: *Provided further*, That the term “satellite
9 school” means a school location physically separated from
10 the existing Bureau school by more than 50 miles but that
11 forms part of the existing school in all other respects.

12 DEPARTMENTAL OFFICES

13 OFFICE OF THE SECRETARY

14 DEPARTMENTAL OPERATIONS

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses for management of the De-
17 partment of the Interior and for grants and cooperative
18 agreements, as authorized by law, \$134,673,000, to re-
19 main available until September 30, 2020; of which not to
20 exceed \$15,000 may be for official reception and represen-
21 tation expenses; and of which up to \$1,000,000 shall be
22 available for workers compensation payments and unem-
23 ployment compensation payments associated with the or-
24 derly closure of the United States Bureau of Mines; and
25 of which \$9,000,000 for the Office of Valuation Services

1 is to be derived from the Land and Water Conservation
2 Fund and shall remain available until expended; and of
3 which \$9,704,000 for Indian land, mineral, and resource
4 valuation activities shall remain available until expended:
5 *Provided*, That funds for Indian land, mineral, and re-
6 source valuation activities may, as needed, be transferred
7 to and merged with the Bureau of Indian Affairs and Bu-
8 reau of Indian Education “Operation of Indian Programs”
9 account and the Office of the Special Trustee for Amer-
10 ican Indians “Federal Trust Programs” account: *Provided*
11 *further*, That funds made available through contracts or
12 grants obligated during fiscal year 2019, as authorized by
13 the Indian Self-Determination Act of 1975 (25 U.S.C.
14 5301 et seq.), shall remain available until expended by the
15 contractor or grantee.

16 ADMINISTRATIVE PROVISIONS

17 For fiscal year 2019, 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, \$100,688,000, of which: (1)
17 \$91,240,000 shall remain available until expended for ter-
18 ritorial assistance, including general technical assistance,
19 maintenance assistance, disaster assistance, coral reef ini-
20 tiative activities, and brown tree snake control and re-
21 search; grants to the judiciary in American Samoa for
22 compensation and expenses, as authorized by law (48
23 U.S.C. 1661(c)); grants to the Government of American
24 Samoa, in addition to current local revenues, for construc-
25 tion and support of governmental functions; grants to the

1 Government of the Virgin Islands, as authorized by law;
2 grants to the Government of Guam, as authorized by law;
3 and grants to the Government of the Northern Mariana
4 Islands , as authorized by law (Public Law 94–241; 90
5 Stat. 272); and (2) \$9,448,000 shall be available until
6 September 30, 2020, for salaries and expenses of the Of-
7 fice of Insular Affairs: *Provided*, That all financial trans-
8 actions of the territorial and local governments herein pro-
9 vided for, including such transactions of all agencies or
10 instrumentalities established or used by such governments,
11 may be audited by the Government Accountability Office,
12 at its discretion, in accordance with chapter 35 of title
13 31, United States Code: *Provided further*, That Northern
14 Mariana Islands Covenant grant funding shall be provided
15 according to those terms of the Agreement of the Special
16 Representatives on Future United States Financial Assist-
17 ance for the Northern Mariana Islands approved by Public
18 Law 104–134: *Provided further*, That the funds for the
19 program of operations and maintenance improvement are
20 appropriated to institutionalize routine operations and
21 maintenance improvement of capital infrastructure with
22 territorial participation and cost sharing to be determined
23 by the Secretary based on the grantee’s commitment to
24 timely maintenance of its capital assets: *Provided further*,
25 That any appropriation for disaster assistance under this

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

6 COMPACT OF FREE ASSOCIATION

7 For grants and necessary expenses, \$3,563,000, 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 \$65,674,000.

19 OFFICE OF INSPECTOR GENERAL

20 SALARIES AND EXPENSES

21 For necessary expenses of the Office of Inspector
22 General, \$52,486,000.

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

For the operation of trust programs for Indians by direct expenditure, contracts, cooperative agreements, compacts, and grants, \$112,380,000, to remain available until expended, of which not to exceed \$19,016,000 from this or any other Act, may be available for historical accounting: *Provided*, That funds for trust management improvements and litigation support may, as needed, be transferred to or merged with the Bureau of Indian Affairs and Bureau of Indian Education, "Operation of Indian Programs" account; the Office of the Solicitor, "Salaries and Expenses" account; and the Office of the Secretary, "Departmental Operations" account: *Provided further*, That funds made available through contracts or grants obligated during fiscal year 2019, as authorized by the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.), shall remain available until expended by the contractor or grantee: *Provided further*, That notwithstanding any other provision of law, the Secretary shall not be required to provide a quarterly statement of performance for any Indian trust account that has not had activity for at least 15 months and has a balance of \$15

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 shall
25 continue to maintain sufficient records to determine the

1 balance of the individual accounts, including any accrued
2 interest and income, and such funds shall remain available
3 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 \$1,116,076,000, to remain available until expended, of
12 which not to exceed \$18,427,000 shall be for the renova-
13 tion or construction of fire facilities: *Provided*, That such
14 funds are also available for repayment of advances to
15 other appropriation accounts from which funds were pre-
16 viously transferred for such purposes: *Provided further*,
17 That of the funds provided \$188,000,000 is for fuels man-
18 agement activities: *Provided further*, That of the funds
19 provided \$20,470,000 is for burned area rehabilitation:
20 *Provided further*, That persons hired pursuant to 43
21 U.S.C. 1469 may be furnished subsistence and lodging
22 without cost from funds available from this appropriation:
23 *Provided further*, That notwithstanding 42 U.S.C. 1856d,
24 sums received by a bureau or office of the Department
25 of the Interior for fire protection rendered pursuant to 42

1 U.S.C. 1856 et seq., protection of United States property,
2 may be credited to the appropriation from which funds
3 were expended to provide that protection, and are avail-
4 able without fiscal year limitation: *Provided further*, That
5 using the amounts designated under this title of this Act,
6 the Secretary of the Interior may enter into procurement
7 contracts, grants, or cooperative agreements, for fuels
8 management activities, and for training and monitoring
9 associated with such fuels management activities on Fed-
10 eral land, or on adjacent non-Federal land for activities
11 that benefit resources on Federal land: *Provided further*,
12 That the costs of implementing any cooperative agreement
13 between the Federal Government and any non-Federal en-
14 tity may be shared, as mutually agreed on by the affected
15 parties: *Provided further*, That notwithstanding require-
16 ments of the Competition in Contracting Act, the Sec-
17 retary, for purposes of fuels management activities, may
18 obtain maximum practicable competition among: (1) local
19 private, nonprofit, or cooperative entities; (2) Youth Con-
20 servation Corps crews, Public Lands Corps (Public Law
21 109–154), or related partnerships with State, local, or
22 nonprofit youth groups; (3) small or micro-businesses; or
23 (4) other entities that will hire or train locally a significant
24 percentage, defined as 50 percent or more, of the project
25 workforce to complete such contracts: *Provided further*,

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

1 and projects: *Provided further*, That funds provided for
2 wildfire suppression shall be available for support of Fed-
3 eral emergency response actions: *Provided further*, That
4 funds appropriated under this heading shall be available
5 for assistance to or through the Department of State in
6 connection with forest and rangeland research, technical
7 information, and assistance in foreign countries, and, with
8 the concurrence of the Secretary of State, shall be avail-
9 able to support forestry, wildland fire management, and
10 related natural resource activities outside the United
11 States and its territories and possessions, including tech-
12 nical assistance, education and training, and cooperation
13 with United States and international organizations.

14 CENTRAL HAZARDOUS MATERIALS FUND

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

21 NATURAL RESOURCE DAMAGE ASSESSMENT AND

22 RESTORATION

23 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

24 To conduct natural resource damage assessment, res-
25 toration activities, and onshore oil spill preparedness by

1 the Department of the Interior necessary to carry out the
2 provisions of the Comprehensive Environmental Response,
3 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
4 the Federal Water Pollution Control Act (33 U.S.C. 1251
5 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701
6 et seq.), and 54 U.S.C. 100721 et seq., \$7,767,000, to
7 remain available until expended.

8 WORKING CAPITAL FUND

9 For the operation and maintenance of a departmental
10 financial and business management system, information
11 technology improvements of general benefit to the Depart-
12 ment, cybersecurity, and the consolidation of facilities and
13 operations throughout the Department, \$56,735,000, to
14 remain available until expended: *Provided*, That none of
15 the funds appropriated in this Act or any other Act may
16 be used to establish reserves in the Working Capital Fund
17 account other than for accrued annual leave and deprecia-
18 tion of equipment without prior approval of the Commit-
19 tees on Appropriations of the House of Representatives
20 and the Senate: *Provided further*, That the Secretary may
21 assess reasonable charges to State, local and tribal govern-
22 ment employees for training services provided by the Na-
23 tional Indian Program Training Center, other than train-
24 ing related to Public Law 93–638: *Provided further*, That
25 the Secretary may lease or otherwise provide space and

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

18 ADMINISTRATIVE PROVISION

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

1 OFFICE OF NATURAL RESOURCES REVENUE

2 For necessary expenses for management of the collec-
3 tion and disbursement of royalties, fees, and other mineral
4 revenue proceeds, and for grants and cooperative agree-
5 ments, as authorized by law, \$137,505,000, to remain
6 available until September 30, 2020; of which \$41,727,000
7 shall remain available until expended for the purpose of
8 mineral revenue management activities: *Provided*, That
9 notwithstanding any other provision of law, \$15,000 shall
10 be available for refunds of overpayments in connection
11 with certain Indian leases in which the Secretary con-
12 curred with the claimed refund due, to pay amounts owed
13 to Indian allottees or tribes, or to correct prior unrecover-
14 able erroneous payments.

15 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

16 (INCLUDING TRANSFERS OF FUNDS)

17 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

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

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

6 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

7 SEC. 102. The Secretary may authorize the expendi-
8 ture or transfer of any no year appropriation in this title,
9 in addition to the amounts included in the budget pro-
10 grams of the several agencies, for the suppression or emer-
11 gency prevention of wildland fires on or threatening lands
12 under the jurisdiction of the Department of the Interior;
13 for the emergency rehabilitation of burned-over lands
14 under its jurisdiction; for emergency actions related to po-
15 tential or actual earthquakes, floods, volcanoes, storms, or
16 other unavoidable causes; for contingency planning subse-
17 quent to actual oil spills; for response and natural resource
18 damage assessment activities related to actual oil spills or
19 releases of hazardous substances into the environment; for
20 the prevention, suppression, and control of actual or po-
21 tential grasshopper and Mormon cricket outbreaks on
22 lands under the jurisdiction of the Secretary, pursuant to
23 the authority in section 417(b) of Public Law 106–224
24 (7 U.S.C. 7717(b)); for emergency reclamation projects
25 under section 410 of Public Law 95–87; and shall trans-

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

1 AUTHORIZED USE OF FUNDS

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

17 AUTHORIZED USE OF FUNDS, INDIAN TRUST

18 MANAGEMENT

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

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

3 REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN
4 AFFAIRS

5 SEC. 105. Notwithstanding any other provision of
6 law, the Secretary of the Interior is authorized to redis-
7 tribute any Tribal Priority Allocation funds, including
8 tribal base funds, to alleviate tribal funding inequities by
9 transferring funds to address identified, unmet needs,
10 dual enrollment, overlapping service areas or inaccurate
11 distribution methodologies. No tribe shall receive a reduc-
12 tion in Tribal Priority Allocation funds of more than 10
13 percent in fiscal year 2019. Under circumstances of dual
14 enrollment, overlapping service areas or inaccurate dis-
15 tribution methodologies, the 10 percent limitation does not
16 apply.

17 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

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

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

8 OUTER CONTINENTAL SHELF INSPECTION FEES

9 SEC. 107. (a) In fiscal year 2019, the Secretary shall
10 collect a nonrefundable inspection fee, which shall be de-
11 posited in the “Offshore Safety and Environmental En-
12 forcement” account, from the designated operator for fa-
13 cilities subject to inspection under 43 U.S.C. 1348(c).

14 (b) Annual fees shall be collected for facilities that
15 are above the waterline, excluding drilling rigs, and are
16 in place at the start of the fiscal year. Fees for fiscal year
17 2019 shall be:

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

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

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

1 (c) Fees for drilling rigs shall be assessed for all in-
2 spections completed in fiscal year 2019. Fees for fiscal
3 year 2019 shall be:

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

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

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

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

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

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

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

15 MASS MARKING OF SALMONIDS

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

1 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

2 SEC. 111. Notwithstanding any other provision of
3 law, during fiscal year 2019, in carrying out work involv-
4 ing cooperation with State, local, and tribal governments
5 or any political subdivision thereof, Indian Affairs may
6 record obligations against accounts receivable from any
7 such entities, except that total obligations at the end of
8 the fiscal year shall not exceed total budgetary resources
9 available at the end of the fiscal year.

10 HUMANE TRANSFER OF EXCESS ANIMALS

11 SEC. 112. 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 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES
7 PROGRAM

8 SEC. 113. (a) Notwithstanding any other provision
9 of law relating to Federal grants and cooperative agree-
10 ments, the Secretary of the Interior is authorized to make
11 grants to, or enter into cooperative agreements with, pri-
12 vate nonprofit organizations designated by the Secretary
13 of Labor under title V of the Older Americans Act of 1965
14 to utilize the talents of older Americans in programs au-
15 thorized by other provisions of law administered by the
16 Secretary and consistent with such provisions of law.

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

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

24 (2) result in the use of an individual under the
25 Department of the Interior Experienced Services

1 Program for a job or function in a case in which a
2 Federal employee is in a layoff status from the same
3 or substantially equivalent job within the Depart-
4 ment; or

5 (3) affect existing contracts for services.

6 PAYMENTS IN LIEU OF TAXES (PILT)

7 SEC. 114. Section 6906 of title 31, United States
8 Code, is amended by striking “fiscal year 2018” and in-
9 serting “fiscal year 2019”.

10 SAGE-GROUSE

11 SEC. 115. None of the funds made available by this
12 or any other Act may be used by the Secretary of the Inte-
13 rior to write or issue pursuant to section 4 of the Endan-
14 gered Species Act of 1973 (16 U.S.C. 1533)—

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

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

19 TECHNICAL CORRECTION

20 SEC. 116. Division II of Public Law 104–333 (54
21 U.S.C. 320101 note), as amended by section 116(b)(2) of
22 Public Law 114–113, is amended in each of sections 208,
23 310, and 607, by striking “2017” and inserting “2019”.

1

TITLE II

2

ENVIRONMENTAL PROTECTION AGENCY

3

SCIENCE AND TECHNOLOGY

4

(INCLUDING RESCISSION OF FUNDS)

5

For science and technology, including research and development activities, which shall include research and development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, \$717,723,000, to remain available until September 30, 2020: *Provided*, That of the funds included under this heading, \$5,000,000 shall be for Research: National Priorities as specified in the report accompanying this Act: *Provided further*, That of unobligated balances from appropriations made available under this heading, \$11,250,000 are permanently rescinded: *Provided further*, That no amounts may be rescinded pursuant to the preceding proviso from amounts made available in the first proviso for Research: National Priorities.

22

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

23

(INCLUDING RESCISSION OF FUNDS)

24

For environmental programs and management, including necessary expenses, not otherwise provided for, for

25

1 personnel and related costs and travel expenses; hire of
2 passenger motor vehicles; hire, maintenance, and oper-
3 ation of aircraft; purchase of reprints; library member-
4 ships in societies or associations which issue publications
5 to members only or at a price to members lower than to
6 subscribers who are not members; administrative costs of
7 the brownfields program under the Small Business Liabil-
8 ity Relief and Brownfields Revitalization Act of 2002; im-
9 plementation of a coal combustion residual permit pro-
10 gram under section 2301 of the Water and Waste Act of
11 2016; and not to exceed \$9,000 for official reception and
12 representation expenses, \$2,659,675,000, to remain avail-
13 able until September 30, 2020: *Provided*, That of the
14 funds included under this heading, \$15,000,000 shall be
15 for Environmental Protection: National Priorities as speci-
16 fied in the report accompanying this Act: *Provided further*,
17 That of the funds included under this heading,
18 \$454,958,000 shall be for Geographic Programs specified
19 in the report accompanying this Act: *Provided further*,
20 That of the unobligated balances from appropriations
21 made available under this heading, \$61,676,000 are per-
22 manently rescinded: *Provided further*, That no amounts
23 may be rescinded pursuant to the preceding proviso from
24 amounts made available in the first proviso for Environ-
25 mental Protection: National Priorities, from amounts

1 made available in the second proviso for Geographic Pro-
2 grams, or from the National Estuary Program (33 U.S.C.
3 1330).

4 In addition, \$5,000,000 to remain available until ex-
5 pended, for necessary expenses of activities described in
6 section 26(b)(1) of the Toxic Substances Control Act (15
7 U.S.C. 2625(b)(1)): *Provided*, That fees collected pursu-
8 ant to that section of that Act and deposited in the “TSCA
9 Service Fee Fund” as discretionary offsetting receipts in
10 fiscal year 2019 shall be retained and used for necessary
11 salaries and expenses in this appropriation and shall re-
12 main available until expended: *Provided further*, That the
13 sum herein appropriated in this paragraph from the gen-
14 eral fund for fiscal year 2019 shall be reduced by the
15 amount of discretionary offsetting receipts received during
16 fiscal year 2019, so as to result in a final fiscal year 2019
17 appropriation from the general fund estimated at not more
18 than \$0: *Provided further*, That to the extent that amounts
19 realized from such receipts exceed \$5,000,000, those
20 amount in excess of \$5,000,000 shall be deposited in the
21 “TSCA Service Fee Fund” as discretionary offsetting re-
22 cepts in fiscal year 2019, shall be retained and used for
23 necessary salaries and expenses in this account, and shall
24 remain available until expended: *Provided further*, That of
25 the funds included in the first paragraph under this head-

1 ing, the Chemical Risk Review and Reduction program
2 project shall be allocated for this fiscal year, excluding the
3 amount of any fees appropriated, not less than the amount
4 of appropriations for that program project for fiscal year
5 2014.

6 OFFICE OF INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector
8 General in carrying out the provisions of the Inspector
9 General Act of 1978, \$41,489,000, to remain available
10 until September 30, 2020.

11 BUILDINGS AND FACILITIES

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

16 HAZARDOUS SUBSTANCE SUPERFUND

17 (INCLUDING TRANSFERS OF FUNDS)

18 For necessary expenses to carry out the Comprehen-
19 sive Environmental Response, Compensation, and Liabil-
20 ity Act of 1980 (CERCLA), including sections 111(c)(3),
21 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611)
22 \$1,091,947,000, to remain available until expended, con-
23 sisting of such sums as are available in the Trust Fund
24 on September 30, 2018, as authorized by section 517(a)
25 of the Superfund Amendments and Reauthorization Act

1 of 1986 (SARA) and up to \$1,091,947,000 as a payment
2 from general revenues to the Hazardous Substance Super-
3 fund for purposes as authorized by section 517(b) of
4 SARA: *Provided*, That funds appropriated under this
5 heading may be allocated to other Federal agencies in ac-
6 cordance with section 111(a) of CERCLA: *Provided fur-*
7 *ther*, That of the funds appropriated under this heading,
8 \$8,718,000 shall be paid to the “Office of Inspector Gen-
9 eral” appropriation to remain available until September
10 30, 2020, and \$17,398,000 shall be paid to the “Science
11 and Technology” appropriation to remain available until
12 September 30, 2020.

13 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
14 PROGRAM

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

1 implement section 9013 of the Solid Waste Disposal Act
2 to provide financial assistance to federally recognized In-
3 dian tribes for the development and implementation of
4 programs to manage underground storage tanks.

5 INLAND OIL SPILL PROGRAMS

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

11 STATE AND TRIBAL ASSISTANCE GRANTS

12 For environmental programs and infrastructure as-
13 sistance, including capitalization grants for State revolv-
14 ing funds and performance partnership grants,
15 \$3,575,041,000, to remain available until expended, of
16 which—

17 (1) \$1,394,000,000 shall be for making capital-
18 ization grants for the Clean Water State Revolving
19 Funds under title VI of the Federal Water Pollution
20 Control Act; and of which \$864,000,000 shall be for
21 making capitalization grants for the Drinking Water
22 State Revolving Funds under section 1452 of the
23 Safe Drinking Water Act: *Provided*, That for fiscal
24 year 2019, to the extent there are sufficient eligible
25 project applications and projects are consistent with

1 State Intended Use Plans, not less than 10 percent
2 of the funds made available under this title to each
3 State for Clean Water State Revolving Fund capital-
4 ization grants shall be used by the State for projects
5 to address green infrastructure, water or energy effi-
6 ciency improvements, or other environmentally inno-
7 vative activities: *Provided further*, That for fiscal
8 year 2019, funds made available under this title to
9 each State for Drinking Water State Revolving
10 Fund capitalization grants may, at the discretion of
11 each State, be used for projects to address green in-
12 frastructure, water or energy efficiency improve-
13 ments, or other environmentally innovative activities:
14 *Provided further*, That notwithstanding section
15 603(d)(7) of the Federal Water Pollution Control
16 Act, the limitation on the amounts in a State water
17 pollution control revolving fund that may be used by
18 a State to administer the fund shall not apply to
19 amounts included as principal in loans made by such
20 fund in fiscal year 2019 and prior years where such
21 amounts represent costs of administering the fund
22 to the extent that such amounts are or were deemed
23 reasonable by the Administrator, accounted for sepa-
24 rately from other assets in the fund, and used for
25 eligible purposes of the fund, including administra-

1 tion: *Provided further*, That for fiscal year 2019,
2 notwithstanding the provisions of subsections (g)(1),
3 (h), and (l) of section 201 of the Federal Water Pol-
4 lution Control Act, grants made under title II of
5 such Act for American Samoa, Guam, the common-
6 wealth of the Northern Marianas, the United States
7 Virgin Islands, and the District of Columbia may
8 also be made for the purpose of providing assistance:
9 (1) solely for facility plans, design activities, or
10 plans, specifications, and estimates for any proposed
11 project for the construction of treatment works; and
12 (2) for the construction, repair, or replacement of
13 privately owned treatment works serving one or
14 more principal residences or small commercial estab-
15 lishments: *Provided further*, That for fiscal year
16 2019, notwithstanding the provisions of such sub-
17 sections (g)(1), (h), and (l) of section 201 and sec-
18 tion 518(c) of the Federal Water Pollution Control
19 Act, funds reserved by the Administrator for grants
20 under section 518(c) of the Federal Water Pollution
21 Control Act may also be used to provide assistance:
22 (1) solely for facility plans, design activities, or
23 plans, specifications, and estimates for any proposed
24 project for the construction of treatment works; and
25 (2) for the construction, repair, or replacement of

1 privately owned treatment works serving one or
2 more principal residences or small commercial estab-
3 lishments: *Provided further*, That for fiscal year
4 2019, notwithstanding any provision of the Federal
5 Water Pollution Control Act and regulations issued
6 pursuant thereof, up to a total of \$2,000,000 of the
7 funds reserved by the Administrator for grants
8 under section 518(c) of such Act may also be used
9 for grants for training, technical assistance, and
10 educational programs relating to the operation and
11 management of the treatment works specified in sec-
12 tion 518(c) of such Act: *Provided further*, That for
13 fiscal year 2019, funds reserved under section
14 518(c) of such Act shall be available for grants only
15 to Indian tribes, as defined in section 518(h) of such
16 Act and former Indian reservations in Oklahoma (as
17 determined by the Secretary of the Interior) and Na-
18 tive Villages as defined in Public Law 92–203: *Pro-*
19 *vided further*, That for fiscal year 2019, notwith-
20 standing the limitation on amounts in section 518(c)
21 of the Federal Water Pollution Control Act, up to a
22 total of 2 percent of the funds appropriated, or
23 \$30,000,000, whichever is greater, and notwith-
24 standing the limitation on amounts in section
25 1452(i) of the Safe Drinking Water Act, up to a

1 total of 2 percent of the funds appropriated, or
2 \$20,000,000, whichever is greater, for State Revolv-
3 ing Funds under such Acts may be reserved by the
4 Administrator for grants under section 518(c) and
5 section 1452(i) of such Acts: *Provided further*, That
6 for fiscal year 2019, notwithstanding the amounts
7 specified in section 205(c) of the Federal Water Pol-
8 lution Control Act, up to 1.5 percent of the aggre-
9 gate funds appropriated for the Clean Water State
10 Revolving Fund program under the Act less any
11 sums reserved under section 518(c) of the Act, may
12 be reserved by the Administrator for grants made
13 under title II of the Federal Water Pollution Control
14 Act for American Samoa, Guam, the Commonwealth
15 of the Northern Marianas, and United States Virgin
16 Islands: *Provided further*, That for fiscal year 2019,
17 notwithstanding the limitations on amounts specified
18 in section 1452(j) of the Safe Drinking Water Act,
19 up to 1.5 percent of the funds appropriated for the
20 Drinking Water State Revolving Fund programs
21 under the Safe Drinking Water Act may be reserved
22 by the Administrator for grants made under section
23 1452(j) of the Safe Drinking Water Act: *Provided*
24 *further*, That 10 percent of the funds made available
25 under this title to each State for Clean Water State

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

1 State for Drinking Water State Revolving Fund cap-
2 italization grants to provide additional subsidy to eli-
3 gible recipients;

4 (2) \$15,000,000 shall be for architectural, engi-
5 neering, planning, design, construction and related
6 activities in connection with the construction of high
7 priority water and wastewater facilities in the area
8 of the United States-Mexico Border, after consulta-
9 tion with the appropriate border commission: *Pro-*
10 *vided*, That no funds provided by this appropriations
11 Act to address the water, wastewater and other crit-
12 ical infrastructure needs of the colonias in the
13 United States along the United States-Mexico bor-
14 der shall be made available to a county or municipal
15 government unless that government has established
16 an enforceable local ordinance, or other zoning rule,
17 which prevents in that jurisdiction the development
18 or construction of any additional colonia areas, or
19 the development within an existing colonia the con-
20 struction of any new home, business, or other struc-
21 ture which lacks water, wastewater, or other nec-
22 essary infrastructure;

23 (3) \$25,000,000 shall be for grants to the State
24 of Alaska to address drinking water and wastewater
25 infrastructure needs of rural and Alaska Native Vil-

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

16 (4) \$80,000,000 shall be to carry out section
17 104(k) of the Comprehensive Environmental Re-
18 sponse, Compensation, and Liability Act of 1980
19 (CERCLA), including grants, interagency agree-
20 ments, and associated program support costs: *Pro-*
21 *vided*, That not more than 25 percent of the amount
22 appropriated to carry out section 104(k) of
23 CERCLA shall be used for site characterization, as-
24 sessment, and remediation of facilities described in
25 section 101(39)(D)(ii)(II) of CERCLA: *Provided*

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

10 (5) \$50,000,000 shall be for grants under title
11 VII, subtitle G of the Energy Policy Act of 2005;

12 (6) \$50,000,000 shall be for targeted airshed
13 grants in accordance with the terms and conditions
14 in the report accompanying this Act;

15 (7) \$4,000,000 shall be to carry out the water
16 quality program authorized in section 5004(d) of the
17 Water Infrastructure Improvements for the Nation
18 Act (Public Law 114–322); and

19 (8) \$1,093,041,000 shall be for grants, includ-
20 ing associated program support costs, to States, fed-
21 erally recognized tribes, interstate agencies, tribal
22 consortia, and air pollution control agencies for
23 multi-media or single media pollution prevention,
24 control and abatement and related activities, includ-
25 ing activities pursuant to the provisions set forth

1 under this heading in Public Law 104–134, and for
2 making grants under section 103 of the Clean Air
3 Act for particulate matter monitoring and data col-
4 lection activities subject to terms and conditions
5 specified by the Administrator, of which:
6 \$47,745,000 shall be for carrying out section 128 of
7 CERCLA; \$9,646,000 shall be for Environmental
8 Information Exchange Network grants, including as-
9 sociated program support costs; \$1,498,000 shall be
10 for grants to States under section 2007(f)(2) of the
11 Solid Waste Disposal Act, which shall be in addition
12 to funds appropriated under the heading “Leaking
13 Underground Storage Tank Trust Fund Program”
14 to carry out the provisions of the Solid Waste Dis-
15 posal Act specified in section 9508(c) of the Internal
16 Revenue Code other than section 9003(h) of the
17 Solid Waste Disposal Act; \$17,848,000 of the funds
18 available for grants under section 106 of the Federal
19 Water Pollution Control Act shall be for State par-
20 ticipation in national- and State-level statistical sur-
21 veys of water resources and enhancements to State
22 monitoring programs; \$27,000,000 shall be for mul-
23 tipurpose grants, including interagency agreements.

1 WATER INFRASTRUCTURE FINANCE AND INNOVATION
2 PROGRAM ACCOUNT

3 For the cost of direct loans and for the cost of guar-
4 anteed loans, as authorized by the Water Infrastructure
5 Finance and Innovation Act of 2014, \$5,000,000, to re-
6 main available until expended: *Provided*, That such costs,
7 including the cost of modifying such loans, shall be as de-
8 fined in section 502 of the Congressional Budget Act of
9 1974: *Provided further*, That these funds are available to
10 subsidize gross obligations for the principal amount of di-
11 rect loans, including capitalized interest, and total loan
12 principal, including capitalized interest, any part of which
13 is to be guaranteed, not to exceed \$610,000,000.

14 In addition, fees authorized to be collected pursuant
15 to sections 5029 and 5030 of the Water Infrastructure
16 Finance and Innovation Act of 2014 shall be deposited
17 in this account, to remain available until expended.

18 In addition, for administrative expenses to carry out
19 the direct and guaranteed loan programs, notwithstanding
20 section 5033 of the Water Infrastructure Finance and In-
21 novation Act of 2014, \$5,000,000, to remain available
22 until September 30, 2020.

1 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL

2 PROTECTION AGENCY

3 (INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

4 For fiscal year 2019, notwithstanding 31 U.S.C.
5 6303(1) and 6305(1), the Administrator of the Environ-
6 mental Protection Agency, in carrying out the Agency's
7 function to implement directly Federal environmental pro-
8 grams required or authorized by law in the absence of an
9 acceptable tribal program, may award cooperative agree-
10 ments to federally recognized Indian tribes or Intertribal
11 consortia, if authorized by their member tribes, to assist
12 the Administrator in implementing Federal environmental
13 programs for Indian tribes required or authorized by law,
14 except that no such cooperative agreements may be award-
15 ed from funds designated for State financial assistance
16 agreements.

17 The Administrator of the Environmental Protection
18 Agency is authorized to collect and obligate pesticide reg-
19 istration service fees in accordance with section 33 of the
20 Federal Insecticide, Fungicide, and Rodenticide Act, as
21 amended by Public Law 112–177, the Pesticide Registra-
22 tion Improvement Extension Act of 2012.

23 Notwithstanding section 33(d)(2) of the Federal In-
24 secticide, Fungicide, and Rodenticide Act (FIFRA) (7
25 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-

1 mental Protection Agency may assess fees under section
2 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2019.

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

18 The Science and Technology, Environmental Pro-
19 grams and Management, Office of Inspector General, Haz-
20 ardous Substance Superfund, and Leaking Underground
21 Storage Tank Trust Fund Program Accounts, are avail-
22 able for the construction, alteration, repair, rehabilitation,
23 and renovation of facilities, provided that the cost does
24 not exceed \$150,000 per project.

1 For fiscal year 2019, and notwithstanding section
2 518(f) of the Federal Water Pollution Control Act (33
3 U.S.C. 1377(f)), the Administrator is authorized to use
4 the amounts appropriated for any fiscal year under section
5 319 of the Act to make grants to Indian tribes pursuant
6 to sections 319(h) and 518(e) of that Act.

7 The Administrator is authorized to use the amounts
8 appropriated under the heading “Environmental Pro-
9 grams and Management” for fiscal year 2019 to provide
10 grants to implement the Southeastern New England Wa-
11 tershed Restoration Program.

12 The Administrator of the Environmental Protection
13 Agency is authorized to collect and obligate fees in accord-
14 ance with section 3024 of the Solid Waste Disposal Act
15 (42 U.S.C. 6939g) for fiscal year 2019.

16 Of the unobligated balances available for the “State
17 and Tribal Assistance Grants” account, \$109,078,000 are
18 hereby permanently rescinded: *Provided*, That no amounts
19 may be rescinded from amounts that were designated by
20 the Congress as an emergency requirement pursuant to
21 the Concurrent Resolution on the Budget or the Balanced
22 Budget and Emergency Deficit Control Act of 1985 or
23 from amounts that were made available by subsection (a)
24 of section 196 of the Continuing Appropriations Act, 2017
25 (division C of Public Law 114–223), as amended by the

1 Further Continuing and Security Assistance Appropria-
2 tions Act, 2017 (Public Law 114–254).

3 TITLE III

4 RELATED AGENCIES

5 DEPARTMENT OF AGRICULTURE

6 OFFICE OF THE UNDER SECRETARY FOR NATURAL

7 RESOURCES AND ENVIRONMENT

8 For necessary expenses of the Office of the Under
9 Secretary for Natural Resources and Environment,
10 \$875,000: *Provided*, That funds made available by this
11 Act to any agency in the Natural Resources and Environ-
12 ment mission area for salaries and expenses are available
13 to fund up to one administrative support staff for the of-
14 fice.

15 FOREST SERVICE

16 FOREST AND RANGELAND RESEARCH

17 For necessary expenses of forest and rangeland re-
18 search as authorized by law, \$300,000,000, to remain
19 available through September 30, 2022: *Provided*, That of
20 the funds provided, \$77,000,000 is for the forest inventory
21 and analysis program: *Provided further*, That all authori-
22 ties for the use of funds, including the use of contracts,
23 grants, and cooperative agreements, available to execute
24 the Forest and Rangeland Research appropriation, are

1 also available in the utilization of these funds for Fire
2 Science Research.

3 STATE AND PRIVATE FORESTRY

4 For necessary expenses of cooperating with and pro-
5 viding technical and financial assistance to States, terri-
6 tories, possessions, and others, and for forest health man-
7 agement, and conducting an international program as au-
8 thorized, \$333,990,000, to remain available through Sep-
9 tember 30, 2022, as authorized by law; of which
10 \$65,490,000 is to be derived from the Land and Water
11 Conservation Fund to be used for the Forest Legacy Pro-
12 gram, to remain available until expended.

13 NATIONAL FOREST SYSTEM

14 For necessary expenses of the Forest Service, not
15 otherwise provided for, for management, protection, im-
16 provement, and utilization of the National Forest System,
17 and for hazardous fuels management on or adjacent to
18 such lands, \$1,937,653,000, to remain available through
19 September 30, 2022: *Provided*, That of the funds pro-
20 vided, \$40,000,000 shall be deposited in the Collaborative
21 Forest Landscape Restoration Fund for ecological restora-
22 tion treatments as authorized by 16 U.S.C. 7303(f): *Pro-*
23 *vided further*, That of the funds provided, \$368,000,000
24 shall be for forest products: *Provided further*, That of the
25 funds provided, \$435,000,000 shall be for hazardous fuels

1 management activities, of which not to exceed
2 \$15,000,000 may be used to make grants, using any au-
3 thorities available to the Forest Service under the “State
4 and Private Forestry” appropriation, for the purpose of
5 creating incentives for increased use of biomass from Na-
6 tional Forest System lands: *Provided further*, That
7 \$15,000,000 may be used by the Secretary of Agriculture
8 to enter into procurement contracts or cooperative agree-
9 ments or to issue grants for hazardous fuels management
10 activities, and for training or monitoring associated with
11 such hazardous fuels management activities on Federal
12 land, or on non-Federal land if the Secretary determines
13 such activities benefit resources on Federal land: *Provided*
14 *further*, That funds made available to implement the Com-
15 munity Forestry Restoration Act, Public Law 106–393,
16 title VI, shall be available for use on non-Federal lands
17 in accordance with authorities made available to the For-
18 est Service under the “State and Private Forestry” appro-
19 priations: *Provided further*, That notwithstanding section
20 33 of the Bankhead Jones Farm Tenant Act (7 U.S.C.
21 1012), the Secretary of Agriculture, in calculating a fee
22 for grazing on a National Grassland, may provide a credit
23 of up to 50 percent of the calculated fee to a Grazing As-
24 sociation or direct permittee for a conservation practice
25 approved by the Secretary in advance of the fiscal year

1 in which the cost of the conservation practice is incurred.
2 And, that the amount credited shall remain available to
3 the Grazing Association or the direct permittee, as appro-
4 priate, in the fiscal year in which the credit is made and
5 each fiscal year thereafter for use on the project for con-
6 servation practices approved by the Secretary.

7 CAPITAL IMPROVEMENT AND MAINTENANCE

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses of the Forest Service, not
10 otherwise provided for, \$449,000,000, to remain available
11 through September 30, 2022, for construction, capital im-
12 provement, maintenance and acquisition of buildings and
13 other facilities and infrastructure; and for construction,
14 reconstruction, decommissioning of roads that are no
15 longer needed, including unauthorized roads that are not
16 part of the transportation system, and maintenance of for-
17 est roads and trails by the Forest Service as authorized
18 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*
19 *vided*, That funds becoming available in fiscal year 2019
20 under the Act of March 4, 1913 (16 U.S.C. 501) shall
21 be transferred to the General Fund of the Treasury and
22 shall not be available for transfer or obligation for any
23 other purpose unless the funds are appropriated.

1 LAND ACQUISITION

2 (INCLUDING RESCISSION OF FUNDS)

3 For expenses necessary to carry out the provisions
4 of chapter 2003 of title 54, United States Code, including
5 administrative expenses, and for acquisition of land or wa-
6 ters, or interest therein, in accordance with statutory au-
7 thority applicable to the Forest Service, \$74,099,000, to
8 be derived from the Land and Water Conservation Fund
9 and to remain available until expended.

10 Of the unobligated balances from amounts made
11 available for Land Acquisition and derived from the Land
12 and Water Conservation Fund, \$16,028,000 is hereby per-
13 manently rescinded from projects with cost savings or
14 failed or partially failed projects that had funds returned:
15 *Provided*, That no amounts may be rescinded from
16 amounts that were designated by the Congress as an
17 emergency requirement pursuant to the Concurrent Reso-
18 lution on the Budget or the Balanced Budget and Emer-
19 gency Deficit Control Act of 1985.

20 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL

21 ACTS

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

1 Forests, California; and the Ozark-St. Francis and
2 Ouachita National Forests, Arkansas; as authorized by
3 law, \$700,000, to be derived from forest receipts.

4 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

5 For acquisition of lands, such sums, to be derived
6 from funds deposited by State, county, or municipal gov-
7 ernments, public school districts, or other public school au-
8 thorities, and for authorized expenditures from funds de-
9 posited by non-Federal parties pursuant to Land Sale and
10 Exchange Acts, pursuant to the Act of December 4, 1967
11 (16 U.S.C. 484a), to remain available through September
12 30, 2021, (16 U.S.C. 516–617a, 555a; Public Law 96–
13 586; Public Law 76–589, 76–591; and Public Law 78–
14 310).

15 RANGE BETTERMENT FUND

16 For necessary expenses of range rehabilitation, pro-
17 tection, and improvement, 50 percent of all moneys re-
18 ceived during the prior fiscal year, as fees for grazing do-
19 mestic livestock on lands in National Forests in the 16
20 Western States, pursuant to section 401(b)(1) of Public
21 Law 94–579, to remain available through September 30,
22 2022, of which not to exceed 6 percent shall be available
23 for administrative expenses associated with on-the-ground
24 range rehabilitation, protection, and improvements.

1 *Provided further*, That any unobligated funds appropriated
2 in a previous fiscal year for hazardous fuels management
3 may be transferred to the “National Forest System” ac-
4 count: *Provided further*, That such funds shall be available
5 to reimburse State and other cooperating entities for serv-
6 ices provided in response to wildfire and other emergencies
7 or disasters to the extent such reimbursements by the For-
8 est Service for non-fire emergencies are fully repaid by the
9 responsible emergency management agency: *Provided fur-*
10 *ther*, That funds provided shall be available for support
11 to Federal emergency response: *Provided further*, That the
12 costs of implementing any cooperative agreement between
13 the Federal Government and any non-Federal entity may
14 be shared, as mutually agreed on by the affected parties:
15 *Provided further*, That funds designated for wildfire sup-
16 pression, shall be assessed for cost pools on the same basis
17 as such assessments are calculated against other agency
18 programs.

19 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

20 (INCLUDING TRANSFERS OF FUNDS)

21 Appropriations to the Forest Service for the current
22 fiscal year shall be available for: (1) purchase of passenger
23 motor vehicles; acquisition of passenger motor vehicles
24 from excess sources, and hire of such vehicles; purchase,
25 lease, operation, maintenance, and acquisition of aircraft

1 to maintain the operable fleet for use in Forest Service
2 wildland fire programs and other Forest Service programs;
3 notwithstanding other provisions of law, existing aircraft
4 being replaced may be sold, with proceeds derived or
5 trade-in value used to offset the purchase price for the
6 replacement aircraft; (2) services pursuant to 7 U.S.C.
7 2225, and not to exceed \$100,000 for employment under
8 5 U.S.C. 3109; (3) purchase, erection, and alteration of
9 buildings and other public improvements (7 U.S.C. 2250);
10 (4) acquisition of land, waters, and interests therein pur-
11 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
12 Volunteers in the National Forest Act of 1972 (16 U.S.C.
13 558a, 558d, and 558a note); (6) the cost of uniforms as
14 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-
15 lection contracts in accordance with 31 U.S.C. 3718(c).

16 Any appropriations or funds available to the Forest
17 Service may be transferred to the Wildland Fire Manage-
18 ment appropriation for forest firefighting, emergency re-
19 habilitation of burned-over or damaged lands or waters
20 under its jurisdiction, and fire preparedness due to severe
21 burning conditions upon the Secretary’s notification of the
22 House and Senate Committees on Appropriations that all
23 fire suppression funds appropriated under the heading
24 “Wildland Fire Management” will be obligated within 30
25 days: *Provided*, That all funds used pursuant to this para-

1 graph must be replenished by a supplemental appropria-
2 tion which must be requested as promptly as possible.

3 Not more than \$50,000,000 of funds appropriated to
4 the Forest Service shall be available for expenditure or
5 transfer to the Department of the Interior for wildland
6 fire management, hazardous fuels management, and State
7 fire assistance when such transfers would facilitate and
8 expedite wildland fire management programs and projects.

9 Notwithstanding any other provision of this Act, the
10 Forest Service may transfer unobligated balances of dis-
11 cretionary funds appropriated to the Forest Service by
12 this Act to or within the National Forest System Account,
13 or reprogram funds to be used for the purposes of haz-
14 ardous fuels management and urgent rehabilitation of
15 burned-over National Forest System lands and water,
16 such transferred funds shall remain available through Sep-
17 tember 30, 2022: *Provided*, That none of the funds trans-
18 ferred pursuant to this section shall be available for obli-
19 gation without written notification to and the prior ap-
20 proval of the Committees on Appropriations of both
21 Houses of Congress: *Provided further*, That this section
22 does not apply to funds appropriated to the FLAME Wild-
23 fire Suppression Reserve Fund or funds derived from the
24 Land and Water Conservation Fund.

1 Funds appropriated to the Forest Service shall be
2 available for assistance to or through the Agency for Inter-
3 national Development in connection with forest and range-
4 land research, technical information, and assistance in for-
5 eign countries, and shall be available to support forestry
6 and related natural resource activities outside the United
7 States and its territories and possessions, including tech-
8 nical assistance, education and training, and cooperation
9 with U.S., private, and international organizations. The
10 Forest Service, acting for the International Program, may
11 sign direct funding agreements with foreign governments
12 and institutions as well as other domestic agencies (includ-
13 ing the U.S. Agency for International Development, the
14 Department of State, and the Millennium Challenge Cor-
15 poration), U.S. private sector firms, institutions and orga-
16 nizations to provide technical assistance and training pro-
17 grams overseas on forestry and rangeland management.

18 Funds appropriated to the Forest Service shall be
19 available for expenditure or transfer to the Department
20 of the Interior, Bureau of Land Management, for removal,
21 preparation, and adoption of excess wild horses and burros
22 from National Forest System lands, and for the perform-
23 ance of cadastral surveys to designate the boundaries of
24 such lands.

1 None of the funds made available to the Forest Serv-
2 ice in this Act or any other Act with respect to any fiscal
3 year shall be subject to transfer under the provisions of
4 section 702(b) of the Department of Agriculture Organic
5 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
6 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
7 Law 107–171 (7 U.S.C. 8316(b)).

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

13 Not more than \$82,000,000 of funds available to the
14 Forest Service shall be transferred to the Working Capital
15 Fund of the Department of Agriculture and not more than
16 \$14,500,000 of funds available to the Forest Service shall
17 be transferred to the Department of Agriculture for De-
18 partment Reimbursable Programs, commonly referred to
19 as Greenbook charges. Nothing in this paragraph shall
20 prohibit or limit the use of reimbursable agreements re-
21 quested by the Forest Service in order to obtain services
22 from the Department of Agriculture’s National Informa-
23 tion Technology Center and the Department of Agri-
24 culture’s International Technology Service.

1 Of the funds available to the Forest Service, up to
2 \$5,000,000 shall be available for priority projects within
3 the scope of the approved budget, which shall be carried
4 out by the Youth Conservation Corps and shall be carried
5 out under the authority of the Public Lands Corps Act
6 of 1993 (16 U.S.C. 1721 et seq.).

7 Of the funds available to the Forest Service, \$4,000
8 is available to the Chief of the Forest Service for official
9 reception and representation expenses.

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

1 a project at the same rate that the recipient has obtained
2 the non-Federal matching funds.

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

16 Funds appropriated to the Forest Service shall be
17 available for interactions with and providing technical as-
18 sistance to rural communities and natural resource-based
19 businesses for sustainable rural development purposes.

20 Funds appropriated to the Forest Service shall be
21 available for payments to counties within the Columbia
22 River Gorge National Scenic Area, pursuant to section
23 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–
24 663.

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

5 The Forest Service shall not assess funds for the pur-
6 pose of performing fire, administrative, and other facilities
7 maintenance and decommissioning.

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

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

1 Notwithstanding any other provision of this Act,
2 through the Office of Budget and Program Analysis, the
3 Forest Service shall report no later than 30 business days
4 following the close of each fiscal quarter all current and
5 prior year unobligated balances, by fiscal year, budget line
6 item and account, to the House and Senate Committees
7 on Appropriations.

8 DEPARTMENT OF HEALTH AND HUMAN
9 SERVICES

10 INDIAN HEALTH SERVICE

11 INDIAN HEALTH SERVICES

12 For expenses necessary to carry out the Act of Au-
13 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
14 tion and Education Assistance Act, the Indian Health
15 Care Improvement Act, and titles II and III of the Public
16 Health Service Act with respect to the Indian Health Serv-
17 ice, \$4,072,385,000, together with payments received dur-
18 ing the fiscal year pursuant to sections 231(b) and 233
19 of the Public Health Service Act (42 U.S.C. 238(b),
20 238b), for services furnished by the Indian Health Service:
21 *Provided*, That funds made available to tribes and tribal
22 organizations through contracts, grant agreements, or any
23 other agreements or compacts authorized by the Indian
24 Self-Determination and Education Assistance Act of 1975
25 (25 U.S.C. 450), shall be deemed to be obligated at the

1 time of the grant or contract award and thereafter shall
2 remain available to the tribe or tribal organization without
3 fiscal year limitation: *Provided further*, That \$2,000,000
4 shall be available for grants or contracts with public or
5 private institutions to provide alcohol or drug treatment
6 services to Indians, including alcohol detoxification serv-
7 ices: *Provided further*, That \$964,819,000 for Purchased/
8 Referred Care, including \$53,000,000 for the Indian Cat-
9 astrophic Health Emergency Fund, shall remain available
10 until expended: *Provided further*, That of the funds pro-
11 vided, up to \$36,000,000 shall remain available until ex-
12 pended for implementation of the loan repayment program
13 under section 108 of the Indian Health Care Improvement
14 Act: *Provided further*, That of the funds provided,
15 \$15,000,000 shall remain available until expended to sup-
16 plement funds available for operational costs at tribal clin-
17 ics operated under an Indian Self-Determination and Edu-
18 cation Assistance Act compact or contract where health
19 care is delivered in space acquired through a full service
20 lease, which is not eligible for maintenance and improve-
21 ment and equipment funds from the Indian Health Serv-
22 ice, and \$58,000,000 shall be for costs related to or result-
23 ing from accreditation emergencies, of which up to
24 \$4,000,000 may be used to supplement amounts otherwise
25 available for Purchased/Referred Care: *Provided further*,

1 That the amounts collected by the Federal Government
2 as authorized by sections 104 and 108 of the Indian
3 Health Care Improvement Act (25 U.S.C. 1613a and
4 1616a) during the preceding fiscal year for breach of con-
5 tracts shall be deposited to the Fund authorized by section
6 108A of that Act (25 U.S.C. 1616a–1) and shall remain
7 available until expended and, notwithstanding section
8 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall
9 be available to make new awards under the loan repay-
10 ment and scholarship programs under sections 104 and
11 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided*
12 *further*, That the amounts made available within this ac-
13 count for the Substance Abuse and Suicide Prevention
14 Program, for opioid Prevention, Treatment and Recovery
15 Services, for the Domestic Violence Prevention Program,
16 for the Zero Suicide Initiative, for the housing subsidy au-
17 thority for civilian employees, for aftercare pilot programs
18 at Youth Regional Treatment Centers, to improve collec-
19 tions from public and private insurance at Indian Health
20 Service and tribally operated facilities, and for accredita-
21 tion emergencies shall be allocated at the discretion of the
22 Director of the Indian Health Service and shall remain
23 available until expended: *Provided further*, That funds pro-
24 vided in this Act may be used for annual contracts and
25 grants for which the performance period falls within 2 fis-

1 cal years, provided the total obligation is recorded in the
2 year the funds are appropriated: *Provided further*, That
3 the amounts collected by the Secretary of Health and
4 Human Services under the authority of title IV of the In-
5 dian Health Care Improvement Act shall remain available
6 until expended for the purpose of achieving compliance
7 with the applicable conditions and requirements of titles
8 XVIII and XIX of the Social Security Act, except for those
9 related to the planning, design, or construction of new fa-
10 cilities: *Provided further*, That funding contained herein
11 for scholarship programs under the Indian Health Care
12 Improvement Act shall remain available until expended:
13 *Provided further*, That amounts received by tribes and
14 tribal organizations under title IV of the Indian Health
15 Care Improvement Act shall be reported and accounted
16 for and available to the receiving tribes and tribal organi-
17 zations until expended: *Provided further*, That the Bureau
18 of Indian Affairs may collect from the Indian Health Serv-
19 ice, and from tribes and tribal organizations operating
20 health facilities pursuant to Public Law 93–638, such in-
21 dividually identifiable health information relating to dis-
22 abled children as may be necessary for the purpose of car-
23 rying out its functions under the Individuals with Disabil-
24 ities Education Act (20 U.S.C. 1400 et seq.): *Provided*
25 *further*, That the accreditation emergency funds may be

1 used, as needed, to carry out activities typically funded
2 under the Indian Health Facilities account.

3 CONTRACT SUPPORT COSTS

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

12 INDIAN HEALTH FACILITIES

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

1 \$877,504,000, to remain available until expended: *Pro-*
2 *vided*, That notwithstanding any other provision of law,
3 funds appropriated for the planning, design, construction,
4 renovation or expansion of health facilities for the benefit
5 of an Indian tribe or tribes may be used to purchase land
6 on which such facilities will be located: *Provided further*,
7 That not to exceed \$500,000 may be used by the Indian
8 Health Service to purchase TRANSAM equipment from
9 the Department of Defense for distribution to the Indian
10 Health Service and tribal facilities: *Provided further*, That
11 none of the funds appropriated to the Indian Health Serv-
12 ice may be used for sanitation facilities construction for
13 new homes funded with grants by the housing programs
14 of the United States Department of Housing and Urban
15 Development: *Provided further*, That not to exceed
16 \$2,700,000 from this account and the “Indian Health
17 Services” account may be used by the Indian Health Serv-
18 ice to obtain ambulances for the Indian Health Service
19 and tribal facilities in conjunction with an existing inter-
20 agency agreement between the Indian Health Service and
21 the General Services Administration: *Provided further*,
22 That not to exceed \$500,000 may be placed in a Demoli-
23 tion Fund, to remain available until expended, and be used
24 by the Indian Health Service for the demolition of Federal
25 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 of Health and Human Services; uniforms or al-
13 lowances therefor as authorized by 5 U.S.C. 5901–5902;
14 and for expenses of attendance at meetings that relate to
15 the functions or activities of the Indian Health Service:
16 *Provided*, That in accordance with the provisions of the
17 Indian Health Care Improvement Act, non-Indian patients
18 may be extended health care at all tribally administered
19 or Indian Health Service facilities, subject to charges, and
20 the proceeds along with funds recovered under the Federal
21 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
22 be credited to the account of the facility providing the
23 service and shall be available without fiscal year limitation:
24 *Provided further*, That notwithstanding any other law or
25 regulation, funds transferred from the Department of

1 Housing and Urban Development to the Indian Health
2 Service shall be administered under Public Law 86–121,
3 the Indian Sanitation Facilities Act and Public Law 93–
4 638: *Provided further*, That funds appropriated to the In-
5 dian Health Service in this Act, except those used for ad-
6 ministrative and program direction purposes, shall not be
7 subject to limitations directed at curtailing Federal travel
8 and transportation: *Provided further*, That none of the
9 funds made available to the Indian Health Service in this
10 Act shall be used for any assessments or charges by the
11 Department of Health and Human Services unless identi-
12 fied in the budget justification and provided in this Act,
13 or approved by the House and Senate Committees on Ap-
14 propriations through the reprogramming process: *Pro-*
15 *vided further*, That notwithstanding any other provision
16 of law, funds previously or herein made available to a tribe
17 or tribal organization through a contract, grant, or agree-
18 ment authorized by title I or title V of the Indian Self-
19 Determination and Education Assistance Act of 1975 (25
20 U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may
21 be deobligated and reobligated to a self-determination con-
22 tract under title I, or a self-governance agreement under
23 title V of such Act and thereafter shall remain available
24 to the tribe or tribal organization without fiscal year limi-
25 tation: *Provided further*, That none of the funds made

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

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

10 NATIONAL INSTITUTES OF HEALTH
11 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
12 SCIENCES

13 For necessary expenses for the National Institute of
14 Environmental Health Sciences in carrying out activities
15 set forth in section 311(a) of the Comprehensive Environ-
16 mental Response, Compensation, and Liability Act of
17 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
18 Superfund Amendments and Reauthorization Act of 1986,
19 \$78,349,000.

20 AGENCY FOR TOXIC SUBSTANCES AND DISEASE
21 REGISTRY
22 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC
23 HEALTH

24 For necessary expenses for the Agency for Toxic Sub-
25 stances and Disease Registry (ATSDR) in carrying out

1 activities set forth in sections 104(i) and 111(c)(4) of the
2 Comprehensive Environmental Response, Compensation,
3 and Liability Act of 1980 (CERCLA) and section 3019
4 of the Solid Waste Disposal Act, \$74,691,000: *Provided*,
5 That notwithstanding any other provision of law, in lieu
6 of performing a health assessment under section 104(i)(6)
7 of CERCLA, the Administrator of ATSDR may conduct
8 other appropriate health studies, evaluations, or activities,
9 including, without limitation, biomedical testing, clinical
10 evaluations, medical monitoring, and referral to accredited
11 healthcare providers: *Provided further*, That in performing
12 any such health assessment or health study, evaluation,
13 or activity, the Administrator of ATSDR shall not be
14 bound by the deadlines in section 104(i)(6)(A) of
15 CERCLA: *Provided further*, That none of the funds appro-
16 priated under this heading shall be available for ATSDR
17 to issue in excess of 40 toxicological profiles pursuant to
18 section 104(i) of CERCLA during fiscal year 2019, and
19 existing profiles may be updated as necessary.

20 OTHER RELATED AGENCIES

21 EXECUTIVE OFFICE OF THE PRESIDENT

22 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

23 ENVIRONMENTAL QUALITY

24 For necessary expenses to continue functions as-
25 signed to the Council on Environmental Quality and Office

1 of Environmental Quality pursuant to the National Envi-
2 ronmental Policy Act of 1969, the Environmental Quality
3 Improvement Act of 1970, and Reorganization Plan No.
4 1 of 1977, and not to exceed \$750 for official reception
5 and representation expenses, \$3,005,000: *Provided*, That
6 notwithstanding section 202 of the National Environ-
7 mental Policy Act of 1970, the Council shall consist of
8 one member, appointed by the President, by and with the
9 advice and consent of the Senate, serving as chairman and
10 exercising all powers, functions, and duties of the Council.

11 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

12 SALARIES AND EXPENSES

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

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

8 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of Navajo and
11 Hopi Indian Relocation as authorized by Public Law 93—
12 531, \$7,400,000, to remain available until expended: *Pro-*
13 *vided*, That funds provided in this or any other appropria-
14 tions Act are to be used to relocate eligible individuals and
15 groups including evictees from District 6, Hopi-partitioned
16 lands residents, those in significantly substandard hous-
17 ing, and all others certified as eligible and not included
18 in the preceding categories: *Provided further*, That none
19 of the funds contained in this or any other Act may be
20 used by the Office of Navajo and Hopi Indian Relocation
21 to evict any single Navajo or Navajo family who, as of
22 November 30, 1985, was physically domiciled on the lands
23 partitioned to the Hopi Tribe unless a new or replacement
24 home is provided for such household: *Provided further*,
25 That no relocatee will be provided with more than one new

1 or replacement home: *Provided further*, That the Office
2 shall relocate any certified eligible relocatees who have se-
3 lected and received an approved homesite on the Navajo
4 reservation or selected a replacement residence off the
5 Navajo reservation or on the land acquired pursuant to
6 section 11 of Public Law 93–531 (88 Stat. 1716).

7 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
8 CULTURE AND ARTS DEVELOPMENT

9 PAYMENT TO THE INSTITUTE

10 For payment to the Institute of American Indian and
11 Alaska Native Culture and Arts Development, as author-
12 ized by part A of title XV of Public Law 99–498 (20
13 U.S.C. 4411 et seq.), \$9,960,000, which shall become
14 available on July 1, 2019, and shall remain available until
15 September 30, 2020.

16 SMITHSONIAN INSTITUTION

17 SALARIES AND EXPENSES

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

1 agreements of no more than 30 years, and protection of
2 buildings, facilities, and approaches; not to exceed
3 \$100,000 for services as authorized by 5 U.S.C. 3109; and
4 purchase, rental, repair, and cleaning of uniforms for em-
5 ployees, \$739,894,000, to remain available until Sep-
6 tember 30, 2020, except as otherwise provided herein; of
7 which not to exceed \$6,917,000 for the instrumentation
8 program, collections acquisition, exhibition reinstallation,
9 and the repatriation of skeletal remains program shall re-
10 main available until expended; and including such funds
11 as may be necessary to support American overseas re-
12 search centers: *Provided*, That funds appropriated herein
13 are available for advance payments to independent con-
14 tractors performing research services or participating in
15 official Smithsonian presentations.

16 FACILITIES CAPITAL

17 For necessary expenses of repair, revitalization, and
18 alteration of facilities owned or occupied by the Smithso-
19 nian Institution, by contract or otherwise, as authorized
20 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
21 and for construction, including necessary personnel,
22 \$303,503,000, to remain available until expended, of
23 which not to exceed \$10,000 shall be for services as au-
24 thorized by 5 U.S.C. 3109.

1 NATIONAL GALLERY OF ART

2 SALARIES AND EXPENSES

3 For the upkeep and operations of the National Gal-
4 lery of Art, the protection and care of the works of art
5 therein, and administrative expenses incident thereto, as
6 authorized by the Act of March 24, 1937 (50 Stat. 51),
7 as amended by the public resolution of April 13, 1939
8 (Public Resolution 9, Seventy-sixth Congress), including
9 services as authorized by 5 U.S.C. 3109; payment in ad-
10 vance when authorized by the treasurer of the Gallery for
11 membership in library, museum, and art associations or
12 societies whose publications or services are available to
13 members only, or to members at a price lower than to the
14 general public; purchase, repair, and cleaning of uniforms
15 for guards, and uniforms, or allowances therefor, for other
16 employees as authorized by law (5 U.S.C. 5901–5902);
17 purchase or rental of devices and services for protecting
18 buildings and contents thereof, and maintenance, alter-
19 ation, improvement, and repair of buildings, approaches,
20 and grounds; and purchase of services for restoration and
21 repair of works of art for the National Gallery of Art by
22 contracts made, without advertising, with individuals,
23 firms, or organizations at such rates or prices and under
24 such terms and conditions as the Gallery may deem prop-
25 er, \$144,202,000, to remain available until September 30,

1 2020, of which not to exceed \$3,620,000 for the special
2 exhibition program shall remain available until expended.

3 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

4 For necessary expenses of repair, restoration and
5 renovation of buildings, grounds and facilities owned or
6 occupied by the National Gallery of Art, by contract or
7 otherwise, for operating lease agreements of no more than
8 10 years, with no extensions or renewals beyond the 10
9 years, that address space needs created by the ongoing
10 renovations in the Master Facilities Plan, as authorized,
11 \$23,000,000, to remain available until expended: *Pro-*
12 *vided*, That contracts awarded for environmental systems,
13 protection systems, and exterior repair or renovation of
14 buildings of the National Gallery of Art may be negotiated
15 with selected contractors and awarded on the basis of con-
16 tractor qualifications as well as price.

17 JOHN F. KENNEDY CENTER FOR THE PERFORMING
18 ARTS

19 OPERATIONS AND MAINTENANCE

20 For necessary expenses for the operation, mainte-
21 nance and security of the John F. Kennedy Center for
22 the Performing Arts, \$24,490,000.

23 CAPITAL REPAIR AND RESTORATION

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

113

1 the John F. Kennedy Center for the Performing Arts,
2 \$16,800,000, to remain available until expended.

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

6 For expenses necessary in carrying out the provisions
7 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
8 1356) including hire of passenger vehicles and services as
9 authorized by 5 U.S.C. 3109, \$12,000,000, to remain
10 available until September 30, 2020.

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

15 For necessary expenses to carry out the National
16 Foundation on the Arts and the Humanities Act of 1965,
17 \$155,000,000 shall be available to the National Endow-
18 ment for the Arts for the support of projects and produc-
19 tions in the arts, including arts education and public out-
20 reach activities, through assistance to organizations and
21 individuals pursuant to section 5 of the Act, for program
22 support, and for administering the functions of the Act,
23 to remain available until expended.

1 NATIONAL ENDOWMENT FOR THE HUMANITIES

2 GRANTS AND ADMINISTRATION

3 For necessary expenses to carry out the National
4 Foundation on the Arts and the Humanities Act of 1965,
5 \$155,000,000 to remain available until expended, of which
6 \$143,700,000 shall be available for support of activities
7 in the humanities, pursuant to section 7(c) of the Act and
8 for administering the functions of the Act; and
9 \$11,300,000 shall be available to carry out the matching
10 grants program pursuant to section 10(a)(2) of the Act,
11 including \$9,100,000 for the purposes of section 7(h):
12 *Provided*, That appropriations for carrying out section
13 10(a)(2) shall be available for obligation only in such
14 amounts as may be equal to the total amounts of gifts,
15 bequests, devises of money, and other property accepted
16 by the chairman or by grantees of the National Endow-
17 ment for the Humanities under the provisions of sections
18 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
19 ceding fiscal years for which equal amounts have not pre-
20 viously been appropriated.

21 ADMINISTRATIVE PROVISIONS

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

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

14 COMMISSION OF FINE ARTS

15 SALARIES AND EXPENSES

16 For expenses of the Commission of Fine Arts under
17 chapter 91 of title 40, United States Code, \$2,771,000:
18 *Provided*, That the Commission is authorized to charge
19 fees to cover the full costs of its publications, and such
20 fees shall be credited to this account as an offsetting col-
21 lection, to remain available until expended without further
22 appropriation: *Provided further*, That the Commission is
23 authorized to accept gifts, including objects, papers, art-
24 work, drawings and artifacts, that pertain to the history
25 and design of the Nation's Capital or the history and ac-

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

6 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

7 For necessary expenses as authorized by Public Law
8 99–190 (20 U.S.C. 956a), \$2,750,000.

9 ADVISORY COUNCIL ON HISTORIC PRESERVATION

10 SALARIES AND EXPENSES

11 For necessary expenses of the Advisory Council on
12 Historic Preservation (Public Law 89–665), \$6,440,000.

13 NATIONAL CAPITAL PLANNING COMMISSION

14 SALARIES AND EXPENSES

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

1 UNITED STATES HOLOCAUST MEMORIAL MUSEUM

2 HOLOCAUST MEMORIAL MUSEUM

3 For expenses of the Holocaust Memorial Museum, as
4 authorized by Public Law 106–292 (36 U.S.C. 2301–
5 2310), \$59,500,000, of which \$1,715,000 shall remain
6 available until September 30, 2021, for the Museum’s
7 equipment replacement program; and of which \$4,000,000
8 for the Museum’s repair and rehabilitation program and
9 \$1,500,000 for the Museum’s outreach initiatives program
10 shall remain available until expended.

11 DWIGHT D. EISENHOWER MEMORIAL COMMISSION

12 SALARIES AND EXPENSES

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

16 WOMEN’S SUFFRAGE CENTENNIAL COMMISSION

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

22 WORLD WAR I CENTENNIAL COMMISSION

23 SALARIES AND EXPENSES

24 Notwithstanding section 9 of the World War I Cen-
25 tennial Commission Act, as authorized by the World War

1 I Centennial Commission Act (Public Law 112–272) and
2 the Carl Levin and Howard P. “Buck” McKeon National
3 Defense Authorization Act for Fiscal Year 2015 (Public
4 Law 113–291), for necessary expenses of the World War
5 I Centennial Commission, \$7,000,000, to remain available
6 until expended: *Provided*, That in addition to the authority
7 provided by section 6(g) of such Act, the World War I
8 Commission may accept money, in-kind personnel services,
9 contractual support, or any appropriate support from any
10 executive branch agency for activities of the Commission.

11 TITLE IV

12 GENERAL PROVISIONS

13 (INCLUDING TRANSFERS OF FUNDS)

14 RESTRICTION ON USE OF FUNDS

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

22 OBLIGATION OF APPROPRIATIONS

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

1 DISCLOSURE OF ADMINISTRATIVE EXPENSES

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

13 MINING APPLICATIONS

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

19 (b) EXCEPTIONS.—Subsection (a) shall not apply if
20 the Secretary of the Interior determines that, for the claim
21 concerned (1) a patent application was filed with the Sec-
22 retary on or before September 30, 1994; and (2) all re-
23 quirements established under sections 2325 and 2326 of
24 the Revised Statutes (30 U.S.C. 29 and 30) for vein or
25 lode claims, sections 2329, 2330, 2331, and 2333 of the

1 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
2 claims, and section 2337 of the Revised Statutes (30
3 U.S.C. 42) for mill site claims, as the case may be, were
4 fully complied with by the applicant by that date.

5 (c) REPORT.—On September 30, 2020, the Secretary
6 of the Interior shall file with the House and Senate Com-
7 mittees on Appropriations and the Committee on Natural
8 Resources of the House and the Committee on Energy and
9 Natural Resources of the Senate a report on actions taken
10 by the Department under the plan submitted pursuant to
11 section 314(c) of the Department of the Interior and Re-
12 lated Agencies Appropriations Act, 1997 (Public Law
13 104–208).

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

1 Bureau of Land Management in the retention of third-
2 party contractors.

3 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

4 SEC. 405. Sections 405 and 406 of division F of the
5 Consolidated and Further Continuing Appropriations Act,
6 2015 (Public Law 113–235) shall continue in effect in fis-
7 cal year 2019.

8 CONTRACT SUPPORT COSTS, FISCAL YEAR 2019

9 LIMITATION

10 SEC. 406. Amounts provided by this Act for fiscal
11 year 2019 under the headings “Department of Health and
12 Human Services, Indian Health Service, Contract Support
13 Costs” and “Department of the Interior, Bureau of Indian
14 Affairs and Bureau of Indian Education, Contract Sup-
15 port Costs” are the only amounts available for contract
16 support costs arising out of self-determination or self-gov-
17 ernance contracts, grants, compacts, or annual funding
18 agreements for fiscal year 2019 with the Bureau of Indian
19 Affairs or the Indian Health Service: *Provided*, That such
20 amounts provided by this Act are not available for pay-
21 ment of claims for contract support costs for prior years,
22 or for repayments of payments for settlements or judg-
23 ments awarding contract support costs for prior years.

1 FOREST MANAGEMENT PLANS

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

17 PROHIBITION WITHIN NATIONAL MONUMENTS

18 SEC. 408. No funds provided in this Act may be ex-
19 pended to conduct preleasing, leasing and related activities
20 under either the Mineral Leasing Act (30 U.S.C. 181 et
21 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
22 1331 et seq.) within the boundaries of a National Monu-
23 ment established pursuant to the Act of June 8, 1906 (16
24 U.S.C. 431 et seq.) as such boundary existed on January
25 20, 2001, except where such activities are allowed under

1 the Presidential proclamation establishing such monu-
2 ment.

3 LIMITATION ON TAKINGS

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

15 TIMBER SALE REQUIREMENTS

16 SEC. 410. No timber sale in Alaska's Region 10 shall
17 be advertised if the indicated rate is deficit (defined as
18 the value of the timber is not sufficient to cover all logging
19 and stumpage costs and provide a normal profit and risk
20 allowance under the Forest Service's appraisal process)
21 when appraised using a residual value appraisal. The west-
22 ern red cedar timber from those sales which is surplus
23 to the needs of the domestic processors in Alaska, shall
24 be made available to domestic processors in the contiguous
25 48 United States at prevailing domestic prices. All addi-

1 tional western red cedar volume not sold to Alaska or con-
2 tiguous 48 United States domestic processors may be ex-
3 ported to foreign markets at the election of the timber sale
4 holder. All Alaska yellow cedar may be sold at prevailing
5 export prices at the election of the timber sale holder.

6 PROHIBITION ON NO-BID CONTRACTS

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

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

18 (2) such contract is authorized by the Indian
19 Self-Determination and Education Assistance Act
20 (Public Law 93–638, 25 U.S.C. 450 et seq.) or by
21 any other Federal laws that specifically authorize a
22 contract within an Indian tribe as defined in section
23 4(e) of that Act (25 U.S.C. 450b(e)); or

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

1 POSTING OF REPORTS

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

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

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

11 (2) the report contains proprietary information.

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

16 NATIONAL ENDOWMENT FOR THE ARTS GRANT

17 GUIDELINES

18 SEC. 413. Of the funds provided to the National En-
19 dowment for the Arts—

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

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

13 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

14 PRIORITIES

15 SEC. 414. (a) In providing services or awarding fi-
16 nancial assistance under the National Foundation on the
17 Arts and the Humanities Act of 1965 from funds appro-
18 priated under this Act, the Chairperson of the National
19 Endowment for the Arts shall ensure that priority is given
20 to providing services or awarding financial assistance for
21 projects, productions, workshops, or programs that serve
22 underserved populations.

23 (b) In this section:

(1) The term “underserved population” means
a population of individuals, including urban minori-

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

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

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

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

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

1 grams that are of national impact or availability or
2 are able to tour several States;

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

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

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

14 STATUS OF BALANCES OF APPROPRIATIONS

15 SEC. 415. The Department of the Interior, the Envi-
16 ronmental Protection Agency, the Forest Service, and the
17 Indian Health Service shall provide the Committees on
18 Appropriations of the House of Representatives and Sen-
19 ate quarterly reports on the status of balances of appro-
20 priations including all uncommitted, committed, and unob-
21 ligated funds in each program and activity.

22 PROHIBITION ON USE OF FUNDS

23 SEC. 416. Notwithstanding any other provision of
24 law, none of the funds made available in this Act or any
25 other Act may be used to promulgate or implement any

1 regulation requiring the issuance of permits under title V
2 of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon
3 dioxide, nitrous oxide, water vapor, or methane emissions
4 resulting from biological processes associated with live-
5 stock production.

6 GREENHOUSE GAS REPORTING RESTRICTIONS

7 SEC. 417. Notwithstanding any other provision of
8 law, none of the funds made available in this or any other
9 Act may be used to implement any provision in a rule,
10 if that provision requires mandatory reporting of green-
11 house gas emissions from manure management systems.

12 FUNDING PROHIBITION

13 SEC. 418. None of the funds made available by this
14 or any other Act may be used to regulate the lead content
15 of ammunition, ammunition components, or fishing tackle
16 under the Toxic Substances Control Act (15 U.S.C. 2601
17 et seq.) or any other law.

18 CONTRACTING AUTHORITIES

19 SEC. 419. Section 412 of Division E of Public Law
20 112–74 is amended by striking “fiscal year 2019” and in-
21 serting “fiscal year 2020”.

22 EXTENSION OF GRAZING PERMITS

23 SEC. 420. The terms and conditions of section 325
24 of Public Law 108–108 (117 Stat. 1307), regarding graz-
25 ing permits issued by the Forest Service on any lands not

1 subject to administration under section 402 of the Federal
2 Lands Policy and Management Act (43 U.S.C. 1752),
3 shall remain in effect for fiscal year 2019.

4 FUNDING PROHIBITION

5 SEC. 421. (a) None of the funds made available in
6 this Act may be used to maintain or establish a computer
7 network unless such network is designed to block access
8 to pornography websites.

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

13 FOREST SERVICE FACILITY REALIGNMENT AND
14 ENHANCEMENT ACT

15 SEC. 422. Section 503(f) of the Forest Service Facil-
16 ity Realignment and Enhancement Act of 2005 (16 U.S.C.
17 580d note; Public Law 109–54) is amended by striking
18 “2018” and inserting “2019”.

19 USE OF AMERICAN IRON AND STEEL

20 SEC. 423. (a)(1) None of the funds made available
21 by a State water pollution control revolving fund as au-
22 thorized by section 1452 of the Safe Drinking Water Act
23 (42 U.S.C. 300j-12) shall be used for a project for the
24 construction, alteration, maintenance, or repair of a public
25 water system or treatment works unless all of the iron and

1 steel products used in the project are produced in the
2 United States.

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

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

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

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

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

21 (c) If the Administrator receives a request for a waiv-
22 er under this section, the Administrator shall make avail-
23 able to the public on an informal basis a copy of the re-
24 quest and information available to the Administrator con-
25 cerning the request, and shall allow for informal public

1 input on the request for at least 15 days prior to making
2 a finding based on the request. The Administrator shall
3 make the request and accompanying information available
4 by electronic means, including on the official public Inter-
5 net Web site of the Environmental Protection Agency.

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

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

14 MIDWAY ISLAND

15 SEC. 424. None of the funds made available by this
16 Act may be used to destroy any buildings or structures
17 on Midway Island that have been recommended by the
18 United States Navy for inclusion in the National Register
19 of Historic Places (54 U.S.C. 302101).

20 JOHN F. KENNEDY CENTER REAUTHORIZATION

21 SEC. 425. Section 13 of the John F. Kennedy Center
22 Act (20 U.S.C. 76r) is amended by striking subsections
23 (a) and (b) and inserting the following:

24 “(a) MAINTENANCE, REPAIR, AND SECURITY.—
25 There is authorized to be appropriated to the Board to

1 carry out section 4(a)(1)(H), \$24,490,000 for fiscal year
2 2019.

3 “(b) CAPITAL PROJECTS.—There is authorized to be
4 appropriated to the Board to carry out subparagraphs (F)
5 and (G) of section 4(a)(1), \$16,800,000 for fiscal year
6 2019.”.

7 LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANS-
8 FERS OF EXCESS EQUIPMENT AND SUPPLIES FOR
9 WILDFIRES

10 SEC. 426. The Secretary of the Interior is authorized
11 to enter into grants and cooperative agreements with vol-
12 unteer fire departments, rural fire departments, rangeland
13 fire protection associations, and similar organizations to
14 provide for wildland fire training and equipment, including
15 supplies and communication devices. Notwithstanding
16 121(c) of title 40, United States Code, or section 521 of
17 title 40, United States Code, the Secretary is further au-
18 thorized to transfer title to excess Department of the Inte-
19 rior firefighting equipment no longer needed to carry out
20 the functions of the Department’s wildland fire manage-
21 ment program to such organizations.

22 INFRASTRUCTURE

23 SEC. 427. (a) For an additional amount for “Envi-
24 ronmental Protection Agency—Hazardous Substance
25 Superfund”, \$43,000,000, of which \$38,000,000 shall be

1 for the Superfund Remedial program and \$5,000,000
2 shall be for the Superfund Emergency Response and Re-
3 moval program, to remain available until expended, con-
4 sisting of such sums as are available in the Trust Fund
5 on September 30, 2018, as authorized by section 517(a)
6 of the Superfund Amendments and Reauthorization Act
7 of 1986 (SARA) and up to \$43,000,000 as a payment
8 from general revenues to the Hazardous Substance Super-
9 fund for purposes as authorized by section 517(b) of
10 SARA.

11 (b) For an additional amount for “Environmental
12 Protection Agency—State and Tribal Assistance Grants,”
13 for environmental programs and infrastructure assistance,
14 including capitalization grants for State revolving funds
15 and performance partnership grants, \$670,000,000 to re-
16 main available until expended, of which—

17 (1) \$300,000,000 shall be for making capital-
18 ization grants for the Clean Water State Revolving
19 Funds under title VI of the Federal Water Pollution
20 Control Act; and of which \$300,000,000 shall be for
21 making capitalization grants for the Drinking Water
22 State Revolving Funds under section 1452 of the
23 Safe Drinking Water Act;

24 (2) \$30,000,000 shall be for grants for small
25 and disadvantaged communities authorized in sec-

1 tion 2104 of the Water Infrastructure Improvements
2 for the Nation Act (Public Law 114–322);

3 (3) \$25,000,000 shall be for grants for lead
4 testing in school and child care program drinking
5 water authorized in section 2107 of the Water Infra-
6 structure Improvements for the Nation Act (Public
7 Law 114–322);

8 (4) \$15,000,000 shall be for grants for reduc-
9 ing lead in drinking water authorized in section
10 2105 of the Water Infrastructure Improvements for
11 the Nation Act (Public Law 114–322).

12 (c) For an additional amount for “Environmental
13 Protection Agency—Water Infrastructure Finance and In-
14 novation Program Account”, \$53,000,000, to remain
15 available until expended, for the cost of direct loans, for
16 the cost of guaranteed loans, and for administrative ex-
17 penses to carry out the direct and guaranteed loan pro-
18 grams, of which \$3,000,000, to remain available until Sep-
19 tember 30, 2020, may be used for such administrative ex-
20 penses: *Provided*, That these additional funds are available
21 to subsidize gross obligations for the principal amount of
22 direct loans, including capitalized interest, and total loan
23 principal, including capitalized interest, any part of which
24 is to be guaranteed, not to exceed \$6,100,000,000.

1 POLICIES RELATING TO BIOMASS ENERGY

2 SEC. 428. To support the key role that forests in the
3 United States can play in addressing the energy needs of
4 the United States, the Secretary of Energy, the Secretary
5 of Agriculture, and the Administrator of the Environ-
6 mental Protection Agency shall, consistent with their mis-
7 sions, jointly—

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

10 (A) is consistent across all Federal depart-
11 ments and agencies; and

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

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

18 (A) reflect the carbon-neutrality of forest
19 bioenergy and recognize biomass as a renewable
20 energy source, provided the use of forest bio-
21 mass for energy production does not cause con-
22 version of forests to non-forest use.

23 (B) encourage private investment through-
24 out the forest biomass supply chain, including
25 in—

- 1 (i) working forests;
- 2 (ii) harvesting operations;
- 3 (iii) forest improvement operations;
- 4 (iv) forest bioenergy production;
- 5 (v) wood products manufacturing; or
- 6 (vi) paper manufacturing;
- 7 (C) encourage forest management to im-
- 8 prove forest health; and
- 9 (D) recognize State initiatives to produce
- 10 and use forest biomass.

11 CLARIFICATION OF EXEMPTIONS

12 SEC. 429. None of the funds made available in this
13 Act may be used to require a permit for the discharge
14 of dredged or fill material under the Federal Water Pollu-
15 tion Control Act (33 U.S.C. 1251 et seq.) for the activities
16 identified in subparagraphs (A) and (C) of section
17 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

18 SMALL REMOTE INCINERATORS

19 SEC. 430. None of the funds made available in this
20 Act may be used to implement or enforce the regulation
21 issued on March 21, 2011 at 40 CFR part 60 subparts
22 CCCC and DDDD with respect to units in the State of
23 Alaska that are defined as “small, remote incinerator”
24 units in those regulations and, until a subsequent regula-

tion is issued, the Administrator shall implement the law and regulations in effect prior to such date.

RECREATION FEES

SEC. 431. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) shall be applied by substituting “October 1, 2020” for “September 30, 2019”.

SEC. 432. (a) None of the funds appropriated or otherwise made available under this Act may be used by the Department of the Interior, the Environmental Protection Agency, the Forest Service, the Indian Health Service, or the Smithsonian Institution to acquire telecommunications equipment produced by Huawei Technologies Company, ZTE Corporation or a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology’s (NIST) Federal Information Processing Standard Publication 199, “Standards for Security Categorization of Federal Information and Information Systems” unless the agency has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;

1 (2) reviewed the supply chain risk from the pre-
2 sumptive awardee against available and relevant
3 threat information provided by the Federal Bureau
4 of Investigation and other appropriate agencies; and

5 (3) in consultation with the Federal Bureau of
6 Investigation or other appropriate Federal entity,
7 conducted an assessment of any risk of cyber-espio-
8 nage or sabotage associated with the acquisition of
9 such system, including any risk associated with such
10 system being produced, manufactured, or assembled
11 by one or more entities identified by the United
12 States Government as posing a cyber threat, includ-
13 ing but not limited to, those that may be owned, di-
14 rected, or subsidized by the People's Republic of
15 China, the Islamic Republic of Iran, the Democratic
16 People's Republic of Korea, or the Russian Federa-
17 tion.

18 (b) None of the funds appropriated or otherwise
19 made available under this Act may be used to acquire a
20 high-impact or moderate impact information system re-
21 viewed and assessed under subsection (a) unless the head
22 of the assessing entity described in subsection (a) has—

23 (1) developed, in consultation with NIST and
24 supply chain risk management experts, a mitigation
25 strategy for any identified risks;

1 (2) determined, in consultation with NIST and
2 the Federal Bureau of Investigation, that the acqui-
3 sition of such system is in the vital national security
4 interest of the United States; and

5 (3) reported that determination to the Commit-
6 tees on Appropriations of the House of Representa-
7 tives and the Senate in a manner that identifies the
8 system intended for acquisition and a detailed de-
9 scription of the mitigation strategies identified in
10 (1), provided that such report may include a classi-
11 fied annex as necessary.

12 This Act may be cited as the “Department of the In-
13 terior, Environment, and Related Agencies Appropriations
14 Act, 2019”.

[COMMITTEE PRINT]

Calendar No. 000

115TH CONGRESS
2^D 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, 2019, and for other purposes.

JUNE 00, 2018

Read twice and placed on the calendar