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Union Calendar No. _____

115TH CONGRESS 2D SESSION

H. R. ________
[Report No. 115–___]

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 HOUSE OF REPRESENTATIVES

____ --, 2018

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

A BILL

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes.
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,
That the following sums are appropriated, out of any
money in the Treasury not otherwise appropriated, for the
Department of the Interior, environment, and related
agencies for the fiscal year ending September 30, 2019,
and for other purposes, namely:

TITLE I

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

For necessary expenses for protection, use, improve-
ment, development, disposal, cadastral surveying, classi-
ification, acquisition of easements and other interests in
lands, and performance of other functions, including main-
tenance of facilities, as authorized by law, in the manage-
ment of lands and their resources under the jurisdiction
of the Bureau of Land Management, including the general
administration of the Bureau, and assessment of mineral
potential of public lands pursuant to section 1010(a) of
Public Law 96–487 (16 U.S.C. 3150(a)), $1,247,883,000,
to remain available until expended, including all such
amounts as are collected from permit processing fees, as
authorized but made subject to future appropriation by
section 35(d)(3)(A)(i) of the Mineral Leasing Act (30
U.S.C. 191), except that amounts from permit processing fees may be used for any bureau-related expenses associated with the processing of oil and gas applications for permits to drill and related use of authorizations.

In addition, $39,696,000 is for Mining Law Administration program operations, including the cost of administering the mining claim fee program, to remain available until expended, to be reduced by amounts collected by the Bureau and credited to this appropriation from mining claim maintenance fees and location fees that are hereby authorized for fiscal year 2019, so as to result in a final appropriation estimated at not more than $1,247,883,000, and $2,000,000, to remain available until expended, from communication site rental fees established by the Bureau for the cost of administering communication site activities.

LAND ACQUISITION

For expenses necessary to carry out sections 205, 206, and 318(d) of Public Law 94–579, including administrative expenses and acquisition of lands or waters, or interests therein, $17,392,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

OREGON AND CALIFORNIA GRANT LANDS

For expenses necessary for management, protection, and development of resources and for construction, oper-
ation, and maintenance of access roads, reforestation, and other improvements on the revested Oregon and California Railroad grant lands, on other Federal lands in the Oregon and California land-grant counties of Oregon, and on adjacent rights-of-way; and acquisition of lands or interests therein, including existing connecting roads on or adjacent to such grant lands; $106,985,000, to remain available until expended: Provided, That 25 percent of the aggregate of all receipts during the current fiscal year from the revested Oregon and California Railroad grant lands is hereby made a charge against the Oregon and California land-grant fund and shall be transferred to the General Fund in the Treasury in accordance with the second paragraph of subsection (b) of title II of the Act of August 28, 1937 (43 U.S.C. 2605).

RANGE IMPROVEMENTS

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

SERVICE CHARGES, DEPOSITS, AND FORFEITURES

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

MISCELLANEOUS TRUST FUNDS

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

ADMINISTRATIVE PROVISIONS

The Bureau of Land Management may carry out the
operations funded under this Act by direct expenditure,
contracts, grants, cooperative agreements and reimburs-
able agreements with public and private entities, including
with States. Appropriations for the Bureau shall be avail-
able for purchase, erection, and dismantlement of tem-
porary structures, and alteration and maintenance of nec-
essary buildings and appurtenant facilities to which the
United States has title; up to $100,000 for payments, at
the discretion of the Secretary, for information or evidence
concerning violations of laws administered by the Bureau;
miscellaneous and emergency expenses of enforcement ac-
tivities authorized or approved by the Secretary and to be
accounted for solely on the Secretary’s certificate, not to
exceed $10,000: Provided, That notwithstanding Public
Law 90–620 (44 U.S.C. 501), the Bureau may, under co-
operative cost-sharing and partnership arrangements au-
thorized by law, procure printing services from cooperators
in connection with jointly produced publications for which
the cooperators share the cost of printing either in cash
or in services, and the Bureau determines the cooperator
is capable of meeting accepted quality standards: Provided
further, That projects to be funded pursuant to a written
commitment by a State government to provide an identi-
fied amount of money in support of the project may be
carried out by the Bureau on a reimbursable basis. Approp-
riations herein made shall not be available for the de-
struction of healthy, unadopted, wild horses and burros
in the care of the Bureau or its contractors or for the
sale of wild horses and burros that results in their destruc-
tion for processing into commercial products.
UNITED STATES FISH AND WILDLIFE SERVICE

For necessary expenses of the United States Fish and Wildlife Service, as authorized by law, and for scientific and economic studies, general administration, and for the performance of other authorized functions related to such resources, $1,288,808,000, to remain available until September 30, 2020: Provided, That not to exceed $10,941,000 shall be used for implementing subsections (a), (b), (c), and (e) of section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533) (except for processing petitions, developing and issuing proposed and final regulations, and taking any other steps to implement actions described in subsection (e)(2)(A), (e)(2)(B)(i), or (e)(2)(B)(ii)): Provided further, That $12,022,000 shall be provided to the National Fish and Wildlife Foundation pursuant to section 3709 of title 16, United States Code, for the benefit of, and in connection with, the activities and services of the United States Fish and Wildlife Service.

CONSTRUCTION

For construction, improvement, acquisition, or removal of buildings and other facilities required in the conservation, management, investigation, protection, and utilization of fish and wildlife resources, and the acquisition
of lands and interests therein; $59,734,000, to remain
available until expended.

**LAND ACQUISITION**

For expenses necessary to carry out chapter 2003 of
title 54, United States Code, including administrative ex-
penses, and for acquisition of land or waters, or interest
therein, in accordance with statutory authority applicable
to the United States Fish and Wildlife Service,
$47,438,000, to be derived from the Land and Water Con-
servation Fund and to remain available until expended,
of which, notwithstanding section 200306 of title 54,
United States Code, not more than $10,000,000 shall be
for land conservation partnerships authorized by the
Highlands Conservation Act of 2004, including not to ex-
ceed $320,000 for administrative expenses: _Provided_, That
none of the funds appropriated for specific land acquisi-
tion projects may be used to pay for any administrative
overhead, planning or other management costs.

**COOPERATIVE ENDANGERED SPECIES CONSERVATION**

**FUND**

For expenses necessary to carry out section 6 of the
$53,495,000, to remain available until expended, of which
$22,695,000 is to be derived from the Cooperative Endan-
gered Species Conservation Fund; and of which
$30,800,000 is to be derived from the Land and Water Conservation Fund.

NATIONAL WILDLIFE REFUGE FUND

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

NORTH AMERICAN WETLANDS CONSERVATION FUND

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.), $42,000,000, to remain available until expended.

NEOTROPICAL MIGRATORY BIRD CONSERVATION

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

MULTINATIONAL SPECIES CONSERVATION FUND

STATE AND TRIBAL WILDLIFE GRANTS

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and Indian tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, $63,571,000, to remain available until expended: Provided, That of the amount provided herein, $4,209,000 is for a competitive grant program for Indian tribes not subject to the remaining provisions of this appropriation: Provided further, That $6,362,000 is for a competitive grant program to implement approved plans for States, territories, and other jurisdictions and at the discretion of affected States, the regional Associations of fish and wildlife agencies, not subject to the remaining provisions of this appropriation: Provided further, That the Secretary shall, after deducting $10,571,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and
the Commonwealth of the Northern Mariana Islands, each
a sum equal to not more than one-fourth of 1 percent
thereof: Provided further, That the Secretary shall apportion the remaining amount in the following manner: (1)
one-third of which is based on the ratio to which the land
area of such State bears to the total land area of all such
States; and (2) two-thirds of which is based on the ratio
to which the population of such State bears to the total
population of all such States: 3 Provided further, That the
amounts apportioned under this paragraph shall be ad-
justed equitably so that no State shall be apportioned a
sum which is less than 1 percent of the amount available
for apportionment under this paragraph for any fiscal year
or more than 5 percent of such amount: Provided further,
That the Federal share of planning grants shall not exceed
75 percent of the total costs of such projects and the Fed-
eral share of implementation grants shall not exceed 65
percent of the total costs of such projects: Provided fur-
ther, That the non-Federal share of such projects may not
be derived from Federal grant programs: Provided further,
That any amount apportioned in 2019 to any State, terri-
tory, or other jurisdiction that remains unobligated as of
September 30, 2020, shall be reapportioned, together with
funds appropriated in 2021, in the manner provided here-
in.
ADMINISTRATIVE PROVISIONS

The United States Fish and Wildlife Service may carry out the operations of Service programs by direct expenditure, contracts, grants, cooperative agreements and reimbursable agreements with public and private entities. Appropriations and funds available to the United States Fish and Wildlife Service shall be available for repair of damage to public roads within and adjacent to reservation areas caused by operations of the Service; options for the purchase of land at not to exceed $1 for each option; facilities incident to such public recreational uses on conservation areas as are consistent with their primary purpose; and the maintenance and improvement of aquaria, buildings, and other facilities under the jurisdiction of the Service and to which the United States has title, and which are used pursuant to law in connection with management, and investigation of fish and wildlife resources: Provided, That notwithstanding 44 U.S.C. 501, the Service may, under cooperative cost sharing and partnership arrangements authorized by law, procure printing services from cooperators in connection with jointly produced publications for which the cooperators share at least one-half the cost of printing either in cash or services and the Service determines the cooperator is capable of meeting accepted quality standards: Provided further, That the Service may
accept donated aircraft as replacements for existing aircraft: *Provided further*, That notwithstanding 31 U.S.C. 3302, all fees collected for non-toxic shot review and approval shall be deposited under the heading “United States Fish and Wildlife Service—Resource Management” and shall be available to the Secretary, without further appropriation, to be used for expenses of processing of such non-toxic shot type or coating applications and revising regulations as necessary, and shall remain available until expended.

**NATIONAL PARK SERVICE**

**OPERATION OF THE NATIONAL PARK SYSTEM**

For expenses necessary for the management, operation, and maintenance of areas and facilities administered by the National Park Service and for the general administration of the National Park Service, $2,527,810,000, of which $10,032,000 for planning and interagency coordination in support of Everglades restoration and $149,461,000 for maintenance, repair, or rehabilitation projects for constructed assets and $166,575,000 for cyclic maintenance projects for constructed assets and cultural resources shall remain available until September 30, 2020: *Provided*, That funds appropriated under this heading in this Act are available for the purposes of section 5 of Public Law 95–348.
NATIONAL RECREATION AND PRESERVATION

For expenses necessary to carry out recreation programs, natural programs, cultural programs, heritage partnership programs, environmental compliance, international park affairs, and grant administration, not otherwise provided for, $63,638,000.

HISTORIC PRESERVATION FUND

For expenses necessary in carrying out the National Historic Preservation Act (division A of subtitle III of title 54, United States Code), $91,910,000, to be derived from the Historic Preservation Fund and to remain available until September 30, 2020, of which $13,000,000 shall be for Save America’s Treasures grants for preservation of national significant sites, structures and artifacts as authorized by section 7303 of the Omnibus Public Land Management Act of 2009 (54 U.S.C. 3089): Provided, That an individual Save America’s Treasures grant shall be matched by non-Federal funds: Provided further, That individual projects shall only be eligible for one grant: Provided further, That all projects to be funded shall be approved by the Secretary of the Interior in consultation with the House and Senate Committees on Appropriations: Provided further, That of the funds provided for the Historic Preservation Fund, $500,000 is for competitive grants for the survey and nomination of properties to the
National Register of Historic Places and as National Historic Landmarks associated with communities currently under-represented, as determined by the Secretary, $13,000,000 is for competitive grants to preserve the sites and stories of the Civil Rights movement, and $5,000,000 is for grants to Historically Black Colleges and Universities: Provided further, That such competitive grants shall be made without imposing the matching requirements in section 302902(b)(3) of title 54, United States Code, to States and Indian tribes as defined in chapter 3003 of such title, Native Hawaiian organizations, local governments, including Certified Local Governments, and non-profit organizations.

CONSTRUCTION

For construction, improvements, repair, or replacement of physical facilities, and compliance and planning for programs and areas administered by the National Park Service, $369,333,000, to remain available until expended: Provided, That notwithstanding any other provision of law, for any project initially funded in fiscal year 2019 with a future phase indicated in the National Park Service 5-Year Line Item Construction Plan, a single procurement may be issued which includes the full scope of the project: Provided further, That the solicitation and contract shall contain the clause availability of funds
found at 48 CFR 52.232–18: Provided further, That National Park Service Donations, Park Concessions Franchise Fees, and Recreation Fees may be made available for the cost of adjustments and changes within the original scope of effort for projects funded by the National Park Service Construction appropriation: Provided further, That the Secretary of the Interior shall consult with the Committees on Appropriations, in accordance with current reprogramming thresholds, prior to making any charges authorized by this section.

LAND ACQUISITION AND STATE ASSISTANCE

For expenses necessary to carry out chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of lands or waters, or interest therein, in accordance with the statutory authority applicable to the National Park Service, $172,363,000, to be derived from the Land and Water Conservation Fund and to remain available until expended, of which $124,006,000 is for the State assistance program and of which $10,000,000 shall be for the American Battlefield Protection Program grants as authorized by chapter 3081 of title 54, United States Code.

CENTENNIAL CHALLENGE

For expenses necessary to carry out the provisions of section 101701 of title 54, United States Code, relating
to challenge cost share agreements, $30,000,000, to remain available until expended, for Centennial Challenge projects and programs: Provided, That not less than 50 percent of the total cost of each project or program shall be derived from non-Federal sources in the form of donated cash, assets, or a pledge of donation guaranteed by an irrevocable letter of credit.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

In addition to other uses set forth in section 101917(c)(2) of title 54, United States Code, franchise fees credited to a sub-account shall be available for expenditure by the Secretary, without further appropriation, for use at any unit within the National Park System to extinguish or reduce liability for Possessory Interest or leasehold surrender interest. Such funds may only be used for this purpose to the extent that the benefitting unit anticipated franchise fee receipts over the term of the contract at that unit exceed the amount of funds used to extinguish or reduce liability. Franchise fees at the benefitting unit shall be credited to the sub-account of the originating unit over a period not to exceed the term of a single contract at the benefitting unit, in the amount of funds so expended to extinguish or reduce liability.
For the costs of administration of the Land and
Water Conservation Fund grants authorized by section
105(a)(2)(B) of the Gulf of Mexico Energy Security Act
of 2006 (Public Law 109–432), the National Park Service
may retain up to 3 percent of the amounts which are au-
thorized to be disbursed under such section, such retained
amounts to remain available until expended.

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

UNITED STATES GEOLOGICAL SURVEY
SURVEYS, INVESTIGATIONS, AND RESEARCH
For expenses necessary for the United States Geo-
logical Survey to perform surveys, investigations, and re-
search covering topography, geology, hydrology, biology,
and the mineral and water resources of the United States,
its territories and possessions, and other areas as author-
ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
to their mineral and water resources; give engineering su-
ervision to power permittees and Federal Energy Regu-
latory Commission licensees; administer the minerals ex-
ploration program (30 U.S.C. 641); conduct inquiries into
the economic conditions affecting mining and materials
processing industries (30 U.S.C. 3, 21a, and 1603; 50
U.S.C. 98g(1)) and related purposes as authorized by law;
and to publish and disseminate data relative to the fore-
going activities; $1,167,291,000, to remain available until
September 30, 2020; of which $84,337,000 shall remain
available until expended for satellite operations; and of
which $15,164,000 shall be available until expended for
defered maintenance and capital improvement projects
that exceed $100,000 in cost: Provided, That none of the
funds provided for the ecosystem research activity shall
be used to conduct new surveys on private property, unless
specifically authorized in writing by the property owner:
Provided further, That no part of this appropriation shall
be used to pay more than one-half the cost of topographic
mapping or water resources data collection and investiga-
tions carried on in cooperation with States and municipali-
ties.

ADMINISTRATIVE PROVISIONS

From within the amount appropriated for activities
of the United States Geological Survey such sums as are
necessary shall be available for contracting for the furn-
ishing of topographic maps and for the making of geo-
physical or other specialized surveys when it is administra-
tively determined that such procedures are in the public
interest; construction and maintenance of necessary build-
ings and appurtenant facilities; acquisition of lands for gauging stations, observation wells, and seismic equipment; expenses of the United States National Committee for Geological Sciences; and payment of compensation and expenses of persons employed by the Survey duly appointed to represent the United States in the negotiation and administration of interstate compacts: Provided, That activities funded by appropriations herein made may be accomplished through the use of contracts, grants, or cooperative agreements as defined in section 6302 of title 31, United States Code: Provided further, That the United States Geological Survey may enter into contracts or cooperative agreements directly with individuals or indirectly with institutions or nonprofit organizations, without regard to 41 U.S.C. 6101, for the temporary or intermittent services of students or recent graduates, who shall be considered employees for the purpose of chapters 57 and 81 of title 5, United States Code, relating to compensation for travel and work injuries, and chapter 171 of title 28, United States Code, relating to tort claims, but shall not be considered to be Federal employees for any other purposes.
For expenses necessary for granting and administering leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf and approving operations related thereto, as authorized by law; for environmental studies, as authorized by law; for implementing other laws and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $180,222,000, of which $130,406,000 is to remain available until September 30, 2020, and of which $49,816,000 is to remain available until expended: Provided, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Ocean Energy Management pursuant to the Outer Continental Shelf Lands Act, including studies, assessments, analysis, and miscellaneous administrative activities: Provided further, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2019 appropriation estimated at not
more than $130,406,000: Provided further, That not to exceed $3,000 shall be available for reasonable expenses related to promoting volunteer beach and marine cleanup activities.

BUREAU OF SAFETY AND ENVIRONMENTAL ENFORCEMENT

OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT

For expenses necessary for the regulation of operations related to leases, easements, rights-of-way and agreements for use for oil and gas, other minerals, energy, and marine-related purposes on the Outer Continental Shelf, as authorized by law; for enforcing and implementing laws and regulations as authorized by law and to the extent provided by Presidential or Secretarial delegation; and for matching grants or cooperative agreements, $144,867,000, of which $120,743,000 is to remain available until September 30, 2020, and of which $24,124,000 is to remain available until expended: Provided, That this total appropriation shall be reduced by amounts collected by the Secretary and credited to this appropriation from additions to receipts resulting from increases to lease rental rates in effect on August 5, 1993, and from cost recovery fees from activities conducted by the Bureau of Safety and Environmental Enforcement pursuant to the Outer Continental Shelf Lands Act, in-
including studies, assessments, analysis, and miscellaneous administrative activities: Provided further, That the sum herein appropriated shall be reduced as such collections are received during the fiscal year, so as to result in a final fiscal year 2019 appropriation estimated at not more than $120,743,000.

For an additional amount, $41,765,000, to remain available until expended, to be reduced by amounts collected by the Secretary and credited to this appropriation, which shall be derived from non-refundable inspection fees collected in fiscal year 2019, as provided in this Act: Provided, That to the extent that amounts realized from such inspection fees exceed $41,765,000, the amounts realized in excess of $41,765,000 shall be credited to this appropriation and remain available until expended: Provided further, That for fiscal year 2019, not less than 50 percent of the inspection fees expended by the Bureau of Safety and Environmental Enforcement will be used to fund personnel and mission-related costs to expand capacity and expedite the orderly development, subject to environmental safeguards, of the Outer Continental Shelf pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.), including the review of applications for permits to drill.
OIL SPILL RESEARCH

For necessary expenses to carry out title I, section 1016, title IV, sections 4202 and 4303, title VII, and title VIII, section 8201 of the Oil Pollution Act of 1990, $14,899,000, which shall be derived from the Oil Spill Liability Trust Fund, to remain available until expended.

OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT

REGULATION AND TECHNOLOGY

For necessary expenses to carry out the provisions of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $113,969,000, to remain available until September 30, 2020: Provided, That appropriations for the Office of Surface Mining Reclamation and Enforcement may provide for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training: Provided further, That of the amounts made available under this heading and notwithstanding the Federal share limits contained in section 705 of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1295), not to exceed $2,300,000 shall be for the Secretary of the Interior to make grants to any State with active coal mine operations within its borders that does not have an approved State regulatory program under section 503.
of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1253) for the purpose of developing a State program under such Act.

In addition, for costs to review, administer, and enforce permits issued by the Office pursuant to section 507 of Public Law 95–87 (30 U.S.C. 1257), $40,000, to remain available until expended: Provided, That fees assessed and collected by the Office pursuant to such section 507 shall be credited to this account as discretionary offsetting collections, to remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as collections are received during the fiscal year, so as to result in a fiscal year 2019 appropriation estimated at not more than $113,969,000.

ABANDONED MINE RECLAMATION FUND

For necessary expenses to carry out title IV of the Surface Mining Control and Reclamation Act of 1977, Public Law 95–87, $24,546,000, to be derived from receipts of the Abandoned Mine Reclamation Fund and to remain available until expended: Provided, That pursuant to Public Law 97–365, the Department of the Interior is authorized to use up to 20 percent from the recovery of the delinquent debt owed to the United States Government to pay for contracts to collect these debts: Provided fur-
ther, That funds made available under title IV of Public Law 95–87 may be used for any required non-Federal share of the cost of projects funded by the Federal Government for the purpose of environmental restoration related to treatment or abatement of acid mine drainage from abandoned mines: Provided further, That such projects must be consistent with the purposes and priorities of the Surface Mining Control and Reclamation Act: Provided further, That amounts provided under this heading may be used for the travel and per diem expenses of State and tribal personnel attending Office of Surface Mining Reclamation and Enforcement sponsored training.

In addition, $90,000,000, to remain available until expended, for grants to States for reclamation of abandoned mine lands and other related activities in accordance with the terms and conditions in the report accompanying this Act: Provided, That such additional amount shall be used for economic and community development in conjunction with the priorities in section 403(a) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1233(a)): Provided further, That such additional amount shall be distributed in equal amounts to the 3 Appalachian States with the greatest amount of unfunded needs to meet the priorities described in paragraphs (1) and (2) of such section: Provided further, That such addi-
A national amount shall be allocated to States within 60 days after the date of enactment of this Act.

**Bureau of Indian Affairs and Bureau of Indian Education**

**Operation of Indian Programs**

(including transfer of funds)

For expenses necessary for the operation of Indian programs, as authorized by law, including the Snyder Act of November 2, 1921 (25 U.S.C. 13), the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5301 et seq.), the Education Amendments of 1978 (25 U.S.C. 2001–2019), and the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.), $2,432,821,000, to remain available until September 30, 2020, except as otherwise provided herein; of which not to exceed $8,500 may be for official reception and representation expenses; of which not to exceed $76,000,000 shall be for welfare assistance payments: Provided, That in cases of designated Federal disasters, the Secretary may exceed such cap, from the amounts provided herein, to provide for disaster relief to Indian communities affected by the disaster: Provided further, That federally recognized Indian tribes and tribal organizations of federally recognized Indian tribes may use their tribal priority allocations for unmet welfare assistance costs: Provided further,
ther, That not to exceed $689,558,000 for school operations costs of Bureau-funded schools and other education programs shall become available on July 1, 2019, and shall remain available until September 30, 2020: Provided further, That not to exceed $54,174,000 shall remain available until expended for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo-Hopi Settlement Program: Provided further, That notwithstanding any other provision of law, including but not limited to the Indian Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.) and section 1128 of the Education Amendments of 1978 (25 U.S.C. 2008), not to exceed $82,223,000 within and only from such amounts made available for school operations shall be available for administrative cost grants associated with grants approved prior to July 1, 2019: Provided further, That any forestry funds allocated to a federally recognized tribe which remain unobligated as of September 30, 2020, may be transferred during fiscal year 2021 to an Indian forest land assistance account established for the benefit of the holder of the funds within the holder’s trust fund account: Provided further, That any such unobligated balances not so transferred shall expire on September 30, 2021: Provided further, That in order to enhance the safety of Bureau field employees, the
Bureau may use funds to purchase uniforms or other identifying articles of clothing for personnel: Provided further, That the Bureau of Indian Affairs may accept transfers of funds from U.S. Customs and Border Protection to supplement any other funding available for reconstruction or repair of roads owned by the Bureau of Indian Affairs as identified on the National Tribal Transportation Facility Inventory, 23 U.S.C. 202(b)(1).

CONTRACT SUPPORT COSTS

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

CONSTRUCTION

(INCLUDING TRANSFER OF FUNDS)

For construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities, including architectural and engineering services by contract; acquisition of lands, and interests in lands; and preparation of lands for farming, and for
construction of the Navajo Indian Irrigation Project pursuant to Public Law 87–483; $354,485,000, to remain available until expended: Provided, That such amounts as may be available for the construction of the Navajo Indian Irrigation Project may be transferred to the Bureau of Reclamation: Provided further, That not to exceed 6 percent of contract authority available to the Bureau of Indian Affairs from the Federal Highway Trust Fund may be used to cover the road program management costs of the Bureau: Provided further, That any funds provided for the Safety of Dams program pursuant to the Act of November 2, 1921 (25 U.S.C. 13), shall be made available on a nonreimbursable basis: Provided further, That for fiscal year 2019, in implementing new construction, replacement facilities construction, or facilities improvement and repair project grants in excess of $100,000 that are provided to grant schools under Public Law 100–297, the Secretary of the Interior shall use the Administrative and Audit Requirements and Cost Principles for Assistance Programs contained in part 12 of title 43, Code of Federal Regulations, as the regulatory requirements: Provided further, That such grants shall not be subject to section 12.61 of title 43, Code of Federal Regulations; the Secretary and the grantee shall negotiate and determine a schedule of payments for the work to be performed: Pro-
vided further, That in considering grant applications, the Secretary shall consider whether such grantee would be deficient in assuring that the construction projects conform to applicable building standards and codes and Federal, tribal, or State health and safety standards as required by section 1125(b) of title XI of Public Law 95–561 (25 U.S.C. 2005(b)), with respect to organizational and financial management capabilities: Provided further, That if the Secretary declines a grant application, the Secretary shall follow the requirements contained in section 5206(f) of Public Law 100–297 (25 U.S.C. 2504(f)): Provided further, That any disputes between the Secretary and any grantee concerning a grant shall be subject to the disputes provision in section 5208(e) of Public Law 107–110 (25 U.S.C. 2507(e)): Provided further, That in order to ensure timely completion of construction projects, the Secretary may assume control of a project and all funds related to the project, if, within 18 months of the date of enactment of this Act, any grantee receiving funds appropriated in this Act or in any prior Act, has not completed the planning and design phase of the project and commenced construction: Provided further, That this appropriation may be reimbursed from the Office of the Special Trustee for American Indians appropriation for the appropriate share of construction costs for space expan-
sion needed in agency offices to meet trust reform imple-

mentation.

INDIAN LAND AND WATER CLAIM SETTLEMENTS AND

MISCELLANEOUS PAYMENTS TO INDIANS

For payments and necessary administrative expenses
for implementation of Indian land and water claim settle-
ments pursuant to Public Laws 99–264, 100–580, 101–
618, 111–11, 111–291, and 114–322, and for implemen-
tation of other land and water rights settlements,

$50,057,000, to remain available until expended.

INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

For the cost of guaranteed loans and insured loans,

$19,279,000, to remain available until September 30,

2020, of which $1,702,000 is for administrative expenses,
as authorized by the Indian Financing Act of 1974: Pro-
vided, That such costs, including the cost of modifying
such loans, shall be as defined in section 502 of the Con-
gressional Budget Act of 1974: Provided further, That
these funds are available to subsidize total loan principal,
any part of which is to be guaranteed or insured, not to
exceed $329,260,000.

ADMINISTRATIVE PROVISIONS

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

tions.

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

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

In the event any tribe returns appropriations made
available by this Act to the Bureau of Indian Affairs, this
action shall not diminish the Federal Government’s trust
responsibility to that tribe, or the government-to-govern-
ment relationship between the United States and that
tribe, or that tribe’s ability to access future appropria-
tions.
Notwithstanding any other provision of law, no funds available to the Bureau of Indian Education, other than the amounts provided herein for assistance to public schools under 25 U.S.C. 452 et seq., shall be available to support the operation of any elementary or secondary school in the State of Alaska.

No funds available to the Bureau of Indian Education shall be used to support expanded grades for any school or dormitory beyond the grade structure in place or approved by the Secretary of the Interior at each school in the Bureau of Indian Education school system as of October 1, 1995, except that the Secretary of the Interior may waive this prohibition to support expansion of up to one additional grade when the Secretary determines such waiver is needed to support accomplishment of the mission of the Bureau of Indian Education, or more than one grade to expand the elementary grade structure for Bureau-funded schools with a K-2 grade structure on October 1, 1996. Appropriations made available in this or any prior Act for schools funded by the Bureau shall be available, in accordance with the Bureau’s funding formula, only to the schools in the Bureau school system as of September 1, 1996, and to any school or school program that was reinstated in fiscal year 2012. Funds made available under this Act may not be used to establish a charter
school at a Bureau-funded school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)), except that a charter school that is in existence on the date of the enactment of this Act and that has operated at a Bureau-funded school before September 1, 1999, may continue to operate during that period, but only if the charter school pays to the Bureau a pro rata share of funds to reimburse the Bureau for the use of the real and personal property (including buses and vans), the funds of the charter school are kept separate and apart from Bureau funds, and the Bureau does not assume any obligation for charter school programs of the State in which the school is located if the charter school loses such funding. Employees of Bureau-funded schools sharing a campus with a charter school and performing functions related to the charter school’s operation and employees of a charter school shall not be treated as Federal employees for purposes of chapter 171 of title 28, United States Code.

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

Funds available under this Act may not be used to establish satellite locations of schools in the Bureau school system as of September 1, 1996, except that the Secretary may waive this prohibition in order for an Indian tribe to provide language and cultural immersion educational programs for non-public schools located within the jurisdictional area of the tribal government which exclusively serve tribal members, do not include grades beyond those currently served at the existing Bureau-funded school, provide an educational environment with educator presence and academic facilities comparable to the Bureau-funded school, comply with all applicable Tribal, Federal, or State health and safety standards, and the Americans with Disabilities Act, and demonstrate the benefits of establishing operations at a satellite location in lieu of incurring extraordinary costs, such as for transportation or other impacts to students such as those caused by busing students extended distances: Provided, That no funds available under this Act may be used to fund operations, maintenance, rehabilitation, construction or other facilities-related costs for such assets that are not owned by the Bureau: Provided further, That the term “satellite school” means a school location physically separated from
the existing Bureau school by more than 50 miles but that forms part of the existing school in all other respects.

**DEPARTMENTAL OFFICES**

**OFFICE OF THE SECRETARY**

**DEPARTMENTAL OPERATIONS**

*(INCLUDING TRANSFER OF FUNDS)*

For necessary expenses for management of the Department of the Interior and for grants and cooperative agreements, as authorized by law, $134,673,000, to remain available until September 30, 2020; of which not to exceed $15,000 may be for official reception and representation expenses; and of which up to $1,000,000 shall be available for workers compensation payments and unemployment compensation payments associated with the orderly closure of the United States Bureau of Mines; and of which $9,000,000 for the Appraisal and Valuation Services Office is to be derived from the Land and Water Conservation Fund and shall remain available until expended; and of which $9,704,000 for Indian land, mineral, and resource valuation activities shall remain available until expended: *Provided further*, That funds for Indian land, mineral, and resource valuation activities may, as needed, be transferred to and merged with the Bureau of Indian Affairs and Bureau of Indian Education “Operation of Indian Programs” account and the Office of the Special
Trustee for American Indians “Federal Trust Programs” 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.

ADMINISTRATIVE PROVISIONS

For fiscal year 2019, up to $400,000 of the payments authorized by chapter 69 of title 31, United States Code, may be retained for administrative expenses of the Payments in Lieu of Taxes Program: Provided, That the amounts provided under this Act specifically for the Payments in Lieu of Taxes program are the only amounts available for payments authorized under chapter 69 of title 31, United States Code: Provided further, That in the event the sums appropriated for any fiscal year for payments pursuant to this chapter are insufficient to make the full payments authorized by that chapter to all units of local government, then the payment to each local government shall be made proportionally: Provided further, That the Secretary may make adjustments to payment to individual units of local government to correct for prior overpayments or underpayments: Provided further, That no payment shall be made pursuant to that chapter to oth-
erwise eligible units of local government if the computed
amount of the payment is less than $100.

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For expenses necessary for assistance to territories
under the jurisdiction of the Department of the Interior
and other jurisdictions identified in section 104(e) of Pub-
lic Law 108–188, $96,870,000, of which: (1) $87,440,000
shall remain available until expended for territorial assis-
tance, including general technical assistance, maintenance
assistance, disaster assistance, coral reef initiative activi-
ties, and brown tree snake control and research; grants
to the judiciary in American Samoa for compensation and
expenses, as authorized by law (48 U.S.C. 1661(c));
grants to the Government of American Samoa, in addition
to current local revenues, for construction and support of
governmental functions; grants to the Government of the
Virgin Islands, as authorized by law; grants to the Govern-
ment of Guam, as authorized by law; and grants to the
Government of the Northern Mariana Islands, as author-
ized by law (Public Law 94–241; 90 Stat. 272); and (2)
$9,430,000 shall be available until September 30, 2020,
for salaries and expenses of the Office of Insular Affairs:

Provided, That all financial transactions of the territorial
and local governments herein provided for, including such
transactions of all agencies or instrumentalities estab-
lished or used by such governments, may be audited by
the Government Accountability Office, at its discretion, in
accordance with chapter 35 of title 31, United States
Code: Provided further, That Northern Mariana Islands
Covenant grant funding shall be provided according to
those terms of the Agreement of the Special Representa-
tives on Future United States Financial Assistance for the
Northern Mariana Islands approved by Public Law 104–
134: Provided further, That the funds for the program of
operations and maintenance improvement are appro-
priated to institutionalize routine operations and mainte-
nance improvement of capital infrastructure with terri-
torial participation and cost sharing to be determined by
the Secretary based on the grantee’s commitment to time-
ly maintenance of its capital assets: Provided further, That
any appropriation for disaster assistance under this head-
ing in this Act or previous appropriations Acts may be
used as non–Federal matching funds for the purpose of
hazard mitigation grants provided pursuant to section 404
of the Robert T. Stafford Disaster Relief and Emergency
Assistance Act (42 U.S.C. 5170c).

COMPACT OF FREE ASSOCIATION

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

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

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

Office of the Solicitor

Salaries and Expenses

For necessary expenses of the Office of the Solicitor, $65,674,000.

Office of Inspector General

Salaries and Expenses

For necessary expenses of the Office of Inspector 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, $110,692,000, 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 or less: Provided further, That the Secretary shall issue an annual account statement and maintain a record of any such accounts and shall permit the balance in each such account to be withdrawn upon the express written request of the account holder: Provided further, That not to exceed $50,000 is available for the Secretary to make payments to correct administrative errors of either disbursements from or deposits to Individual Indian Money or Tribal accounts after September 30, 2002: Provided further, That erroneous payments that are recovered shall be credited to and remain available in this account for this purpose:
Provided further, That the Secretary shall not be required to reconcile Special Deposit Accounts with a balance of less than $500 unless the Office of the Special Trustee receives proof of ownership from a Special Deposit Accounts claimant: Provided further, That notwithstanding section 102 of the American Indian Trust Fund Management Reform Act of 1994 (Public Law 103–412) or any other provision of law, the Secretary may aggregate the trust accounts of individuals whose whereabouts are unknown for a continuous period of at least five years and shall not be required to generate periodic statements of performance for the individual accounts: Provided further, That with respect to the eighth proviso, the Secretary shall continue to maintain sufficient records to determine the balance of the individual accounts, including any accrued interest and income, and such funds shall remain available to the individual account holders.

NAVAJO AND HOPI INDIAN RELOCATION

For necessary expenses of the Office of the Special Trustee for American Indians to carry out the activities authorized by subsection 11(h) of Public Law 93–531, as most recently amended by Public Law 104–301, through direct expenditure, contracts, cooperative agreements, compacts, and grants, $3,000,000, to remain available until expended: Provided, That the Office of the Special
Trustee is further authorized to expend funds provided under this heading for the purpose of planning for an orderly closeout of the Office of Navajo and Hopi Indian Relocation.

DEPARTMENT-WIDE PROGRAMS

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for fire preparedness, fire suppression operations, fire science and research, emergency rehabilitation, fuels management activities, and rural fire assistance by the Department of the Interior, $939,660,000, to remain available until expended: Provided, That such funds are also available for repayment of advances to other appropriation accounts from which funds were previously transferred for such purposes: Provided further, That of the funds provided $194,000,000 is for fuels management activities: Provided further, That of the funds provided $20,470,000 is for burned area rehabilitation: Provided further, That persons hired pursuant to 43 U.S.C. 1469 may be furnished subsistence and lodging without cost from funds available from this appropriation: Provided further, That notwithstanding 42 U.S.C. 1856d, sums received by a bureau or office of the Department of the Interior for fire protection rendered pursuant to 42 U.S.C. 1856 et seq., protection of United
States property, may be credited to the appropriation from which funds were expended to provide that protection, and are available without fiscal year limitation: Provided further, That using the amounts designated under this title of this Act, the Secretary of the Interior may enter into procurement contracts, grants, or cooperative agreements, for fuels management activities, and for training and monitoring associated with such fuels management activities on Federal land, or on adjacent non-Federal land for activities that benefit resources on Federal land: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That notwithstanding requirements of the Competition in Contracting Act, the Secretary, for purposes of fuels management activities, may obtain maximum practicable competition among: (1) local private, nonprofit, or cooperative entities; (2) Youth Conservation Corps crews, Public Lands Corps (Public Law 109–154), or related partnerships with State, local, or nonprofit youth groups; (3) small or micro-businesses; or (4) other entities that will hire or train locally a significant percentage, defined as 50 percent or more, of the project workforce to complete such contracts: Provided further, That in implementing this section, the Sec-
The Secretary shall develop written guidance to field units to ensure accountability and consistent application of the authorities provided herein: Provided further, That funds appropriated under this heading may be used to reimburse the United States Fish and Wildlife Service and the National Marine Fisheries Service for the costs of carrying out their responsibilities under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) to consult and conference, as required by section 7 of such Act, in connection with wildland fire management activities: Provided further, That the Secretary of the Interior may use wildland fire appropriations to enter into leases of real property with local governments, at or below fair market value, to construct capitalized improvements for fire facilities on such leased properties, including but not limited to fire guard stations, retardant stations, and other initial attack and fire support facilities, and to make advance payments for any such lease or for construction activity associated with the lease: Provided further, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: Provided further, That funds provided for
wildfire suppression shall be available for support of Federal emergency response actions. Provided further, That funds appropriated under this heading shall be available for assistance to or through the Department of State in connection with forest and rangeland research, technical information, and assistance in foreign countries, and, with the concurrence of the Secretary of State, shall be available to support forestry, wildland fire management, and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with United States and international organizations.

CENTRAL HAZARDOUS MATERIALS FUND

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

NATURAL RESOURCE DAMAGE ASSESSMENT AND RESTORATION

NATURAL RESOURCE DAMAGE ASSESSMENT FUND

To conduct natural resource damage assessment, restoration activities, and onshore oil spill preparedness by the Department of the Interior necessary to carry out the

WORKING CAPITAL FUND

For the operation and maintenance of a departmental financial and business management system, information technology improvements of general benefit to the Department, cybersecurity, and the consolidation of facilities and operations throughout the Department, $58,778,000, to remain available until expended: Provided, That none of the funds appropriated in this Act or any other Act may be used to establish reserves in the Working Capital Fund account other than for accrued annual leave and depreciation of equipment without prior approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That the Secretary may assess reasonable charges to State, local and tribal government employees for training services provided by the National Indian Program Training Center, other than training related to Public Law 93–638: Provided further, That the Secretary may lease or otherwise provide space and related facilities, equipment or professional services of the
National Indian Program Training Center to State, local and tribal government employees or persons or organizations engaged in cultural, educational, or recreational activities (as defined in section 3306(a) of title 40, United States Code) at the prevailing rate for similar space, facilities, equipment, or services in the vicinity of the National Indian Program Training Center: Provided further, That all funds received pursuant to the two preceding provisos shall be credited to this account, shall be available until expended, and shall be used by the Secretary for necessary expenses of the National Indian Program Training Center: Provided further, That the Secretary may enter into grants and cooperative agreements to support the Office of Natural Resource Revenue’s collection and disbursement of royalties, fees, and other mineral revenue proceeds, as authorized by law.

ADMINISTRATIVE PROVISION

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

For necessary expenses for management of the collection and disbursement of royalties, fees, and other mineral revenue proceeds, and for grants and cooperative agreements, as authorized by law, $137,505,000, to remain available until September 30, 2020; of which $41,727,000 shall remain available until expended for the purpose of mineral revenue management activities: Provided, That notwithstanding any other provision of law, $15,000 shall be available for refunds of overpayments in connection with certain Indian leases in which the Secretary concurred with the claimed refund due, to pay amounts owed to Indian allottees or tribes, or to correct prior unrecoverable erroneous payments.

PAYMENTS IN LIEU OF TAXES

For necessary expenses for payments authorized by chapter 69 of title 31, United States Code, $500,000,000 shall be available for fiscal year 2019.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

(INCLUDING TRANSFERS OF FUNDS)

EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

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

**EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE**

**Sec. 102.** The Secretary may authorize the expenditure or transfer of any no year appropriation in this title, in addition to the amounts included in the budget programs of the several agencies, for the suppression or emergency prevention of wildland fires on or threatening lands under the jurisdiction of the Department of the Interior; for the emergency rehabilitation of burned-over lands under its jurisdiction; for emergency actions related to potential or actual earthquakes, floods, volcanoes, storms, or other unavoidable causes; for contingency planning subsequent to actual oil spills; for response and natural resource damage assessment activities related to actual oil spills or releases of hazardous substances into the environment; for the prevention, suppression, and control of actual or potential grasshopper and Mormon cricket outbreaks on
lands under the jurisdiction of the Secretary, pursuant to
the authority in section 417(b) of Public Law 106–224
(7 U.S.C. 7717(b)); for emergency reclamation projects
under section 410 of Public Law 95–87; and shall trans-
fer, from any no year funds available to the Office of Sur-
face Mining Reclamation and Enforcement, such funds as
may be necessary to permit assumption of regulatory au-
thority in the event a primacy State is not carrying out
the regulatory provisions of the Surface Mining Act: Pro-
vided, That appropriations made in this title for wildland
fire operations shall be available for the payment of obliga-
tions incurred during the preceding fiscal year, and for
reimbursement to other Federal agencies for destruction
of vehicles, aircraft, or other equipment in connection with
their use for wildland fire operations, with such reimburse-
ment to be credited to appropriations currently available
at the time of receipt thereof: Provided further, That for
wildland fire operations, no funds shall be made available
under this authority until the Secretary determines that
funds appropriated for “wildland fire suppression” shall
be exhausted within 30 days: Provided further, That all
funds used pursuant to this section must be replenished
by a supplemental appropriation, which must be requested
as promptly as possible: Provided further, That such re-
plenishment funds shall be used to reimburse, on a pro
rata basis, accounts from which emergency funds were
transferred.

AUTHORIZED USE OF FUNDS

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

AUTHORIZED USE OF FUNDS, INDIAN TRUST

MANAGEMENT

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

REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN AFFAIRS

SEC. 105. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to redistribute any Tribal Priority Allocation funds, including tribal base funds, to alleviate tribal funding inequities by transferring funds to address identified, unmet needs, dual enrollment, overlapping service areas or inaccurate distribution methodologies. No tribe shall receive a reduction in Tribal Priority Allocation funds of more than 10 percent in fiscal year 2019. Under circumstances of dual enrollment, overlapping service areas or inaccurate distribution methodologies, the 10 percent limitation does not apply.

ELLIS, GOVERNORS, AND LIBERTY ISLANDS

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

OUTER CONTINENTAL SHELF INSPECTION FEES

SEC. 107. (a) In fiscal year 2019, the Secretary shall collect a nonrefundable inspection fee, which shall be deposited in the “Offshore Safety and Environmental Enforcement” account, from the designated operator for facilities subject to inspection under 43 U.S.C. 1348(c).

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

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

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

(c) Fees for drilling rigs shall be assessed for all inspections completed in fiscal year 2019. Fees for fiscal year 2019 shall be:

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

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

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

BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION AND ENFORCEMENT REORGANIZATION

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

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

MASS MARKING OF SALMONIDS

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

Sec. 111. Paragraph (1) of section 122(a) of division E of Public Law 112–74 (125 Stat. 1013) is amended by striking “fiscal years 2012 through 2022,” in the first sentence and inserting “fiscal year 2012 and each fiscal year thereafter,”.

CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

Sec. 112. Notwithstanding any other provision of law, during fiscal year 2019, in carrying out work involving cooperation with State, local, and tribal governments or any political subdivision thereof, Indian Affairs may record obligations against accounts receivable from any such entities, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year.

HUMANE TRANSFER OF EXCESS ANIMALS

Sec. 113. Notwithstanding any other provision of law, the Secretary of the Interior may transfer excess wild horses or burros that have been removed from the public lands to other Federal, State, and local government agencies for use as work animals: Provided, That the Secretary may make any such transfer immediately upon request of such Federal, State, or local government agency: Provided further, That any excess animal transferred under this provision shall lose its status as a wild free-roaming horse
or burro as defined in the Wild Free-Roaming Horses and Burros Act: Provided further, That any Federal, State, or local government agency receiving excess wild horses or burros as authorized in this section shall not: destroy the horses or burros in a way that results in their destruction into commercial products; sell or otherwise transfer the horses or burros in a way that results in their destruction for processing into commercial products; or euthanize the horses or burros except upon the recommendation of a licensed veterinarian, in cases of severe injury, illness, or advanced age.

DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES PROGRAM

Sec. 114. (a) Notwithstanding any other provision of law relating to Federal grants and cooperative agreements, the Secretary of the Interior is authorized to make grants to, or enter into cooperative agreements with, private nonprofit organizations designated by the Secretary of Labor under title V of the Older Americans Act of 1965 to utilize the talents of older Americans in programs authorized by other provisions of law administered by the Secretary and consistent with such provisions of law.

(b) Prior to awarding any grant or agreement under subsection (a), the Secretary shall ensure that the agreement would not—
(1) result in the displacement of individuals currently employed by the Department, including partial displacement through reduction of non-over-time hours, wages, or employment benefits;

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

(3) affect existing contracts for services.

SAGE-GROUSE

SEC. 115. None of the funds made available by this or any other Act may be used by the Secretary of the Interior to write or issue pursuant to section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533)—

(1) a proposed rule for greater sage-grouse

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

REISSUANCE OF FINAL RULES

SEC. 116. (a) The final rule published on September 10, 2012 (77 Fed. Reg. 55530) that was reinstated on March 3, 2017, by the decision of the U.S. Court of Appeals for the District of Columbia (No. 14-5300) and fur-
that reinstates the removal of Federal protections for the
gray wolf in Wyoming under the Endangered Species Act
of 1973 (16 U.S.C. 1531 et seq.), and this subsection,
shall not be subject to judicial review.

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

GRAY WOLVES RANGE-WIDE

Sec. 117. (a) Not later than the end of fiscal year
2019, and except as provided in subsection (b), the Sec-
retary of the Interior shall issue a rule to remove the gray
wolf (Canis lupus) in each of the 48 contiguous States
of the United States and the District of Columbia from
the List of Endangered and Threatened Wildlife in section
17.11 of title 50, Code of Federal Regulations, without
regard to any other provision of statute or regulation that
applies to issuance of such rule.

(b) Such issuance (including this section)—

(1) shall not be subject to judicial review; and
(2) shall not affect the inclusion of the subspecies classified as the Mexican gray wolf (*Canis lupus baileyi*) of the species gray wolf (*Canis lupus*) in such list.

**TRIBAL SOVEREIGNTY**

Sec. 118. None of the funds made available by this Act or any other Act may be used to enforce, refer for enforcement, or to assist any other agency in enforcing section 251 of title 25, United States Code.

**CONTRIBUTION AUTHORITY**

Sec. 119. Section 113 of Division G of Public Law 113–76 is amended by striking “2019,” and inserting “2024,”.

**PROHIBITION ON USE OF FUNDS FOR CERTAIN HISTORIC DESIGNATION**

Sec. 120. None of the funds made available by this Act may be used to make a determination of eligibility or to list the Trestles Historic District, San Diego County, California, on the National Register of Historic Places.

**TITLE II**

**ENVIRONMENTAL PROTECTION AGENCY**

**SCIENCE AND TECHNOLOGY**

(including rescission of funds)

For science and technology, including research and development activities, which shall include research and
development activities under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; necessary expenses for personnel and related costs and travel expenses; procurement of laboratory equipment and supplies; and other operating expenses in support of research and development, $651,113,000, to remain available until September 30, 2020: Provided, That of the funds included under this heading, $4,100,000 shall be for Research: National Priorities as specified in the report accompanying this Act: Provided further, That of unobligated balances from appropriations made available under this heading, $7,350,000 are permanently rescinded.

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

(INCLUDING RESCISSION OF FUNDS)

For environmental programs and management, including necessary expenses, not otherwise provided for, for personnel and related costs and travel expenses; hire of passenger motor vehicles; hire, maintenance, and operation of aircraft; purchase of reprints; library memberships in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; administrative costs of the brownfields program under the Small Business Liability Relief and Brownfields Revitalization Act of 2002; implementation of a coal combustion residual permit pro-
gram under section 2301 of the Water and Waste Act of 2016; and not to exceed $19,000 for official reception and representation expenses, $2,473,282,000, to remain available until September 30, 2020: Provided, That of the amounts provided under this heading, the Chemical Risk Review and Reduction program project shall be allocated for this fiscal year, excluding the amount of any fees made available, not less than the amount of appropriations for that program project for fiscal year 2014: Provided further, That of the funds included under this heading, $12,700,000 shall be for Environmental Protection: National Priorities as specified in the report accompanying this Act: Provided further, That of the funds included under this heading, $434,857,000 shall be for Geographic Programs specified in the report accompanying this Act: Provided further, That of the unobligated balances from appropriations made available under this heading, $40,000,000 are permanently rescinded.

Office of Inspector General

BUILDINGS AND FACILITIES

For construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of, or for use by, the Environmental Protection Agency, $39,553,000, to remain available until expended.

HAZARDOUS SUBSTANCE SUPERFUND
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), including sections 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611) $1,127,090,000, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2018, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $1,127,090,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA: Provided, That funds appropriated under this heading may be allocated to other Federal agencies in accordance with section 111(a) of CERCLA: Provided further, That of the funds appropriated under this heading, $8,778,000 shall be paid to the “Office of Inspector General” appropriation to remain available until September 30, 2020, and $15,496,000 shall be paid to the “Science
and Technology” appropriation to remain available until September 30, 2020.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

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

INLAND OIL SPILL PROGRAMS

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

For environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants, $3,588,161,000, to remain available until expended, of which—

(1) $1,393,887,000 shall be for making capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act; and of which $863,233,000 shall be for making capitalization grants for the Drinking Water State Revolving Funds under section 1452 of the Safe Drinking Water Act: Provided, That for fiscal year 2019, funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and for Drinking Water State Revolving Fund capitalization grants may, at the discretion of each State, be used for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities: Provided further, That notwithstanding section 603(d)(7) of the Federal Water Pollution Control Act, the limitation on the amounts in a State water pollution control revolving fund that may be used by a State to administer the fund shall
not apply to amounts included as principal in loans made by such fund in fiscal year 2019 and prior years where such amounts represent costs of administering the fund to the extent that such amounts are or were deemed reasonable by the Administrator, accounted for separately from other assets in the fund, and used for eligible purposes of the fund, including administration: Provided further, That for fiscal year 2019, notwithstanding the provisions of subsections (g)(1), (h), and (l) of section 201 of the Federal Water Pollution Control Act, grants made under title II of such Act for American Samoa, Guam, the commonwealth of the Northern Marianas, the United States Virgin Islands, and the District of Columbia may also be made for the purpose of providing assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: Provided further, That for fiscal year 2019, notwithstanding the provisions of such subsections (g)(1), (h), and (l) of section 201 and section 518(e) of the Federal Water Pollu-
tion Control Act, funds reserved by the Administrator for grants under section 518(c) of the Federal Water Pollution Control Act may also be used to provide assistance: (1) solely for facility plans, design activities, or plans, specifications, and estimates for any proposed project for the construction of treatment works; and (2) for the construction, repair, or replacement of privately owned treatment works serving one or more principal residences or small commercial establishments: Provided further, that for fiscal year 2019, notwithstanding any provision of the Federal Water Pollution Control Act and regulations issued pursuant thereof, up to a total of $2,000,000 of the funds reserved by the Administrator for grants under section 518(c) of such Act may also be used for grants for training, technical assistance, and educational programs relating to the operation and management of the treatment works specified in section 518(c) of such Act: Provided further, that for fiscal year 2019, funds reserved under section 518(c) of such Act shall be available for grants only to Indian tribes, as defined in section 518(h) of such Act and former Indian reservations in Oklahoma (as determined by the Secretary of the Interior) and Native Villages as defined
in Public Law 92–203: Provided further, That for fiscal year 2019, notwithstanding the limitation on amounts in section 518(c) of the Federal Water Pollution Control Act, up to a total of 2 percent of the funds appropriated, or $30,000,000, whichever is greater, and notwithstanding the limitation on amounts in section 1452(i) of the Safe Drinking Water Act, up to a total of 2 percent of the funds appropriated, or $20,000,000, whichever is greater, for State Revolving Funds under such Acts may be reserved by the Administrator for grants under section 518(c) and section 1452(i) of such Acts: Provided further, That for fiscal year 2019, notwithstanding the amounts specified in section 205(c) of the Federal Water Pollution Control Act, up to 1.5 percent of the aggregate funds appropriated for the Clean Water State Revolving Fund program under the Act less any sums reserved under section 518(c) of the Act, may be reserved by the Administrator for grants made under title II of the Federal Water Pollution Control Act for American Samoa, Guam, the Commonwealth of the Northern Marianas, and United States Virgin Islands: Provided further, That for fiscal year 2019, notwithstanding the limitations on amounts specified in section 1452(j) of the Safe
Drinking Water Act, up to 1.5 percent of the funds appropriated for the Drinking Water State Revolving Fund programs under the Safe Drinking Water Act may be reserved by the Administrator for grants made under section 1452(j) of the Safe Drinking Water Act: *Provided further,* That 10 percent of the funds made available under this title to each State for Clean Water State Revolving Fund capitalization grants and 20 percent of the funds made available under this title to each State for Drinking Water State Revolving Fund capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants (or any combination of these), and shall be so used by the State only where such funds are provided as initial financing for an eligible recipient or to buy, refinance, or restructure the debt obligations of eligible recipients only where such debt was incurred on or after the date of enactment of this Act;

(2) $10,000,000 shall be for architectural, engineering, planning, design, construction and related activities in connection with the construction of high priority water and wastewater facilities in the area of the United States-Mexico Border, after consulta-
tion with the appropriate border commission: Provided, That no funds provided by this appropriations Act to address the water, wastewater and other critical infrastructure needs of the colonias in the United States along the United States-Mexico border shall be made available to a county or municipal government unless that government has established an enforceable local ordinance, or other zoning rule, which prevents in that jurisdiction the development or construction of any additional colonia areas, or the development within an existing colonia the construction of any new home, business, or other structure which lacks water, wastewater, or other necessary infrastructure;

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

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

(5) $100,000,000 shall be for grants under title VII, subtitle G of the Energy Policy Act of 2005;

(6) $55,000,000 shall be for targeted airshed grants in accordance with the terms and conditions in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act);

(7) $1,066,041,000 shall be for grants, including associated program support costs, to States, federally recognized tribes, interstate agencies, tribal consortia, and air pollution control agencies for multi-media or single media pollution prevention, control and abatement and related activities, including activities pursuant to the provisions set forth under this heading in Public Law 104–134, and for making grants under section 103 of the Clean Air Act for particulate matter monitoring and data collection activities subject to terms and conditions specified by the Administrator, of which: $47,745,000 shall be for carrying out section 128 of CERCLA; $9,646,000 shall be for Environmental Information Exchange Network grants, including associated program support costs; $1,498,000 shall be
for grants to States under section 2007(f)(2) of the
Solid Waste Disposal Act, which shall be in addition
to funds appropriated under the heading “Leaking
Underground Storage Tank Trust Fund Program”
to carry out the provisions of the Solid Waste Dis-
posal Act specified in section 9508(c) of the Internal
Revenue Code other than section 9003(h) of the
Solid Waste Disposal Act; $17,848,000 of the funds
available for grants under section 106 of the Federal
Water Pollution Control Act shall be for State par-
ticipation in national- and State-level statistical sur-
veys of water resources and enhancements to State
monitoring programs.

WATER INFRASTRUCTURE FINANCE AND INNOVATION
PROGRAM ACCOUNT

For the cost of direct loans and for the cost of guar-
anteed loans, as authorized by the Water Infrastructure
Finance and Innovation Act of 2014, $45,000,000, to re-
main available until expended: Provided, That such costs,
including the cost of modifying such loans, shall be as de-
dined in section 502 of the Congressional Budget Act of
1974: Provided further, That these funds are available to
subsidize gross obligations for the principal amount of di-
rect loans, including capitalized interest, and total loan
principal, including capitalized interest, any part of which
is to be guaranteed, not to exceed $5,488,000,000.

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

In addition, for administrative expenses to carry out
the direct and guaranteed loan programs, notwithstanding
section 5033 of the Water Infrastructure Finance and In-
novation Act of 2014, $5,000,000, to remain available

ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL
PROTECTION AGENCY

(INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

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

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


Notwithstanding any other provision of law, in addition to the activities specified in section 33 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136w–8), fees collected in this and prior fiscal years under such section shall be available for the following activities as they relate to pesticide licensing: processing and review of data submitted in association with a registration, information submitted pursuant to section 6(a)(2) of FIFRA, supplemental distributor labels, transfers of registrations and data compensation rights, additional uses registered by States under section 24(e) of
FIFRA, data compensation petitions, review of minor amendments, and notifications; laboratory support and audits; administrative support; development of policy and guidance; rulemaking support; information collection activities; and the portions of salaries related to work in these areas.

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

The Administrator of the Environmental Protection Agency is authorized to collect and obligate fees in accordance with section 26(b) of the Toxic Substances Control Act (15 U.S.C. 2625(b)) for fiscal year 2019.
The Administrator of the Environmental Protection Agency is authorized to collect and obligate fees in accordance with section 3204 of the Solid Waste Disposal Act (42 U.S.C. 6939g) for fiscal year 2019.

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

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

Of the unobligated balances available for the “State and Tribal Assistance Grants” account, $75,000,000 are hereby permanently rescinded: Provided, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.
Notwithstanding the limitations on amounts in section 320(i)(2)(B) of the Federal Water Pollution Control Act, not less than $1,500,000 of the funds made available under this title for the National Estuary Program shall be for making competitive awards described in section 320(g)(4).

TITLE III

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

Forest Service

OFFICE OF THE UNDER SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT

For necessary expenses of the Office of the Under Secretary for Natural Resources and Environment, $875,000: Provided, That funds made available by this Act to any agency in the Natural Resources and Environment mission area for salaries and expenses are available to fund up to one administrative support staff for the office.

FOREST AND RANGELAND RESEARCH

For necessary expenses of forest and rangeland research as authorized by law, $297,000,000, to remain available through September 30, 2020: Provided, That of the funds provided, $77,000,000 is for the forest inventory and analysis program.
STATE AND PRIVATE FORESTRY

For necessary expenses of cooperating with and providing technical and financial assistance to States, territories, possessions, and others, and for forest health management, and conducting an international program as authorized, $334,945,000, to remain available through September 30, 2020, as authorized by law; of which $48,445,000 is to be derived from the Land and Water Conservation Fund to be used for the Forest Legacy Program, to remain available until expended.

NATIONAL FOREST SYSTEM

For necessary expenses of the Forest Service, not otherwise provided for, for management, protection, improvement, and utilization of the National Forest System, and for hazardous fuels management on or adjacent to such lands, $1,972,000,000, to remain available through September 30, 2020: Provided, That of the funds provided, $40,000,000 shall be deposited in the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f): Provided further, That of the funds provided, $380,000,000 shall be for forest products: Provided further, That of the funds provided, $450,000,000 shall be for hazardous fuels management activities, of which not to exceed $15,000,000 may be used to make grants, using any au-
authorities available to the Forest Service under the “State and Private Forestry” appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: Provided further, That $15,000,000 may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels management activities, and for training or monitoring associated with such hazardous fuels management activities on Federal land, or on non-Federal land if the Secretary determines such activities benefit resources on Federal land: Provided further, That funds made available to implement the Community Forestry Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the “State and Private Forestry” appropriations.

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $484,000,000, to remain available through September 30, 2020, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, decommissioning of roads that are no
longer needed, including unauthorized roads that are not part of the transportation system, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: Provided, That funds becoming available in fiscal year 2019 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated.

LAND ACQUISITION

For expenses necessary to carry out the provisions of chapter 2003 of title 54, United States Code, including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $34,761,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California; and the Ozark-St. Francis and
Ouachita National Forests, Arkansas; as authorized by law, $700,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967 (16 U.S.C. 484a), to remain available through September 30, 2020, (16 U.S.C. 516–617a, 555a; Public Law 96–586; Public Law 76–589, 76–591; and Public Law 78–310).

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the Western States, pursuant to section 401(b)(1) of Public Law 94–579, to remain available through September 30, 2020, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.
GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $45,000, to remain available through September 30, 2020, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR
SUBSISTENCE USES


WILDLAND FIRE MANAGEMENT
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency wildland fire suppression on or adjacent to such lands or other lands under fire protection agreement, and for emergency rehabilitation of burned-over National Forest System lands and water, $3,004,986,000, to remain available through September 30, 2020: Provided, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes:
Provided further, That any unobligated funds appropriated in a previous fiscal year for hazardous fuels management may be transferred to the “National Forest System” account: Provided further, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: Provided further, That funds provided shall be available for support to Federal emergency response: Provided further, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: Provided further, That funds designated for wildfire suppression shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs.

ADMINISTRATIVE PROVISIONS—FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

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

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

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

Notwithstanding any other provision of this Act, the Forest Service may transfer unobligated balances of discretionary funds appropriated to the Forest Service by this Act to or within the National Forest System Account, or reprogram funds to be used for the purposes of hazardous fuels management and urgent rehabilitation of burned-over National Forest System lands and water, such transferred funds shall remain available through September 30, 2020: Provided, That none of the funds transferred pursuant to this section shall be available for obligation without written notification to and the prior approval of the Committees on Appropriations of both Houses of Congress: Provided further, That this section does not apply to funds derived from the Land and Water Conservation Fund.

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

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

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

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

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

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

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

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: Provided, That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: Provided further, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match funds made available by the Forest Service on at least a one-for-one basis: Provided further, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

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

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

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

The Forest Service shall not assess funds for the purpose of performing fire, administrative, and other facilities maintenance and decommissioning.

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

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

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

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $4,202,639,000, to remain available until September 30, 2020, except as otherwise provided herein, together
with payments received during the fiscal year pursuant to
sections 231(b) and 233 of the Public Health Service Act
(42 U.S.C. 238(b), 238b), for services furnished by the
Indian Health Service: Provided, That funds made avail-
able to tribes and tribal organizations through contracts,
grant agreements, or any other agreements or compacts
authorized by the Indian Self-Determination and Edu-
cation Assistance Act of 1975 (25 U.S.C. 450), shall be
deemed to be obligated at the time of the grant or contract
award and thereafter shall remain available to the tribe
or tribal organization without fiscal year limitation: Pro-
vided further, That $2,000,000 shall be available for
grants or contracts with public or private institutions to
provide alcohol or drug treatment services to Indians, in-
cluding alcohol detoxification services: Provided further,
That $964,819,000 for Purchased/Referred Care, includ-
ing $53,000,000 for the Indian Catastrophic Health
Emergency Fund, shall remain available until expended:
Provided further, That of the funds provided, up to
$36,000,000 shall remain available until expended for im-
plementation of the loan repayment program under section
108 of the Indian Health Care Improvement Act: Provided
further, That of the funds provided, $11,000,000 shall re-
main available until expended to supplement funds avail-
able for operational costs at tribal clinics operated under
an Indian Self-Determination and Education Assistance Act compact or contract where health care is delivered in space acquired through a full service lease, which is not eligible for maintenance and improvement and equipment funds from the Indian Health Service, and $58,000,000 shall be for costs related to or resulting from accreditation emergencies, of which up to $4,000,000 may be used to supplement amounts otherwise available for Purchased/Referred Care: Provided further, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of that Act (25 U.S.C. 1616a–1) and shall remain available until expended and, notwithstanding section 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of that Act (25 U.S.C. 1613a and 1616a): Provided further, That the amounts made available within this account for the Substance Abuse and Suicide Prevention Program, for the Domestic Violence Prevention Program, for the Zero Suicide Initiative, for the housing subsidy authority for civilian employees, for aftercare pilot programs at Youth Re-
gional Treatment Centers, to improve collections from public and private insurance at Indian Health Service and tribally operated facilities, and for accreditation emergencies shall be allocated at the discretion of the Director of the Indian Health Service and shall remain available until expended: Provided further, That funds provided in this Act may be used for annual contracts and grants for which the performance period falls within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: Provided further, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: Provided further, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act shall remain available until expended: Provided further, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: Provided further, That the Bureau of Indian Af-
fairs may collect from the Indian Health Service, and from
tribes and tribal organizations operating health facilities
pursuant to Public Law 93–638, such individually identifi-
able health information relating to disabled children as
may be necessary for the purpose of carrying out its func-
tions under the Individuals with Disabilities Education
Act (20 U.S.C. 1400 et seq.): Provided further, That of
the funds provided, $72,280,000 is for the Indian Health
Care Improvement Fund and may be used, as needed, to
carry out activities typically funded under the Indian
Health Facilities account: Provided further, That the ac-
creditation emergency funds may be used, as needed, to
carry out activities typically funded under the Indian
Health Facilities account.

CONTRACT SUPPORT COSTS

For payments to tribes and tribal organizations for
contract support costs associated with Indian Self-Deter-
mination and Education Assistance Act agreements with
the Indian Health Service for fiscal year 2019, such sums
as may be necessary, which shall be available for obliga-
tion through September 30, 2020: Provided, That notwith-
standing any other provision of law, no amounts made
available under this heading shall be available for transfer
to another budget account.
For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $882,748,000, to remain available until expended: Provided, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: Provided further, That not to exceed $500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: Provided further, That none of the funds appropriated to the Indian Health Serv-
ice may be used for sanitation facilities construction for
new homes funded with grants by the housing programs
of the United States Department of Housing and Urban
Development: *Provided further,* That not to exceed
$2,700,000 from this account and the “Indian Health
Services” account may be used by the Indian Health Serv-
ce to obtain ambulances for the Indian Health Service
and tribal facilities in conjunction with an existing inter-
agency agreement between the Indian Health Service and
the General Services Administration: *Provided further,*
That not to exceed $500,000 may be placed in a Demoli-
tion Fund, to remain available until expended, and be used
by the Indian Health Service for the demolition of Federal
buildings.

**ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE**

Appropriations provided in this Act to the Indian
Health Service shall be available for services as authorized
by 5 U.S.C. 3109 at rates not to exceed the per diem rate
equivalent to the maximum rate payable for senior-level
positions under 5 U.S.C. 5376; hire of passenger motor
vehicles and aircraft; purchase of medical equipment; pur-
chase of reprints; purchase, renovation and erection of
modular buildings and renovation of existing facilities;
payments for telephone service in private residences in the
field, when authorized under regulations approved by the
Secretary of Health and Human Services; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: 

Provided, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation:

Provided further, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638: Provided further, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identi-
fied in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: Provided further, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 5321 et seq. (title I), 5381 et seq. (title V)), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: Provided further, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: Provided further, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the
Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: Provided further, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead costs associated with the provision of goods, services, or technical assistance: Provided further, That the Indian Health Service may provide to civilian medical personnel serving in hospitals operated by the Indian Health Service housing allowances equivalent to those that would be provided to members of the Commissioned Corps of the United States Public Health Service serving in similar positions at such hospitals: Provided further, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations.
For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $80,000,000.

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, $62,000,000: Provided, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical
evaluations, medical monitoring, and referral to accredited healthcare providers: Provided further, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: Provided further, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2019, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $2,994,000: Provided, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the
advice and consent of the Senate, serving as chairman and
exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

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

SALARIES AND EXPENSES

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $4,750,000, to remain available until expended: Provided, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: Provided further, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: Provided further, That no relocatee will be provided with more than one new or replacement home: Provided further, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to section 11 of Public Law 93–531 (88 Stat. 1716).
For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by part A of title XV of Public Law 99–498 (20 U.S.C. 4411 et seq.), $9,960,000, which shall become available on July 1, 2019, and shall remain available until September 30, 2020.

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, $737,944,000, to remain available until September 30, 2020, except as otherwise provided herein; of
which not to exceed $6,908,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: Provided, That funds appropriated here-in are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $317,500,000, to remain available until expended, of which not to exceed $10,000 shall be for services as authorized by 5 U.S.C. 3109.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51),
as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $141,790,000, to remain available until September 30, 2020, of which not to exceed $3,640,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or
otherwise, for operating lease agreements of no more than 10 years, with no extensions or renewals beyond the 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, $23,564,000, to remain available until expended: Provided, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $24,490,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $16,025,000, to remain available until expended.
WOODROW WILSON INTERNATIONAL CENTER FOR

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions
1356) including hire of passenger vehicles and services as
authorized by 5 U.S.C. 3109, $12,000,000, to remain
available until September 30, 2020.

NATIONAL FOUNDATION ON THE ARTS AND THE

HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

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

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

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

ADMINISTRATIVE PROVISIONS

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

**COMMISSION OF FINE ARTS**

**SALARIES AND EXPENSES**

For expenses of the Commission of Fine Arts under chapter 91 of title 40, United States Code, $2,771,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: *Provided further*, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation’s Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study, or education: *Provided further*, That one-tenth of one percent of the funds provided under
this heading may be used for official reception and rep-
resentation expenses.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

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

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Capital Plan-
ing Commission under chapter 87 of title 40, United
States Code, including services as authorized by 5 U.S.C.
3109, $8,099,000: Provided, That one-quarter of 1 per-
cent of the funds provided under this heading may be used
for official reception and representational expenses associ-
ated with hosting international visitors engaged in the
planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as
authorized by Public Law 106–292 (36 U.S.C. 2301–
2310), $58,000,000, of which $1,715,000 shall remain
available until September 30, 2021, for the Museum’s
equipment replacement program; and of which $4,000,000 for the Museum’s repair and rehabilitation program and $1,264,000 for the Museum’s outreach initiatives program shall remain available until expended.

Dwight D. Eisenhower Memorial Commission

Salaries and Expenses

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

Women’s Suffrage Centennial Commission

Salaries and Expenses

For necessary expenses for the Women’s Suffrage Centennial Commission, as authorized by the Women’s Suffrage Centennial Commission Act (section 431(a)(3) of division G of Public Law 115–31), $500,000, to remain available until expended.

World War I Centennial Commission

Salaries and Expenses

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

TITLE IV

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

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

OBLIGATION OF APPROPRIATIONS

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

DISCLOSURE OF ADMINISTRATIVE EXPENSES

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

MINING APPLICATIONS

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

(b) EXCEPTIONS.—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims, sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.
(c) REPORT.—On September 30, 2020, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

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

CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

Sec. 405. Sections 405 and 406 of division F of the Consolidated and Further Continuing Appropriations Act,

**CONTRACT SUPPORT COSTS, FISCAL YEAR 2019**

**LIMITATION**

Sec. 406. Amounts provided by this Act for fiscal year 2019 under the headings “Department of Health and Human Services, Indian Health Service, Contract Support Costs” and “Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education, Contract Support Costs” are the only amounts available for contract support costs arising out of self-determination or self-governance contracts, grants, compacts, or annual funding agreements for fiscal year 2019 with the Bureau of Indian Affairs or the Indian Health Service: Provided, That such amounts provided by this Act are not available for payment of claims for contract support costs for prior years, or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

**FOREST MANAGEMENT PLANS**

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

PROHIBITION WITHIN NATIONAL MONUMENTS

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

LIMITATION ON TAKINGS

SEC. 409. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without
the approval of the House and Senate Committees on Appropriations: Provided, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

TIMBER SALE REQUIREMENTS

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

SEC. 411. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of Chapter 33 of title 41, United States Code, or Chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes; or

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

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

POSTING OF REPORTS

SEC. 412. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any
other Act, upon the determination by the head of the agency that it shall serve the national interest.

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

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

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

NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

SEC. 413. Of the funds provided to the National Endowment for the Arts—

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

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

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

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

PRIORITIES

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

(b) In this section:

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

(2) The term “poverty line” means the poverty
line (as defined by the Office of Management and
127 Budget, and revised annually in accordance with sec-
2 tion 673(2) of the Community Services Block Grant
3 Act (42 U.S.C. 9902(2))) applicable to a family of
4 the size involved.
5
6 (c) In providing services and awarding financial as-
7 sistance under the National Foundation on the Arts and
8 Humanities Act of 1965 with funds appropriated by this
9 Act, the Chairperson of the National Endowment for the
10 Arts shall ensure that priority is given to providing serv-
11 ices or awarding financial assistance for projects, produc-
12 tions, workshops, or programs that will encourage public
13 knowledge, education, understanding, and appreciation of
14 the arts.
15
16 (d) With funds appropriated by this Act to carry out
17 section 5 of the National Foundation on the Arts and Hu-
18 manities Act of 1965—
19
20 (1) the Chairperson shall establish a grant cat-
21 egory for projects, productions, workshops, or pro-
22 grams that are of national impact or availability or
23 are able to tour several States;
24
25 (2) the Chairperson shall not make grants ex-
26 ceeding 15 percent, in the aggregate, of such funds
27 to any single State, excluding grants made under the
28 authority of paragraph (1);
(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

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

STATUS OF BALANCES OF APPROPRIATIONS

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

PROHIBITION ON USE OF FUNDS

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

Sec. 417. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

FUNDING PROHIBITION

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

CONTRACTING AUTHORITIES

Sec. 419. Section 412 of Division E of Public Law 112–74 is amended by striking “fiscal year 2019” and inserting “fiscal year 2020”.

CHESAPEAKE BAY INITIATIVE

Sec. 420. Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461 note) is amended by striking “2019” and inserting “2020”.

EXTENSION OF GRAZING PERMITS

Sec. 421. The terms and conditions of section 325 of Public Law 108–108 (117 Stat. 1307), regarding grazing permits issued by the Forest Service on any lands not
subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752), shall remain in effect for fiscal year 2019.

FUNDING PROHIBITION

Sec. 422. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

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

FOREST SERVICE FACILITY REALIGNMENT AND ENHANCEMENT ACT


USE OF AMERICAN IRON AND STEEL

Sec. 424. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and
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 (3) In this section, for any steel products used in the
10 project, compliance with 41 U.S.C. 8302(a)(1) shall be
11 deemed to constitute compliance with this section.
12 (b) Subsection (a) shall not apply in any case or cat-
13 egory of cases in which the Administrator of the Environ-
14 mental Protection Agency (in this section referred to as
15 the “Administrator”) finds that—
16 (1) applying subsection (a) would be incon-
17 sistent with the public interest;
18 (2) iron and steel products are not produced in
19 the United States in sufficient and reasonably avail-
20 able quantities and of a satisfactory quality; or
21 (3) inclusion of iron and steel products pro-
22 duced in the United States will increase the cost of
23 the overall project by more than 25 percent.
24 (c) If the Administrator receives a request for a waiv-
25 er under this section, the Administrator shall make avail-
able to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

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

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

(f)(1) For any steel products used in a project subject to the requirements of 33 U.S.C. 1388 with respect to water pollution control revolving funds, compliance with 41 U.S.C. 8302(a)(1) shall be deemed to constitute compliance with such requirements.

(2) For any steel products used in a project subject to the requirements of 33 U.S.C. 3914 with respect to Water Infrastructure Finance and Innovation Act assist-
ance, compliance with 41 U.S.C. 8302(a)(1) shall be
deemed to constitute compliance with such requirements.

MIDWAY ISLAND

SEC. 425. None of the funds made available by this
Act may be used to destroy any buildings or structures
on Midway Island that have been recommended by the
United States Navy for inclusion in the National Register

JOHN F. KENNEDY CENTER REAUTHORIZATION

SEC. 426. Section 13 of the John F. Kennedy Center
Act (20 U.S.C. 76r) is amended by striking subsections
(a) and (b) and inserting the following:

“(a) MAINTENANCE, REPAIR, AND SECURITY.—
There is authorized to be appropriated to the Board to
carry out section 4(a)(1)(H), $24,490,000 for fiscal year
2019.

“(b) CAPITAL PROJECTS.—There is authorized to be
appropriated to the Board to carry out subparagraphs (F)
and (G) of section 4(a)(1), $16,025,000 for fiscal year
2019.”.

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

SEC. 427. The Secretary of the Interior is authorized
to enter into grants and cooperative agreements with vol-
unteer fire departments, rural fire departments, rangeland fire protection associations, and similar organizations to provide for wildland fire training and equipment, including supplies and communication devices. Notwithstanding 121(c) of title 40, United States Code, or section 521 of title 40, United States Code, the Secretary is further authorized to transfer title to excess Department of the Interior firefighting equipment no longer needed to carry out the functions of the Department’s wildland fire management program to such organizations.

RECREATION FEE


POLICIES RELATING TO BIOMASS ENERGY

SEC. 429. For fiscal year 2019 and each fiscal year thereafter, to support the key role that forests in the United States can play in addressing the energy needs of the United States, the Secretary of Energy, the Secretary of Agriculture, and the Administrator of the Environmental Protection Agency shall, consistent with their missions, jointly—

(1) ensure that Federal policy relating to forest bioenergy—
(A) is consistent across all Federal depart-
ments and agencies; and

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

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

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

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

(i) working forests;

(ii) harvesting operations;

(iii) forest improvement operations;

(iv) forest bioenergy production;

(v) wood products manufacturing; or

(vi) paper manufacturing;

(C) encourage forest management to im-
prove forest health; and
(D) recognize State initiatives to produce and use forest biomass.

CLARIFICATION OF EXEMPTIONS

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

WATERS OF THE UNITED STATES

SEC. 431. The final rule issued by the Administrator of the Environmental Protection Agency and the Secretary of the Army entitled “Clean Water Rule: ‘Definition of Waters of the United States’” (80 Fed. Reg. 37053 (June 29, 2015)) is repealed, and, until such time as the Administrator and the Secretary issue a final rule after the date of enactment of this Act defining the scope of waters protected under the Federal Water Pollution Control Act and such new final rule goes into effect, any regulation or policy revised under, or otherwise affected as a result of, the rule repealed by this section shall be applied as if that repealed rule had not been issued.
SEC. 432. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to issue any regulation under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) that applies to an animal feeding operation, including a concentrated animal feeding operation and a large concentrated animal feeding operation, as such terms are defined in section 122.23 of title 40, Code of Federal Regulations.

HUNTING, FISHING, AND RECREATIONAL SHOOTING ON FEDERAL LAND

SEC. 433. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available by this or any other Act for any fiscal year may be used to prohibit the use of or access to Federal land (as such term is defined in section 3 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6502)) for hunting, fishing, or recreational shooting if such use or access—

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

(2) was conducted in compliance with the resource management plan (as defined in section 101 of such Act (16 U.S.C. 6511)) applicable to such Federal land as of January 1, 2013.
(b) Temporary Closures Allowed.—Notwithstanding subsection (a), the Secretary of the Interior or the Secretary of Agriculture may temporarily close, for a period not to exceed 30 days, Federal land managed by the Secretary to hunting, fishing, or recreational shooting if the Secretary determines that the temporary closure is necessary to accommodate a special event or for public safety reasons. The Secretary may extend a temporary closure for one additional 90-day period only if the Secretary determines the extension is necessary because of extraordinary weather conditions or for public safety reasons.

(c) Authority of States.—Nothing in this section shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations.

Availability of Vacant Grazing Allotments

Sec. 434. The Secretary of the Interior, with respect to public lands administered by the Bureau of Land Management, and the Secretary of Agriculture, with respect to the National Forest System lands, shall make vacant grazing allotments available to a holder of a grazing permit or lease issued by either Secretary if the lands covered by the permit or lease or other grazing lands used by the holder of the permit or lease are unusable because of
drought or wildfire, as determined by the Secretary concerned. The terms and conditions contained in a permit or lease made available pursuant to this section shall be the same as the terms and conditions of the most recent permit or lease that was applicable to the vacant grazing allotment made available. Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) shall not apply with respect to any Federal agency action under this section.

INFRASTRUCTURE

SEC. 435. (a) For an additional amount for “Environmental Protection Agency—Hazardous Substance Superfund”, $40,000,000, which shall be for the Superfund Remedial program, to remain available until expended, consisting of such sums as are available in the Trust Fund on September 30, 2018, as authorized by section 517(a) of the Superfund Amendments and Reauthorization Act of 1986 (SARA) and up to $40,000,000 as a payment from general revenues to the Hazardous Substance Superfund for purposes as authorized by section 517(b) of SARA.

(b) For an additional amount for “Environmental Protection Agency—State and Tribal Assistance Grants,” $300,000,000 to remain available until expended, of which—
(1) $150,000,000 shall be for making capital-
ization grants for the Clean Water State Revolving
Funds under title VI of the Federal Water Pollution
Control Act; and

(2) $150,000,000 shall be for making capital-
ization grants for the Drinking Water State Revolv-
ing Funds under section 1452 of the Safe Drinking
Water Act.

e) For an additional amount for “Environmental
Protection Agency—Water Infrastructure Finance and In-
novation Program Account”, $25,000,000, to remain
available until expended, for the cost of direct loans, for
the cost of guaranteed loans, and for administrative ex-
penses to carry out the direct and guaranteed loan pro-
grams, of which $3,000,000, to remain available until Sep-
tember 30, 2020, may be used for such administrative ex-
penses: *Provided*, That these additional funds are available
to subsidize gross obligations for the principal amount of
direct loans, including capitalized interest, and total loan
principal, including capitalized interest, any part of which
is to be guaranteed, not to exceed $2,683,000,000.

DIRECT HIRE AUTHORITY

Sec. 436. (a) For fiscal year 2019, the Secretary of
Agriculture may appoint, without regard to the provisions
of subchapter I of chapter 33 of title 5, United States
Code, other than sections 3303 and 3328 of such title, a qualified candidate described in subsection (b) directly to a position with the United States Department of Agriculture, Forest Service for which the candidate meets Office of Personnel Management qualification standards.

(b) Subsection (a) applies to a former resource assistant (as defined in section 203 of the Public Land Corps Act (16 U.S.C. 1722)) who completed a rigorous undergraduate or graduate summer internship with a land managing agency, such as the Forest Service Resource Assistant Program; successfully fulfilled the requirements of the internship program; and subsequently earned an undergraduate or graduate degree from an accredited institution of higher education.

(c) The direct hire authority under this section may not be exercised with respect to a specific qualified candidate after the end of the two-year period beginning on the date on which the candidate completed the undergraduate or graduate degree, as the case may be.

CALIFORNIA WATER INFRASTRUCTURE

Sec. 437. Notwithstanding any other provision of law, the Final Environmental Impact Report/Final Environmental Impact Statement for the Bay Delta Conservation Plan/California Water Fix (81 Fed. Reg. 96485 (Dec. 30, 2016)) and any resulting agency decision, record of
decision, or similar determination shall hereafter not be subject to judicial review under any Federal or State law.

SPENDING REDUCTION ACCOUNT

SEC. 438. $0.

This Act may be cited as the “Department of the Interior, Environment, and Related Agencies Appropriations Act, 2019”.

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.

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

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