

**[FULL COMMITTEE PRINT]**

**Union Calendar No.** \_\_\_\_\_

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R.** \_\_\_\_\_

**[Report No. 114-\_\_]**

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2017, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

\_\_\_\_ --, 2016

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

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**A BILL**

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2017, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*  
3 That the following sums are appropriated, out of any  
4 money in the Treasury not otherwise appropriated, for the  
5 Department of the Interior, environment, and related  
6 agencies for the fiscal year ending September 30, 2017,  
7 and for other purposes, namely:

8 TITLE I  
9 DEPARTMENT OF THE INTERIOR  
10 BUREAU OF LAND MANAGEMENT  
11 MANAGEMENT OF LANDS AND RESOURCES

12 For necessary expenses for protection, use, improve-  
13 ment, development, disposal, cadastral surveying, classi-  
14 fication, acquisition of easements and other interests in  
15 lands, and performance of other functions, including main-  
16 tenance of facilities, as authorized by law, in the manage-  
17 ment of lands and their resources under the jurisdiction  
18 of the Bureau of Land Management, including the general  
19 administration of the Bureau, and assessment of mineral  
20 potential of public lands pursuant to section 1010(a) of  
21 Public Law 96-487 (16 U.S.C. 3150(a)), \$1,081,922,000,  
22 to remain available until expended, including all such  
23 amounts as are collected from permit processing fees, as  
24 authorized but made subject to future appropriation by  
25 section 35(d)(3)(A)(i) of the Mineral Leasing Act (30

1 U.S.C. 191), except that amounts from permit processing  
2 fees may be used for any bureau-related expenses associ-  
3 ated with the processing of oil and gas applications for  
4 permits to drill and related use of authorizations; of which  
5 \$3,000,000 shall be available in fiscal year 2017 subject  
6 to a match by at least an equal amount by the National  
7 Fish and Wildlife Foundation for cost-shared projects sup-  
8 porting conservation of Bureau lands; and such funds  
9 shall be advanced to the Foundation as a lump-sum grant  
10 without regard to when expenses are incurred.

11 In addition, \$39,696,000 is for Mining Law Adminis-  
12 tration program operations, including the cost of admin-  
13 istering the mining claim fee program, to remain available  
14 until expended, to be reduced by amounts collected by the  
15 Bureau and credited to this appropriation from mining  
16 claim maintenance fees and location fees that are hereby  
17 authorized for fiscal year 2017, so as to result in a final  
18 appropriation estimated at not more than \$1,081,922,000,  
19 and \$2,000,000, to remain available until expended, from  
20 communication site rental fees established by the Bureau  
21 for the cost of administering communication site activities.

22 LAND ACQUISITION

23 For expenses necessary to carry out sections 205,  
24 206, and 318(d) of Public Law 94-579, including admin-  
25 istrative expenses and acquisition of lands or waters, or

1 interests therein, \$19,400,000, to be derived from the  
2 Land and Water Conservation Fund and to remain avail-  
3 able until expended.

4 OREGON AND CALIFORNIA GRANT LANDS

5 For expenses necessary for management, protection,  
6 and development of resources and for construction, oper-  
7 ation, and maintenance of access roads, reforestation, and  
8 other improvements on the revested Oregon and California  
9 Railroad grant lands, on other Federal lands in the Or-  
10 egon and California land-grant counties of Oregon, and  
11 on adjacent rights-of-way; and acquisition of lands or in-  
12 terests therein, including existing connecting roads on or  
13 adjacent to such grant lands; \$106,985,000, to remain  
14 available until expended: *Provided*, That 25 percent of the  
15 aggregate of all receipts during the current fiscal year  
16 from the revested Oregon and California Railroad grant  
17 lands is hereby made a charge against the Oregon and  
18 California land-grant fund and shall be transferred to the  
19 General Fund in the Treasury in accordance with the sec-  
20 ond paragraph of subsection (b) of title II of the Act of  
21 August 28, 1937 (43 U.S.C. 1181f).

22 RANGE IMPROVEMENTS

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

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

12 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

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

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

16 MISCELLANEOUS TRUST FUNDS

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

## 1 ADMINISTRATIVE PROVISIONS

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

1 fied amount of money in support of the project may be  
2 carried out by the Bureau on a reimbursable basis. Appro-  
3 priations herein made shall not be available for the de-  
4 struction of healthy, unadopted, wild horses and burros  
5 in the care of the Bureau or its contractors or for the  
6 sale of wild horses and burros that results in their destruc-  
7 tion for processing into commercial products: *Provided*  
8 *further*, That the Secretary shall approve any use of a  
9 right-of-way granted pursuant to the General Railroad  
10 Right-of-Way Act of 1875 (43 U.S.C. 934–939) if author-  
11 ization of the use would have been considered under De-  
12 partment policy to be within the scope of a railroad’s au-  
13 thority as of the day before the effective date of the De-  
14 partment’s Solicitor’s Opinion M–37025, issued on No-  
15 vember 4, 2011.

16 UNITED STATES FISH AND WILDLIFE SERVICE  
17 RESOURCE MANAGEMENT

18 For necessary expenses of the United States Fish and  
19 Wildlife Service, as authorized by law, and for scientific  
20 and economic studies, general administration, and for the  
21 performance of other authorized functions related to such  
22 resources, \$1,255,004,000, to remain available until Sep-  
23 tember 30, 2018: *Provided*, That not to exceed  
24 \$14,411,000 shall be used for implementing subsections  
25 (a), (b), (c), and (e) of section 4 of the Endangered Spe-



1 cies Act of 1973 (16 U.S.C. 1533) (except for processing  
2 petitions, developing and issuing proposed and final regu-  
3 lations, and taking any other steps to implement actions  
4 described in subsection (c)(2)(A), (c)(2)(B)(i), or  
5 (c)(2)(B)(ii)), of which not to exceed \$1,501,000 shall be  
6 used for any activity regarding the designation of critical  
7 habitat, pursuant to subsection (a)(3), excluding litigation  
8 support, for species listed pursuant to subsection (a)(1)  
9 prior to October 1, 2015; of which not to exceed  
10 \$1,501,000 shall be used for any activity regarding peti-  
11 tions for species that are indigenous to the United States  
12 pursuant to subsections (b)(3)(A) and (b)(3)(B); and, of  
13 which not to exceed \$1,504,000 shall be used for imple-  
14 menting subsections (a), (b), (c), and (e) of section 4 of  
15 the Endangered Species Act of 1973 (16 U.S.C. 1533)  
16 for species that are not indigenous to the United States.

17

## CONSTRUCTION

18 For construction, improvement, acquisition, or re-  
19 moval of buildings and other facilities required in the con-  
20 servation, management, investigation, protection, and uti-  
21 lization of fish and wildlife resources, and the acquisition  
22 of lands and interests therein; \$14,837,000, to remain  
23 available until expended.

## 1 LAND ACQUISITION

2 For expenses necessary to carry out chapter 2003 of  
3 title 54, United States Code, including administrative ex-  
4 penses, and for acquisition of land or waters, or interest  
5 therein, in accordance with statutory authority applicable  
6 to the United States Fish and Wildlife Service,  
7 \$50,300,000, to be derived from the Land and Water Con-  
8 servation Fund and to remain available until expended,  
9 of which, notwithstanding section 200306 of title 54,  
10 United States Code, not more than \$10,000,000 shall be  
11 for land conservation partnerships authorized by the  
12 Highlands Conservation Act of 2004, including not to ex-  
13 ceed \$320,000 for administrative expenses: *Provided*, That  
14 none of the funds appropriated for specific land acquisi-  
15 tion projects may be used to pay for any administrative  
16 overhead, planning or other management costs.

## 17 COOPERATIVE ENDANGERED SPECIES CONSERVATION

## 18 FUND

19 For expenses necessary to carry out section 6 of the  
20 Endangered Species Act of 1973 (16 U.S.C. 1535),  
21 \$55,590,000, to remain available until expended, of which  
22 \$24,790,000 is to be derived from the Cooperative Endan-  
23 gered Species Conservation Fund; and of which  
24 \$30,800,000 is to be derived from the Land and Water  
25 Conservation Fund.

1 NORTH AMERICAN WETLANDS CONSERVATION FUND

2 For expenses necessary to carry out the provisions  
3 of the North American Wetlands Conservation Act (16  
4 U.S.C. 4401 et seq.), \$37,645,000, to remain available  
5 until expended.

6 NEOTROPICAL MIGRATORY BIRD CONSERVATION

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

10 MULTINATIONAL SPECIES CONSERVATION FUND

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

19 STATE AND TRIBAL WILDLIFE GRANTS

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

1 mentation of programs for the benefit of wildlife and their  
2 habitat, including species that are not hunted or fished,  
3 \$62,571,000, to remain available until expended: *Pro-*  
4 *vided*, That of the amount provided herein, \$4,334,000 is  
5 for a competitive grant program for Indian tribes not sub-  
6 ject to the remaining provisions of this appropriation: *Pro-*  
7 *vided further*, That \$7,237,000 is for a competitive grant  
8 program to implement approved plans for States, terri-  
9 tories, and other jurisdictions and at the discretion of af-  
10 fected States, the regional Associations of fish and wildlife  
11 agencies, not subject to the remaining provisions of this  
12 appropriation: *Provided further*, That the Secretary shall,  
13 after deducting \$11,571,000 and administrative expenses,  
14 apportion the amount provided herein in the following  
15 manner: (1) to the District of Columbia and to the Com-  
16 monwealth of Puerto Rico, each a sum equal to not more  
17 than one-half of 1 percent thereof; and (2) to Guam,  
18 American Samoa, the United States Virgin Islands, and  
19 the Commonwealth of the Northern Mariana Islands, each  
20 a sum equal to not more than one-fourth of 1 percent  
21 thereof: *Provided further*, That the Secretary shall appor-  
22 tion the remaining amount in the following manner: (1)  
23 one-third of which is based on the ratio to which the land  
24 area of such State bears to the total land area of all such  
25 States; and (2) two-thirds of which is based on the ratio

1 to which the population of such State bears to the total  
2 population of all such States: *Provided further*, That the  
3 amounts apportioned under this paragraph shall be ad-  
4 justed equitably so that no State shall be apportioned a  
5 sum which is less than 1 percent of the amount available  
6 for apportionment under this paragraph for any fiscal year  
7 or more than 5 percent of such amount: *Provided further*,  
8 That the Federal share of planning grants shall not exceed  
9 75 percent of the total costs of such projects and the Fed-  
10 eral share of implementation grants shall not exceed 65  
11 percent of the total costs of such projects: *Provided fur-*  
12 *ther*, That the non-Federal share of such projects may not  
13 be derived from Federal grant programs: *Provided further*,  
14 That any amount apportioned in 2017 to any State, terri-  
15 tory, or other jurisdiction that remains unobligated as of  
16 September 30, 2018, shall be reapportioned, together with  
17 funds appropriated in 2019, in the manner provided here-  
18 in.

19 ADMINISTRATIVE PROVISIONS

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

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

1 such non-toxic shot type or coating applications and revis-  
2 ing regulations as necessary, and shall remain available  
3 until expended: *Provided further*, that none of the funds  
4 made available to the Service by this Act may be used  
5 to close or otherwise terminate operations of any of the  
6 90 units of the National Fish Hatchery System.

7 NATIONAL PARK SERVICE

8 OPERATION OF THE NATIONAL PARK SYSTEM

9 For expenses necessary for the management, oper-  
10 ation, and maintenance of areas and facilities adminis-  
11 tered by the National Park Service and for the general  
12 administration of the National Park Service,  
13 \$2,435,047,000, of which \$10,032,000 for planning and  
14 interagency coordination in support of Everglades restora-  
15 tion and \$134,461,000 for maintenance, repair, or reha-  
16 bilitation projects for constructed assets shall remain  
17 available until September 30, 2018: *Provided*, That funds  
18 appropriated under this heading in this Act are available  
19 for the purposes of section 5 of Public Law 95–348.

20 NATIONAL RECREATION AND PRESERVATION

21 For expenses necessary to carry out recreation pro-  
22 grams, natural programs, cultural programs, heritage  
23 partnership programs, environmental compliance and re-  
24 view, international park affairs, and grant administration,  
25 not otherwise provided for, \$62,632,000.

## 1 HISTORIC PRESERVATION FUND

2 For expenses necessary in carrying out the National  
3 Historic Preservation Act (division A of subtitle III of title  
4 54, United States Code), \$78,410,000, to be derived from  
5 the Historic Preservation Fund and to remain available  
6 until September 30, 2018, of which \$5,000,000 shall be  
7 for Save America's Treasures grants for preservation of  
8 national significant sites, structures, and artifacts as au-  
9 thorized by section 7303 of the Omnibus Public Land  
10 Management Act of 2009 (54 U.S.C. 3089): *Provided*,  
11 That an individual Save America's Treasures grant shall  
12 be matched by non-Federal funds: *Provided further*, That  
13 individual projects shall only be eligible for one grant: *Pro-*  
14 *vided further*, That all projects to be funded shall be ap-  
15 proved by the Secretary of the Interior in consultation  
16 with the House and Senate Committees on Appropria-  
17 tions: *Provided further*, That of the funds provided for the  
18 Historic Preservation Fund, \$500,000 is for competitive  
19 grants for the survey and nomination of properties to the  
20 National Register of Historic Places and as National His-  
21 toric Landmarks associated with communities currently  
22 underrepresented, as determined by the Secretary,  
23 \$11,000,000 is for competitive grants to preserve the sites  
24 and stories of the Civil Rights movement, and \$3,000,000  
25 is for grants to Historically Black Colleges and Univer-



1 cities: *Provided further*, That such competitive grants shall  
2 be made without imposing the matching requirements in  
3 section 302902(b)(3) of title 54, United States Code to  
4 States and Indian tribes as defined in chapter 3003 of  
5 such title, Native Hawaiian organizations, local govern-  
6 ments, including Certified Local Governments, and non-  
7 profit organizations.

8 CONSTRUCTION

9 For construction, improvements, repair, or replace-  
10 ment of physical facilities, and compliance and planning  
11 for programs and areas administered by the National  
12 Park Service, \$215,707,000, to remain available until ex-  
13 pended: *Provided*, That notwithstanding any other provi-  
14 sion of law, for any project initially funded in fiscal year  
15 2017 with a future phase indicated in the National Park  
16 Service 5–Year Line Item Construction Plan, a single pro-  
17 curement may be issued which includes the full scope of  
18 the project: *Provided further*, That the solicitation and  
19 contract shall contain the clause availability of funds  
20 found at 48 CFR 52.232–18: *Provided further*, That Na-  
21 tional Park Service Donations, Park Concessions Fran-  
22 chise Fees, and Recreation Fees may be made available  
23 for the cost of adjustments and changes within the origi-  
24 nal scope of effort for projects funded by the National  
25 Park Service Construction appropriation: *Provided further*,

1 That the Secretary of the Interior shall consult with the  
2 Committees on Appropriations, in accordance with current  
3 reprogramming thresholds, prior to making any charges  
4 authorized by this section.

5 LAND AND WATER CONSERVATION FUND  
6 (RESCISSION)

7 The contract authority provided for fiscal year 2017  
8 by section 200308 of title 54, United States Code, is re-  
9 scinded.

10 LAND ACQUISITION AND STATE ASSISTANCE

11 For expenses necessary to carry out chapter 2003 of  
12 title 54, United States Code, including administrative ex-  
13 penses, and for acquisition of lands or waters, or interest  
14 therein, in accordance with the statutory authority appli-  
15 cable to the National Park Service, \$128,752,000, to be  
16 derived from the Land and Water Conservation Fund and  
17 to remain available until expended, of which \$80,000,000  
18 is for the State assistance program and of which  
19 \$10,000,000 shall be for the American Battlefield Protec-  
20 tion Program grants as authorized by chapter 3081 of title  
21 54, United States Code.

22 CENTENNIAL CHALLENGE

23 For expenses necessary to carry out the provisions  
24 of section 101701 of title 54, United States Code, relating  
25 to challenge cost share agreements, \$30,000,000, to re-

1 main available until expended, for Centennial Challenge  
2 projects and programs: *Provided*, That not less than 50  
3 percent of the total cost of each project or program shall  
4 be derived from non-Federal sources in the form of do-  
5 nated cash, assets, or a pledge of donation guaranteed by  
6 an irrevocable letter of credit.

7 ADMINISTRATIVE PROVISIONS  
8 (INCLUDING TRANSFER OF FUNDS)

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

24 For the costs of administration of the Land and  
25 Water Conservation Fund grants authorized by section

1 105(a)(2)(B) of the Gulf of Mexico Energy Security Act  
2 of 2006 (Public Law 109–432), the National Park Service  
3 may retain up to 3 percent of the amounts which are au-  
4 thorized to be disbursed under such section, such retained  
5 amounts to remain available until expended.

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

11 UNITED STATES GEOLOGICAL SURVEY

12 SURVEYS, INVESTIGATIONS, AND RESEARCH

13 For expenses necessary for the United States Geo-  
14 logical Survey to perform surveys, investigations, and re-  
15 search covering topography, geology, hydrology, biology,  
16 and the mineral and water resources of the United States,  
17 its territories and possessions, and other areas as author-  
18 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as  
19 to their mineral and water resources; give engineering su-  
20 pervision to power permittees and Federal Energy Regu-  
21 latory Commission licensees; administer the minerals ex-  
22 ploration program (30 U.S.C. 641); conduct inquiries into  
23 the economic conditions affecting mining and materials  
24 processing industries (30 U.S.C. 3, 21a, and 1603; 50  
25 U.S.C. 98g(1)) and related purposes as authorized by law;

1 and to publish and disseminate data relative to the fore-  
2 going activities; \$1,080,006,000, to remain available until  
3 September 30, 2018; of which \$63,637,189 shall remain  
4 available until expended for satellite operations; and of  
5 which \$7,280,000 shall be available until expended for de-  
6 ferred maintenance and capital improvement projects that  
7 exceed \$100,000 in cost: *Provided*, That none of the funds  
8 provided for the ecosystem research activity shall be used  
9 to conduct new surveys on private property, unless specifi-  
10 cally authorized in writing by the property owner: *Pro-*  
11 *vided further*, That no part of this appropriation shall be  
12 used to pay more than one-half the cost of topographic  
13 mapping or water resources data collection and investiga-  
14 tions carried on in cooperation with States and municipali-  
15 ties.

16 ADMINISTRATIVE PROVISIONS

17 From within the amount appropriated for activities  
18 of the United States Geological Survey such sums as are  
19 necessary shall be available for contracting for the fur-  
20 nishing of topographic maps and for the making of geo-  
21 physical or other specialized surveys when it is administra-  
22 tively determined that such procedures are in the public  
23 interest; construction and maintenance of necessary build-  
24 ings and appurtenant facilities; acquisition of lands for  
25 gauging stations and observation wells; expenses of the

1 United States National Committee for Geological  
2 Sciences; and payment of compensation and expenses of  
3 persons employed by the Survey duly appointed to rep-  
4 resent the United States in the negotiation and adminis-  
5 tration of interstate compacts: *Provided*, That activities  
6 funded by appropriations herein made may be accom-  
7 plished through the use of contracts, grants, or coopera-  
8 tive agreements as defined in section 6302 of title 31,  
9 United States Code: *Provided further*, That the United  
10 States Geological Survey may enter into contracts or coop-  
11 erative agreements directly with individuals or indirectly  
12 with institutions or nonprofit organizations, without re-  
13 gard to 41 U.S.C. 6101, for the temporary or intermittent  
14 services of students or recent graduates, who shall be con-  
15 sidered employees for the purpose of chapters 57 and 81  
16 of title 5, United States Code, relating to compensation  
17 for travel and work injuries, and chapter 171 of title 28,  
18 United States Code, relating to tort claims, but shall not  
19 be considered to be Federal employees for any other pur-  
20 poses.

21 BUREAU OF OCEAN ENERGY MANAGEMENT

22 OCEAN ENERGY MANAGEMENT

23 For expenses necessary for granting leases, ease-  
24 ments, rights-of-way and agreements for use for oil and  
25 gas, other minerals, energy, and marine-related purposes

1 on the Outer Continental Shelf and approving operations  
2 related thereto, as authorized by law; for environmental  
3 studies, as authorized by law; for implementing other laws  
4 and to the extent provided by Presidential or Secretarial  
5 delegation; and for matching grants or cooperative agree-  
6 ments, \$169,306,000, of which \$74,362,000, is to remain  
7 available until September 30, 2018, and of which  
8 \$94,944,000 is to remain available until expended: *Pro-*  
9 *vided*, That this total appropriation shall be reduced by  
10 amounts collected by the Secretary and credited to this  
11 appropriation from additions to receipts resulting from in-  
12 creases to lease rental rates in effect on August 5, 1993,  
13 and from cost recovery fees from activities conducted by  
14 the Bureau of Ocean Energy Management pursuant to the  
15 Outer Continental Shelf Lands Act, including studies, as-  
16 sessments, analysis, and miscellaneous administrative ac-  
17 tivities: *Provided further*, That the sum herein appro-  
18 priated shall be reduced as such collections are received  
19 during the fiscal year, so as to result in a final fiscal year  
20 2017 appropriation estimated at not more than  
21 \$74,362,000: *Provided further*, That not to exceed \$3,000  
22 shall be available for reasonable expenses related to pro-  
23 moting volunteer beach and marine cleanup activities.

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

5           For expenses necessary for the regulation of oper-  
6 ations related to leases, easements, rights-of-way and  
7 agreements for use for oil and gas, other minerals, energy,  
8 and marine-related purposes on the Outer Continental  
9 Shelf, as authorized by law; for enforcing and imple-  
10 menting laws and regulations as authorized by law and  
11 to the extent provided by Presidential or Secretarial dele-  
12 gation; and for matching grants or cooperative agree-  
13 ments, \$136,968,000, of which \$93,438,000 is to remain  
14 available until September 30, 2018, and of which  
15 \$43,530,000 is to remain available until expended: *Pro-*  
16 *vided*, That this total appropriation shall be reduced by  
17 amounts collected by the Secretary and credited to this  
18 appropriation from additions to receipts resulting from in-  
19 creases to lease rental rates in effect on August 5, 1993,  
20 and from cost recovery fees from activities conducted by  
21 the Bureau of Safety and Environmental Enforcement  
22 pursuant to the Outer Continental Shelf Lands Act, in-  
23 cluding studies, assessments, analysis, and miscellaneous  
24 administrative activities: *Provided further*, That the sum  
25 herein appropriated shall be reduced as such collections



1 are received during the fiscal year, so as to result in a  
2 final fiscal year 2017 appropriation estimated at not more  
3 than \$93,438,000.

4 For an additional amount, \$53,000,000, to remain  
5 available until expended, to be reduced by amounts col-  
6 lected by the Secretary and credited to this appropriation,  
7 which shall be derived from non-refundable inspection fees  
8 collected in fiscal year 2017, as provided in this Act: *Pro-*  
9 *vided*, That to the extent that amounts realized from such  
10 inspection fees exceed \$53,000,000, the amounts realized  
11 in excess of \$53,000,000 shall be credited to this appro-  
12 priation and remain available until expended: *Provided*  
13 *further*, That for fiscal year 2017, not less than 50 percent  
14 of the inspection fees expended by the Bureau of Safety  
15 and Environmental Enforcement will be used to fund per-  
16 sonnel and mission-related costs to expand capacity and  
17 expedite the orderly development, subject to environmental  
18 safeguards, of the Outer Continental Shelf pursuant to the  
19 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et  
20 seq.), including the review of applications for permits to  
21 drill.

22 Of the unobligated balances available for this ac-  
23 count, \$20,000,000 are permanently rescinded.

## 1 OIL SPILL RESEARCH

2 For necessary expenses to carry out title I, section  
3 1016, title IV, sections 4202 and 4303, title VII, and title  
4 VIII, section 8201 of the Oil Pollution Act of 1990,  
5 \$14,899,000, which shall be derived from the Oil Spill Li-  
6 ability Trust Fund, to remain available until expended.

## 7 OFFICE OF SURFACE MINING RECLAMATION AND

## 8 ENFORCEMENT

## 9 REGULATION AND TECHNOLOGY

10 For necessary expenses to carry out the provisions  
11 of the Surface Mining Control and Reclamation Act of  
12 1977, Public Law 95–87, \$119,300,000, to remain avail-  
13 able until September 30, 2018: *Provided*, That appropria-  
14 tions for the Office of Surface Mining Reclamation and  
15 Enforcement may provide for the travel and per diem ex-  
16 penses of State and tribal personnel attending Office of  
17 Surface Mining Reclamation and Enforcement sponsored  
18 training.

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

1 *Provided further*, That the sum herein appropriated from  
2 the general fund shall be reduced as collections are re-  
3 ceived during the fiscal year, so as to result in a fiscal  
4 year 2017 appropriation estimated at not more than  
5 \$119,300,000.

6 ABANDONED MINE RECLAMATION FUND

7 For necessary expenses to carry out title IV of the  
8 Surface Mining Control and Reclamation Act of 1977,  
9 Public Law 95–87, \$27,303,000, to be derived from re-  
10 ceipts of the Abandoned Mine Reclamation Fund and to  
11 remain available until expended: *Provided*, That pursuant  
12 to Public Law 97–365, the Department of the Interior is  
13 authorized to use up to 20 percent from the recovery of  
14 the delinquent debt owed to the United States Government  
15 to pay for contracts to collect these debts: *Provided fur-*  
16 *ther*, That funds made available under title IV of Public  
17 Law 95–87 may be used for any required non-Federal  
18 share of the cost of projects funded by the Federal Gov-  
19 ernment for the purpose of environmental restoration re-  
20 lated to treatment or abatement of acid mine drainage  
21 from abandoned mines: *Provided further*, That such  
22 projects must be consistent with the purposes and prior-  
23 ities of the Surface Mining Control and Reclamation Act:  
24 *Provided further*, That amounts provided under this head-  
25 ing may be used for the travel and per diem expenses of

1 State and tribal personnel attending Office of Surface  
2 Mining Reclamation and Enforcement sponsored training.  
3 In addition, \$90,000,000, to remain available until  
4 expended, for grants to States for reclamation of aban-  
5 doned mine lands and other related activities in accord-  
6 ance with the terms and conditions in the report accom-  
7 panying this Act: *Provided*, That such additional amount  
8 shall be used for economic and community development  
9 in conjunction with the priorities in section 403(a) of the  
10 Surface Mining Control and Reclamation Act of 1977 (30  
11 U.S.C. 1233(a)): *Provided further*, That of such additional  
12 amount, \$75,000,000 shall be distributed in equal  
13 amounts to the 3 Appalachian States with the greatest  
14 amount of unfunded needs to meet the priorities described  
15 in paragraphs (1) and (2) of such section, and  
16 \$15,000,000 shall be distributed in equal amounts to the  
17 3 Appalachian States with the subsequent greatest  
18 amount of unfunded needs to meet such priorities: *Pro-*  
19 *vided further*, That such additional amount shall be allo-  
20 cated to States within 60 days after the date of enactment  
21 of this Act.

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

5 For expenses necessary for the operation of Indian  
6 programs, as authorized by law, including the Snyder Act  
7 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-  
8 termination and Education Assistance Act of 1975 (25  
9 U.S.C. 450 et seq.), the Education Amendments of 1978  
10 (25 U.S.C. 2001–2019), and the Tribally Controlled  
11 Schools Act of 1988 (25 U.S.C. 2501 et seq.),  
12 \$2,335,635,000, to remain available until September 30,  
13 2018, except as otherwise provided herein; of which not  
14 to exceed \$8,500 may be for official reception and rep-  
15 resentation expenses; of which not to exceed \$74,773,000  
16 shall be for welfare assistance payments: *Provided*, That  
17 in cases of designated Federal disasters, the Secretary  
18 may exceed such cap, from the amounts provided herein,  
19 to provide for disaster relief to Indian communities af-  
20 fected by the disaster: *Provided further*, That federally rec-  
21 ognized Indian tribes and tribal organizations of federally  
22 recognized Indian tribes may use their tribal priority allo-  
23 cations for unmet welfare assistance costs: *Provided fur-*  
24 *ther*, That not to exceed \$652,282,000 for school oper-  
25 ations costs of Bureau-funded schools and other education

1 programs shall become available on July 1, 2017, and  
2 shall remain available until September 30, 2018: *Provided*  
3 *further*, That not to exceed \$48,815,000 shall remain  
4 available until expended for housing improvement, road  
5 maintenance, attorney fees, litigation support, land  
6 records improvement, and the Navajo-Hopi Settlement  
7 Program: *Provided further*, That notwithstanding any  
8 other provision of law, including but not limited to the  
9 Indian Self-Determination Act of 1975 (25 U.S.C. 450f  
10 et seq.) and section 1128 of the Education Amendments  
11 of 1978 (25 U.S.C. 2008), not to exceed \$75,335,000  
12 within and only from such amounts made available for  
13 school operations shall be available for administrative cost  
14 grants associated with grants approved prior to July 1,  
15 2017: *Provided further*, That any forestry funds allocated  
16 to a federally recognized tribe which remain unobligated  
17 as of September 30, 2018, may be transferred during fis-  
18 cal year 2019 to an Indian forest land assistance account  
19 established for the benefit of the holder of the funds within  
20 the holder's trust fund account: *Provided further*, That  
21 any such unobligated balances not so transferred shall ex-  
22 pire on September 30, 2019: *Provided further*, That in  
23 order to enhance the safety of Bureau field employees, the  
24 Bureau may use funds to purchase uniforms or other iden-  
25 tifying articles of clothing for personnel.

## 1 CONTRACT SUPPORT COSTS

2 For payments to tribes and tribal organizations for  
3 contract support costs associated with Indian Self-Deter-  
4 mination and Education Assistance Act agreements with  
5 the Bureau of Indian Affairs for fiscal year 2017, such  
6 sums as may be necessary, which shall be available for  
7 obligation through September 30, 2018: *Provided*, That  
8 notwithstanding any other provision of law, no amounts  
9 made available under this heading shall be available for  
10 transfer to another budget account.

## 11 CONSTRUCTION

12 (INCLUDING TRANSFER OF FUNDS)

13 For construction, repair, improvement, and mainte-  
14 nance of irrigation and power systems, buildings, utilities,  
15 and other facilities, including architectural and engineer-  
16 ing services by contract; acquisition of lands, and interests  
17 in lands; and preparation of lands for farming, and for  
18 construction of the Navajo Indian Irrigation Project pur-  
19 suant to Public Law 87-483, \$197,017,000, to remain  
20 available until expended: *Provided*, That such amounts as  
21 may be available for the construction of the Navajo Indian  
22 Irrigation Project may be transferred to the Bureau of  
23 Reclamation: *Provided further*, That not to exceed 6 per-  
24 cent of contract authority available to the Bureau of In-  
25 dian Affairs from the Federal Highway Trust Fund may

1 be used to cover the road program management costs of  
2 the Bureau: *Provided further*, That any funds provided for  
3 the Safety of Dams program pursuant to 25 U.S.C. 13  
4 shall be made available on a nonreimbursable basis: *Pro-*  
5 *vided further*, That for fiscal year 2017, in implementing  
6 new construction, replacement facilities construction, or  
7 facilities improvement and repair project grants in excess  
8 of \$100,000 that are provided to grant schools under Pub-  
9 lic Law 100–297, the Secretary of the Interior shall use  
10 the Administrative and Audit Requirements and Cost  
11 Principles for Assistance Programs contained in 43 CFR  
12 part 12 as the regulatory requirements: *Provided further*,  
13 That such grants shall not be subject to section 12.61 of  
14 43 CFR; the Secretary and the grantee shall negotiate and  
15 determine a schedule of payments for the work to be per-  
16 formed: *Provided further*, That in considering grant appli-  
17 cations, the Secretary shall consider whether such grantee  
18 would be deficient in assuring that the construction  
19 projects conform to applicable building standards and  
20 codes and Federal, tribal, or State health and safety  
21 standards as required by 25 U.S.C. 2005(b), with respect  
22 to organizational and financial management capabilities:  
23 *Provided further*, That if the Secretary declines a grant  
24 application, the Secretary shall follow the requirements  
25 contained in 25 U.S.C. 2504(f): *Provided further*, That



1 any disputes between the Secretary and any grantee con-  
2 cerning a grant shall be subject to the disputes provision  
3 in 25 U.S.C. 2507(e): *Provided further*, That in order to  
4 ensure timely completion of construction projects, the Sec-  
5 retary may assume control of a project and all funds re-  
6 lated to the project, if, within 18 months of the date of  
7 enactment of this Act, any grantee receiving funds appro-  
8 priated in this Act or in any prior Act, has not completed  
9 the planning and design phase of the project and com-  
10 menced construction: *Provided further*, That this appro-  
11 priation may be reimbursed from the Office of the Special  
12 Trustee for American Indians appropriation for the appro-  
13 priate share of construction costs for space expansion  
14 needed in agency offices to meet trust reform implementa-  
15 tion.

16 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND  
17 MISCELLANEOUS PAYMENTS TO INDIANS

18 For payments and necessary administrative expenses  
19 for implementation of Indian land and water claim settle-  
20 ments pursuant to Public Laws 99–264, 100–580, 101–  
21 618, 111–11, and 111–291, and for implementation of  
22 other land and water rights settlements, \$49,025,000, to  
23 remain available until expended.

## 1 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

2 For the cost of guaranteed loans and insured loans,  
3 \$8,757,000, of which \$1,182,000 is for administrative ex-  
4 penses, as authorized by the Indian Financing Act of  
5 1974: *Provided*, That such costs, including the cost of  
6 modifying such loans, shall be as defined in section 502  
7 of the Congressional Budget Act of 1974: *Provided fur-*  
8 *ther*, That these funds are available to subsidize total loan  
9 principal, any part of which is to be guaranteed or insured,  
10 not to exceed \$120,050,595.

## 11 ADMINISTRATIVE PROVISIONS

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

17 Notwithstanding 25 U.S.C. 15, the Bureau of Indian  
18 Affairs may contract for services in support of the man-  
19 agement, operation, and maintenance of the Power Divi-  
20 sion of the San Carlos Irrigation Project.

21 Notwithstanding any other provision of law, no funds  
22 available to the Bureau of Indian Affairs for central office  
23 oversight and Executive Direction and Administrative  
24 Services (except executive direction and administrative  
25 services funding for Tribal Priority Allocations, regional

1 offices, and facilities operations and maintenance) shall be  
2 available for contracts, grants, compacts, or cooperative  
3 agreements with the Bureau of Indian Affairs under the  
4 provisions of the Indian Self-Determination Act or the  
5 Tribal Self-Governance Act of 1994 (Public Law 103–  
6 413).

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

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

20       No funds available to the Bureau of Indian Edu-  
21 cation shall be used to support expanded grades for any  
22 school or dormitory beyond the grade structure in place  
23 or approved by the Secretary of the Interior at each school  
24 in the Bureau of Indian Education school system as of  
25 October 1, 1995, except that the Secretary of the Interior

1 may waive this prohibition to support expansion of up to  
2 one additional grade when the Secretary determines such  
3 waiver is needed to support accomplishment of the mission  
4 of the Bureau of Indian Education. Appropriations made  
5 available in this or any prior Act for schools funded by  
6 the Bureau shall be available, in accordance with the Bu-  
7 reau's funding formula, only to the schools in the Bureau  
8 school system as of September 1, 1996, and to any school  
9 or school program that was reinstated in fiscal year 2012.  
10 Funds made available under this Act may not be used to  
11 establish a charter school at a Bureau-funded school (as  
12 that term is defined in section 1141 of the Education  
13 Amendments of 1978 (25 U.S.C. 2021)), except that a  
14 charter school that is in existence on the date of the enact-  
15 ment of this Act and that has operated at a Bureau-fund-  
16 ed school before September 1, 1999, may continue to oper-  
17 ate during that period, but only if the charter school pays  
18 to the Bureau a pro rata share of funds to reimburse the  
19 Bureau for the use of the real and personal property (in-  
20 cluding buses and vans), the funds of the charter school  
21 are kept separate and apart from Bureau funds, and the  
22 Bureau does not assume any obligation for charter school  
23 programs of the State in which the school is located if  
24 the charter school loses such funding. Employees of Bu-  
25 reau-funded schools sharing a campus with a charter

1 school and performing functions related to the charter  
2 school's operation and employees of a charter school shall  
3 not be treated as Federal employees for purposes of chap-  
4 ter 171 of title 28, United States Code.

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

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

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

13 DEPARTMENTAL OFFICES

14 OFFICE OF THE SECRETARY

15 DEPARTMENTAL OPERATIONS

16 For necessary expenses for management of the De-  
17 partment of the Interior, including the collection and dis-  
18 bursement of royalties, fees, and other mineral revenue  
19 proceeds, and for grants and cooperative agreements, as  
20 authorized by law, \$749,422,000, to remain available until  
21 September 30, 2018; of which not to exceed \$15,000 may  
22 be for official reception and representation expenses; and  
23 of which up to \$1,000,000 shall be available for workers  
24 compensation payments and unemployment compensation  
25 payments associated with the orderly closure of the United

1 States Bureau of Mines; and of which \$10,000,000 for  
2 the Office of Valuation Services is to be derived from the  
3 Land and Water Conservation Fund and shall remain  
4 available until expended; and of which \$38,300,000 shall  
5 remain available until expended for the purpose of mineral  
6 revenue management activities: *Provided*, That notwith-  
7 standing any other provision of law, \$15,000 under this  
8 heading shall be available for refunds of overpayments in  
9 connection with certain Indian leases in which the Sec-  
10 retary concurred with the claimed refund due, to pay  
11 amounts owed to Indian allottees or tribes, or to correct  
12 prior unrecoverable erroneous payments.

13 ADMINISTRATIVE PROVISIONS

14 For fiscal year 2017, up to \$400,000 of the payments  
15 authorized by the Act of October 20, 1976 (31 U.S.C.  
16 6901–6907) may be retained for administrative expenses  
17 of the Payments in Lieu of Taxes Program: *Provided*,  
18 That no payment shall be made pursuant to that Act to  
19 otherwise eligible units of local government if the com-  
20 puted amount of the payment is less than \$100: *Provided*  
21 *further*, That the Secretary may reduce the payment au-  
22 thorized by 31 U.S.C. 6901–6907 for an individual county  
23 by the amount necessary to correct prior year overpay-  
24 ments to that county: *Provided further*, That the amount  
25 needed to correct a prior year underpayment to an indi-

1 vidual county shall be paid from any reductions for over-  
2 payments to other counties and the amount necessary to  
3 cover any remaining underpayment is hereby appropriated  
4 and shall be paid to individual counties: *Provided further*,  
5 That of the total amount made available by this title for  
6 “Office of the Secretary—Departmental Operations”,  
7 \$480,000,000 shall be available to the Secretary of the  
8 Interior for fiscal year 2017 for payments in lieu of taxes  
9 under chapter 69 of title 31, United States Code.

10

## INSULAR AFFAIRS

11

## ASSISTANCE TO TERRITORIES

12 For expenses necessary for assistance to territories  
13 under the jurisdiction of the Department of the Interior  
14 and other jurisdictions identified in section 104(e) of Pub-  
15 lic Law 108–188, \$86,976,000, of which: (1) \$77,528,000  
16 shall remain available until expended for territorial assist-  
17 ance, including general technical assistance, maintenance  
18 assistance, disaster assistance, coral reef initiative activi-  
19 ties, and brown tree snake control and research; grants  
20 to the judiciary in American Samoa for compensation and  
21 expenses, as authorized by law (48 U.S.C. 1661(c));  
22 grants to the Government of American Samoa, in addition  
23 to current local revenues, for construction and support of  
24 governmental functions; grants to the Government of the  
25 Virgin Islands as authorized by law; grants to the Govern-



1 ment of Guam, as authorized by law; and grants to the  
2 Government of the Northern Mariana Islands as author-  
3 ized by law (Public Law 94–241; 90 Stat. 272); and (2)  
4 \$9,448,000 shall be available until September 30, 2018,  
5 for salaries and expenses of the Office of Insular Affairs:  
6 *Provided*, That all financial transactions of the territorial  
7 and local governments herein provided for, including such  
8 transactions of all agencies or instrumentalities estab-  
9 lished or used by such governments, may be audited by  
10 the Government Accountability Office, at its discretion, in  
11 accordance with chapter 35 of title 31, United States  
12 Code: *Provided further*, That Northern Mariana Islands  
13 Covenant grant funding shall be provided according to  
14 those terms of the Agreement of the Special Representa-  
15 tives on Future United States Financial Assistance for the  
16 Northern Mariana Islands approved by Public Law 104–  
17 134: *Provided further*, That the funds for the program of  
18 operations and maintenance improvement are appro-  
19 priated to institutionalize routine operations and mainte-  
20 nance improvement of capital infrastructure with terri-  
21 torial participation and cost sharing to be determined by  
22 the Secretary based on the grantee’s commitment to time-  
23 ly maintenance of its capital assets: *Provided further*, That  
24 any appropriation for disaster assistance under this head-  
25 ing in this Act or previous appropriations Acts may be

1 used as non-Federal matching funds for the purpose of  
2 hazard mitigation grants provided pursuant to section 404  
3 of the Robert T. Stafford Disaster Relief and Emergency  
4 Assistance Act (42 U.S.C. 5170e).

5 COMPACT OF FREE ASSOCIATION

6 For grants and necessary expenses, \$3,318,000, to  
7 remain available until expended, as provided for in sec-  
8 tions 221(a)(2) and 233 of the Compact of Free Associa-  
9 tion for the Republic of Palau; and section 221(a)(2) of  
10 the Compacts of Free Association for the Government of  
11 the Republic of the Marshall Islands and the Federated  
12 States of Micronesia, as authorized by Public Law 99-  
13 658 and Public Law 108-188.

14 ADMINISTRATIVE PROVISIONS

15 (INCLUDING TRANSFER OF FUNDS)

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

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

14 OFFICE OF THE SOLICITOR

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of the Solicitor,  
17 \$65,800,000.

18 OFFICE OF INSPECTOR GENERAL

19 SALARIES AND EXPENSES

20 For necessary expenses of the Office of Inspector  
21 General, \$50,047,000.

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

5 For the operation of trust programs for Indians by  
6 direct expenditure, contracts, cooperative agreements,  
7 compacts, and grants, \$139,029,000, to remain available  
8 until expended, of which not to exceed \$18,688,000 from  
9 this or any other Act, may be available for historical ac-  
10 counting: *Provided*, That funds for trust management im-  
11 provements and litigation support may, as needed, be  
12 transferred to or merged with the Bureau of Indian Af-  
13 fairs and Bureau of Indian Education, “Operation of In-  
14 dian Programs” account; the Office of the Solicitor, “Sala-  
15 ries and Expenses” account; and the Office of the Sec-  
16 retary, “Departmental Operations” account: *Provided fur-*  
17 *ther*, That funds made available through contracts or  
18 grants obligated during fiscal year 2017, as authorized by  
19 the Indian Self-Determination Act of 1975 (25 U.S.C. 450  
20 et seq.), shall remain available until expended by the con-  
21 tractor or grantee: *Provided further*, That notwithstanding  
22 any other provision of law, the Secretary shall not be re-  
23 quired to provide a quarterly statement of performance for  
24 any Indian trust account that has not had activity for at  
25 least 15 months and has a balance of \$15 or less: *Provided*

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

1 the individual accounts, including any accrued interest and  
2 income, and such funds shall remain available to the indi-  
3 vidual account holders.

4 DEPARTMENT-WIDE PROGRAMS

5 WILDLAND FIRE MANAGEMENT

6 (INCLUDING TRANSFERS OF FUNDS)

7 For necessary expenses for fire preparedness, fire  
8 suppression operations, fire science and research, emer-  
9 gency rehabilitation, fuels management activities, and  
10 rural fire assistance by the Department of the Interior,  
11 \$851,945,000, to remain available until expended, of  
12 which not to exceed \$10,000,000 shall be for the renova-  
13 tion or construction of fire facilities: *Provided*, That such  
14 funds are also available for repayment of advances to  
15 other appropriation accounts from which funds were pre-  
16 viously transferred for such purposes: *Provided further*,  
17 That of the funds provided \$180,000,000 is for hazardous  
18 fuels management activities: *Provided further*, That of the  
19 funds provided \$20,470,000 is for burned area rehabilita-  
20 tion: *Provided further*, That persons hired pursuant to 43  
21 U.S.C. 1469 may be furnished subsistence and lodging  
22 without cost from funds available from this appropriation:  
23 *Provided further*, That notwithstanding 42 U.S.C. 1856d,  
24 sums received by a bureau or office of the Department  
25 of the Interior for fire protection rendered pursuant to 42

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

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



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

15 FLAME WILDFIRE SUPPRESSION RESERVE FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses for large fire suppression op-  
18 erations of the Department of the Interior and as a re-  
19 serve fund for suppression and Federal emergency re-  
20 sponse activities, \$92,000,000, to remain available until  
21 expended: *Provided*, That such amounts are only available  
22 for transfer to the “Wildland Fire Management” account  
23 following a declaration by the Secretary in accordance  
24 with section 502 of the FLAME Act of 2009 (43 U.S.C.  
25 1748a).

1                   CENTRAL HAZARDOUS MATERIALS FUND

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

8           NATURAL RESOURCE DAMAGE ASSESSMENT AND  
9   RESTORATION

10           NATURAL RESOURCE DAMAGE ASSESSMENT FUND

11           To conduct natural resource damage assessment, res-  
12   toration activities, and onshore oil spill preparedness by  
13   the Department of the Interior necessary to carry out the  
14   provisions of the Comprehensive Environmental Response,  
15   Compensation, and Liability Act (42 U.S.C. 9601 et seq.),  
16   the Federal Water Pollution Control Act (33 U.S.C. 1251  
17   et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701  
18   et seq.), and subchapter II of chapter 1007 of title 54,  
19   United States Code, \$7,767,000, to remain available until  
20   expended.

21   WORKING CAPITAL FUND

22           For the operation and maintenance of a departmental  
23   financial and business management system, information  
24   technology improvements of general benefit to the Depart-  
25   ment, cybersecurity, and the consolidation of facilities and

1 operations throughout the Department, \$67,100,000, to  
2 remain available until expended: *Provided*, That none of  
3 the funds appropriated in this Act or any other Act may  
4 be used to establish reserves in the Working Capital Fund  
5 account other than for accrued annual leave and deprecia-  
6 tion of equipment without prior approval of the Commit-  
7 tees on Appropriations of the House of Representatives  
8 and the Senate: *Provided further*, That the Secretary may  
9 assess reasonable charges to State, local and tribal govern-  
10 ment employees for training services provided by the Na-  
11 tional Indian Program Training Center, other than train-  
12 ing related to Public Law 93–638: *Provided further*, That  
13 the Secretary may lease or otherwise provide space and  
14 related facilities, equipment or professional services of the  
15 National Indian Program Training Center to State, local  
16 and tribal government employees or persons or organiza-  
17 tions engaged in cultural, educational, or recreational ac-  
18 tivities (as defined in section 3306(a) of title 40, United  
19 States Code) at the prevailing rate for similar space, facili-  
20 ties, equipment, or services in the vicinity of the National  
21 Indian Program Training Center: *Provided further*, That  
22 all funds received pursuant to the two preceding provisos  
23 shall be credited to this account, shall be available until  
24 expended, and shall be used by the Secretary for necessary  
25 expenses of the National Indian Program Training Center:

1 *Provided further*, That the Secretary may enter into grants  
2 and cooperative agreements to support the Office of Nat-  
3 ural Resource Revenue's collection and disbursement of  
4 royalties, fees, and other mineral revenue proceeds, as au-  
5 thorized by law.

6 ADMINISTRATIVE PROVISION

7 There is hereby authorized for acquisition from avail-  
8 able resources within the Working Capital Fund, aircraft  
9 which may be obtained by donation, purchase or through  
10 available excess surplus property: *Provided*, That existing  
11 aircraft being replaced may be sold, with proceeds derived  
12 or trade-in value used to offset the purchase price for the  
13 replacement aircraft.

14 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR  
15 (INCLUDING TRANSFERS OF FUNDS)

16 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

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

1 agencies shall have been exhausted: *Provided further*, That  
2 all funds used pursuant to this section must be replenished  
3 by a supplemental appropriation, which must be requested  
4 as promptly as possible.

5 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

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

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

22 AUTHORIZED USE OF FUNDS

23 SEC. 103. Appropriations made to the Department  
24 of the Interior in this title shall be available for services  
25 as authorized by section 3109 of title 5, United States  
26 Code, when authorized by the Secretary, in total amount

1 not to exceed \$500,000; purchase and replacement of  
2 motor vehicles, including specially equipped law enforce-  
3 ment vehicles; hire, maintenance, and operation of air-  
4 craft; hire of passenger motor vehicles; purchase of re-  
5 prints; payment for telephone service in private residences  
6 in the field, when authorized under regulations approved  
7 by the Secretary; and the payment of dues, when author-  
8 ized by the Secretary, for library membership in societies  
9 or associations which issue publications to members only  
10 or at a price to members lower than to subscribers who  
11 are not members.

12           AUTHORIZED USE OF FUNDS, INDIAN TRUST

13   MANAGEMENT

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

23           REDISTRIBUTION OF FUNDS, BUREAU OF INDIAN

24   AFFAIRS

25           SEC. 105. Notwithstanding any other provision of  
26 law, the Secretary of the Interior is authorized to redis-

1 tribute any Tribal Priority Allocation funds, including  
2 tribal base funds, to alleviate tribal funding inequities by  
3 transferring funds to address identified, unmet needs,  
4 dual enrollment, overlapping service areas or inaccurate  
5 distribution methodologies. No tribe shall receive a reduc-  
6 tion in Tribal Priority Allocation funds of more than 10  
7 percent in fiscal year 2017. Under circumstances of dual  
8 enrollment, overlapping service areas or inaccurate dis-  
9 tribution methodologies, the 10 percent limitation does not  
10 apply.

11            ELLIS, GOVERNORS, AND LIBERTY ISLANDS

12            SEC. 106. Notwithstanding any other provision of  
13 law, the Secretary of the Interior is authorized to acquire  
14 lands, waters, or interests therein including the use of all  
15 or part of any pier, dock, or landing within the State of  
16 New York and the State of New Jersey, for the purpose  
17 of operating and maintaining facilities in the support of  
18 transportation and accommodation of visitors to Ellis,  
19 Governors, and Liberty Islands, and of other program and  
20 administrative activities, by donation or with appropriated  
21 funds, including franchise fees (and other monetary con-  
22 sideration), or by exchange; and the Secretary is author-  
23 ized to negotiate and enter into leases, subleases, conces-  
24 sion contracts or other agreements for the use of such fa-  
25 cilities on such terms and conditions as the Secretary may  
26 determine reasonable.



1           OUTER CONTINENTAL SHELF INSPECTION FEES

2           SEC. 107. (a) In fiscal year 2017, the Secretary shall  
3 collect a nonrefundable inspection fee, which shall be de-  
4 posited in the “Offshore Safety and Environmental En-  
5 forcement” account, from the designated operator for fa-  
6 cilities subject to inspection under 43 U.S.C. 1348(c).

7           (b) Annual fees shall be collected for facilities that  
8 are above the waterline, excluding drilling rigs, and are  
9 in place at the start of the fiscal year. Fees for fiscal year  
10 2017 shall be:

11           (1) \$10,500 for facilities with no wells, but with  
12 processing equipment or gathering lines;

13           (2) \$17,000 for facilities with 1 to 10 wells,  
14 with any combination of active or inactive wells; and

15           (3) \$31,500 for facilities with more than 10  
16 wells, with any combination of active or inactive  
17 wells.

18           (c) Fees for drilling rigs shall be assessed for all in-  
19 spections completed in fiscal year 2017. Fees for fiscal  
20 year 2017 shall be:

21           (1) \$30,500 per inspection for rigs operating in  
22 water depths of 500 feet or more; and

23           (2) \$16,700 per inspection for rigs operating in  
24 water depths of less than 500 feet.

1 (d) The Secretary shall bill designated operators  
2 under subsection (b) within 60 days, with payment re-  
3 quired within 30 days of billing. The Secretary shall bill  
4 designated operators under subsection (c) within 30 days  
5 of the end of the month in which the inspection occurred,  
6 with payment required within 30 days of billing.

7 BUREAU OF OCEAN ENERGY MANAGEMENT, REGULATION  
8 AND ENFORCEMENT REORGANIZATION

9 SEC. 108. The Secretary of the Interior, in order to  
10 implement a reorganization of the Bureau of Ocean En-  
11 ergy Management, Regulation and Enforcement, may  
12 transfer funds among and between the successor offices  
13 and bureaus affected by the reorganization only in con-  
14 formance with the reprogramming guidelines described in  
15 this Act.

16 CONTRACTS AND AGREEMENTS FOR WILD HORSE AND  
17 BURRO HOLDING FACILITIES

18 SEC. 109. Notwithstanding any other provision of  
19 this Act, the Secretary of the Interior may enter into  
20 multiyear cooperative agreements with nonprofit organiza-  
21 tions and other appropriate entities, and may enter into  
22 multiyear contracts in accordance with the provisions of  
23 section 3903 of title 41, United States Code (except that  
24 the 5-year term restriction in subsection (a) shall not  
25 apply), for the long-term care and maintenance of excess  
26 wild free roaming horses and burros by such organizations

1 or entities on private land. Such cooperative agreements  
2 and contracts may not exceed 10 years, subject to renewal  
3 at the discretion of the Secretary.

4 MASS MARKING OF SALMONIDS

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

14 EXHAUSTION OF ADMINISTRATIVE REVIEW

15 SEC. 111. Paragraph (1) of section 122(a) of division  
16 E of Public Law 112–74 (125 Stat. 1013) is amended  
17 by striking “fiscal years 2012 through 2018,” and insert-  
18 ing “fiscal year 2012 and each fiscal year thereafter.”

19 WILD LANDS FUNDING PROHIBITION

20 SEC. 112. None of the funds made available in this  
21 Act or any other Act may be used to implement, admin-  
22 ister, or enforce Secretarial Order No. 3310 issued by the  
23 Secretary of the Interior on December 22, 2010.

24 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

25 SEC. 113. Notwithstanding any other provision of  
26 law, during fiscal year 2017, in carrying out work involv-

1 ing cooperation with State, local, and tribal governments  
2 or any political subdivision thereof, Indian Affairs may  
3 record obligations against accounts receivable from any  
4 such entities, except that total obligations at the end of  
5 the fiscal year shall not exceed total budgetary resources  
6 available at the end of the fiscal year.

7 SAGE-GROUSE

8 SEC. 114. None of the funds made available by this  
9 or any other Act may be used by the Secretary of the Inte-  
10 rior to review the status of or determine whether greater  
11 sage-grouse (*Centrocercus urophasianus*), or the Columbia  
12 basin distinct population segment of greater sage-grouse,  
13 is an endangered species or a threatened species pursuant  
14 to section 4 of the Endangered Species Act (16 U.S.C.  
15 1533), or to issue a regulation thereto.

16 WATER CONVEYANCES

17 SEC. 115. None of the funds made available by this  
18 or any other Act may be used by the Secretary of the Inte-  
19 rior to review, require approval of, or withhold approval  
20 for use of a right-of-way granted pursuant to the General  
21 Railroad Right-of-Way Act of 1875 (43 U.S.C. 934–939)  
22 if authorization of the use would have been considered  
23 under Department policy to be within the scope of a rail-  
24 road’s authority as of the day before the effective date of  
25 the Department’s Solicitor’s Opinion M–37025, issued on  
26 November 4, 2011.

## 1 INDIAN EDUCATION FUND

2 SEC. 116. Section 801 of the Indian Self-Determina-  
3 tion and Education Assistance Act (25 U.S.C. 458ddd)  
4 is amended—

5 (1) by striking “Foundation” each place it ap-  
6 pears and inserting “Fund”;

7 (2) in subsection (a), by striking “foundation”  
8 and inserting “fund”;

9 (3) in subsection (a), by adding at the end the  
10 following: “The Fund shall be affiliated and may  
11 contract for services with a 501(c)(3) national orga-  
12 nization whose mission is to represent Native Amer-  
13 ican students and educators for the improvement of  
14 schools and the education of Native children.”;

15 (4) In subsection (e)(1), by inserting “or pub-  
16 lic” after “private”;

17 (5) in subsection (e)—

18 (A) in paragraph (2), by striking “and” at  
19 the end;

20 (B) in paragraph (3), by striking the pe-  
21 riod and inserting a semicolon; and

22 (C) by adding at the end the following:

23 “(4) to promote and facilitate public-private  
24 partnerships that maximize the involvement of the  
25 private sector, including nonprofit organizations and

1 for-profit entities, in providing financial and in-kind  
2 support for the improvement or replacement of fa-  
3 cilities and infrastructure and for the enhancement  
4 of telecommunications and technological capacity in  
5 Bureau-funded schools; and

6 “(5) to facilitate interagency agreements be-  
7 tween the Department of the Interior and other  
8 Federal agencies in furtherance of the purposes of  
9 the Fund.”;

10 (6) in subsection (f)(2), by striking all that fol-  
11 lows after the heading and inserting the following:

12 “The number of members of the Board,  
13 the manner of their selection (including the fill-  
14 ing of vacancies), and their terms of office shall  
15 be as provided in the constitution and bylaws of  
16 the Fund. The Board shall have nine members,  
17 including the Secretary and the Assistant Sec-  
18 retary of the Interior for Indian Affairs who  
19 shall serve as ex officio nonvoting members and  
20 who shall appoint three voting members to stag-  
21 gered terms, and including the President and  
22 Executive Director of the 501(c)(3) national or-  
23 ganization referenced in subsection (a) who  
24 shall serve as ex officio nonvoting members and

1           who shall appoint two voting members to stag-  
2           gered terms”;

3           (7) in subsection (f)(3), by striking “are” and  
4           all that follows through “practicable,” and inserting  
5           “shall, to the extent practicable, be drawn from var-  
6           ious disciplines related to the purposes of the Fund,  
7           and”; and

8           (8) in subsection (m)—

9           (A) in the heading, by inserting “AND  
10          PROPERTY” after “FUNDS”; and

11          (B) by inserting “and property” after the  
12          first “funds” the first place it appears.

13          BLUE RIDGE NATIONAL HERITAGE AREA AND ERIE

14          CANALWAY NATIONAL HERITAGE CORRIDOR

15          SEC. 117. (a) Section 140(i)(1) of Title I of P.L.  
16 108–108, as amended (54 U.S.C. 320101 note), is further  
17 amended by striking “\$10,000,000” and inserting  
18 “\$12,000,000”; and

19          (b) Section 810(a)(1) of Title VIII of Division B of  
20 Appendix D of P.L. 106–554, as amended (54 U.S.C.  
21 320101 note), is further amended by striking  
22 “\$10,000,000” and inserting “\$12,000,000”.

23          FISH HATCHERY PROGRAMS

24          SEC. 118. (a) IN GENERAL.—Not later than two  
25 years after the date of the enactment of this Act, the Sec-  
26 retary of the Interior, in consultation with the Director

1 of the California Department of Fish and Wildlife, shall  
2 develop and implement the expanded use of conservation  
3 fish hatchery programs to enhance, supplement, and re-  
4 build delta smelt (*Hypomesus transpacificus*) and other  
5 species listed as endangered species or threatened species  
6 under the Endangered Species Act of 1973 (16 U.S.C.  
7 1531 et seq.), under the biological opinion issued under  
8 that Act by the United States Fish and Wildlife Service,  
9 dated December 15, 2008, on the effects of the coordi-  
10 nated operations of the Central Valley Project and the  
11 State Water Project in California.

12 (b) PROGRAM DESIGN.—The conservation fish hatch-  
13 ery programs established under subsection (a) and their  
14 associated hatchery and genetic management plans shall  
15 be designed—

16 (1) to benefit, enhance, support, and otherwise  
17 recover naturally spawning fish species to the point  
18 where the measures under the Endangered Species  
19 Act of 1973 are no longer necessary for such spe-  
20 cies;

21 (2) to address the recommendations of the Cali-  
22 fornia Hatchery Scientific Review Group; and

23 (3) to minimize adverse effects to operations of  
24 the Central Valley Project and State Water Project  
25 (as those terms are used in the Central Valley



1 Project Improvement Act of 2002 (title XXXIV of  
2 Public Law 102–575)).

3 (c) MISCELLANEOUS REQUIREMENTS.—In imple-  
4 menting this section, the Secretary—

5 (1) shall give priority to existing and prospec-  
6 tive hatchery programs and facilities within the Sac-  
7 ramento-San Joaquin Delta and the riverine tribu-  
8 taries thereto; and

9 (2) may enter into cooperative agreements for  
10 the operation of conservation hatchery programs  
11 with the State of California, tribes, and other non-  
12 Governmental entities for the benefit, enhancement,  
13 and support of naturally spawning fish species.

14 REISSUANCE OF FINAL RULES

15 SEC. 119. Before the end of the 60-day period begin-  
16 ning on the date of the enactment of this Act, the Sec-  
17 retary of the Interior shall reissue the final rule published  
18 on December 28, 2011 (76 Fed. Reg. 81666 et seq.) and  
19 the final rule published on September 10, 2012 (77 Fed.  
20 Reg. 55530 et seq.), without regard to any other provision  
21 of statute or regulation that applies to issuance of such  
22 rules. Such reissuances (including this section) shall not  
23 be subject to judicial review.

1  
2 STREAM BUFFER

3 SEC. 120. None of the funds made available by this  
4 Act may be used by the Secretary to (1) further develop,  
5 finalize, carry out, or implement the proposed rule entitled  
6 “Stream Protection Rule” signed by the Assistant Sec-  
7 retary for Land and Minerals Management of the Depart-  
8 ment of the Interior on July 7, 2015 (80 Fed. Reg.  
9 44436), or (2) develop, carry out, or implement any guid-  
10 ance, policy, or directive to reinterpret or change the his-  
11 toric interpretation of “material damage to the hydrologic  
12 balance outside the permit area” in section 510(b)(3) of  
13 the Surface Mining Control and Reclamation Act of 1977  
14 (30 U.S.C. 1260(b)(3)), or 30 C.F.R. 816.57 or 30 C.F.R.  
15 817.57, as promulgated on June 30, 1983 by the Office  
16 of Surface Mining Reclamation and Enforcement of the  
17 Department of the Interior (48 Fed. Reg. 30312).

18  
19 BOTTLED WATER

20 SEC. 121. None of the funds made available by this  
21 Act may be used by the Director of the National Park  
22 Service to implement, administer, or enforce Policy Memo-  
23 randum 11–03 or to approve a request by a park super-  
intendent to eliminate the sale in national parks of water  
in disposable, recyclable plastic bottles.

1 OIL AND GAS ROYALTIES

2 SEC. 122. None of the funds made available by this  
3 Act may be used to finalize, implement, or enforce the Bu-  
4 reau of Land Management's proposed rule regarding  
5 Waste Prevention, Production Subject to Royalties, and  
6 Resource Conservation published February 8, 2016.

7 PROHIBITION ON USE OF FUNDS FOR CERTAIN HISTORIC  
8 DESIGNATION

9 SEC. 123. (a) IN GENERAL.—None of the funds  
10 made available in this Act may be used to take any action  
11 to designate a Federal property for inclusion on, or to add  
12 a Federal property to, the National Register of Historic  
13 Places, or to operate or maintain a property on that reg-  
14 istry, if the managing agency of that Federal property ob-  
15 jects to such designation or inclusion, including actions re-  
16 lated to—

- 17 (1) cooperative agreements;  
18 (2) general administration;  
19 (3) maintenance of records and agreements; and  
20 (4) any other functions necessary to designate, add,  
21 operate, or maintain such Federal property.

22 (b) EXCEPTION.—The prohibition in subsection (a)  
23 shall not apply to actions related to a managing agency  
24 request for expedited removal of Federal property from  
25 the National Register of Historic Places for reasons of na-  
26 tional security.

## 1 DRILLING MARGINS

2 SEC. 124. None of the funds made available in this  
3 Act or any other Act for any fiscal year may be used to  
4 develop, adopt, implement, administer, or enforce any  
5 change to the regulations and guidance in effect on April  
6 1, 2015, pertaining to drilling margins or static downhole  
7 mud weight (30 CFR 250.414(c)) including the provisions  
8 of the rules dated April 17, 2015, and April 29, 2016.

## 9 TRIBAL RECOGNITION

10 SEC. 125. None of the funds made available by this  
11 or any other Act may be used by the Secretary of the Inte-  
12 rior to implement, administer, or enforce the final rule en-  
13 titled “Federal Acknowledgment of American Indian  
14 Tribes” published by the Department of the Interior in  
15 the Federal Register on July 1, 2015 (80 Fed. Reg. 37862  
16 et seq.).

## 17 TITLE II

## 18 ENVIRONMENTAL PROTECTION AGENCY

## 19 SCIENCE AND TECHNOLOGY

20 For science and technology, including research and  
21 development activities, which shall include research and  
22 development activities under the Comprehensive Environ-  
23 mental Response, Compensation, and Liability Act of  
24 1980; necessary expenses for personnel and related costs  
25 and travel expenses; procurement of laboratory equipment

1 and supplies; and other operating expenses in support of  
2 research and development, \$720,072,000, to remain avail-  
3 able until September 30, 2018: *Provided*, That of the  
4 funds included under this heading, \$10,000,000 shall be  
5 for Research: National Priorities as specified in the report  
6 accompanying this Act.

7 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

8 For environmental programs and management, in-  
9 cluding necessary expenses, not otherwise provided for, for  
10 personnel and related costs and travel expenses; hire of  
11 passenger motor vehicles; hire, maintenance, and oper-  
12 ation of aircraft; purchase of reprints; library member-  
13 ships in societies or associations which issue publications  
14 to members only or at a price to members lower than to  
15 subscribers who are not members; administrative costs of  
16 the brownfields program under the Small Business Liabil-  
17 ity Relief and Brownfields Revitalization Act of 2002; and  
18 not to exceed \$9,000 for official reception and representa-  
19 tion expenses, \$2,521,410,000, to remain available until  
20 September 30, 2018: *Provided*, That of the funds included  
21 under this heading, \$15,000,000 shall be for Environ-  
22 mental Protection: National Priorities as specified in the  
23 report accompanying this Act: *Provided further*, That of  
24 the funds included under this heading, \$403,649,000 shall  
25 be for Geographic Programs specified in the report accom-

1 panying this Act: *Provided further*, That the Adminis-  
2 trator of the Environmental Protection Agency is author-  
3 ized, in carrying out its responsibilities under section  
4 2002(b) of the Solid Waste Disposal Act (42 U.S.C.  
5 6912(b)), to use appropriations made available under this  
6 heading to evaluate the effectiveness of States using State  
7 solid waste management plans to ensure the efficient and  
8 effective implementation of the final regulations on coal  
9 combustion residuals that took effect on October 19, 2015,  
10 and codified in parts 257 and 261 of title 40 of the Code  
11 of Federal Regulations: *Provided further*, That the Admin-  
12 istrator shall provide to the Committee on Appropriations  
13 and the appropriate authorizing Committees a report on  
14 the effectiveness of States using such plans in imple-  
15 menting the requirements of final coal combustion residual  
16 regulations in an efficient and effective manner.

17 HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM  
18 FUND

19 For necessary expenses to carry out section 3024 of  
20 the Solid Waste Disposal Act (42 U.S.C. 6939g), includ-  
21 ing the development, operation, maintenance, and upgrad-  
22 ing of the hazardous waste electronic manifest system es-  
23 tablished by such section, \$3,178,000, to remain available  
24 until September 30, 2019.

## 1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector  
3 General in carrying out the provisions of the Inspector  
4 General Act of 1978, \$41,489,000, to remain available  
5 until September 30, 2018.

## 6 BUILDINGS AND FACILITIES

7 For construction, repair, improvement, extension, al-  
8 teration, and purchase of fixed equipment or facilities of,  
9 or for use by, the Environmental Protection Agency,  
10 \$34,467,000, to remain available until expended.

## 11 HAZARDOUS SUBSTANCE SUPERFUND

12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses to carry out the Comprehen-  
14 sive Environmental Response, Compensation, and Liabil-  
15 ity Act of 1980 (CERCLA), including sections 111(c)(3),  
16 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611)  
17 \$1,121,989,000, to remain available until expended, con-  
18 sisting of such sums as are available in the Trust Fund  
19 on September 30, 2016, as authorized by section 517(a)  
20 of the Superfund Amendments and Reauthorization Act  
21 of 1986 (SARA) and up to \$1,121,989,000 as a payment  
22 from general revenues to the Hazardous Substance Super-  
23 fund for purposes as authorized by section 517(b) of  
24 SARA: *Provided*, That funds appropriated under this  
25 heading may be allocated to other Federal agencies in ac-

1 cordance with section 111(a) of CERCLA: *Provided fur-*  
2 *ther*, That of the funds appropriated under this heading,  
3 \$8,778,000 shall be paid to the “Office of Inspector Gen-  
4 eral” appropriation to remain available until September  
5 30, 2018, and \$15,496,000 shall be paid to the “Science  
6 and Technology” appropriation to remain available until  
7 September 30, 2018.

8 LEAKING UNDERGROUND STORAGE TANK TRUST FUND  
9 PROGRAM

10 For necessary expenses to carry out leaking under-  
11 ground storage tank cleanup activities authorized by sub-  
12 title I of the Solid Waste Disposal Act, \$94,605,000, to  
13 remain available until expended, of which \$68,016,000  
14 shall be for carrying out leaking underground storage tank  
15 cleanup activities authorized by section 9003(h) of the  
16 Solid Waste Disposal Act; \$26,589,000 shall be for car-  
17 rying out the other provisions of the Solid Waste Disposal  
18 Act specified in section 9508(c) of the Internal Revenue  
19 Code: *Provided*, That the Administrator is authorized to  
20 use appropriations made available under this heading to  
21 implement section 9013 of the Solid Waste Disposal Act  
22 to provide financial assistance to federally recognized In-  
23 dian tribes for the development and implementation of  
24 programs to manage underground storage tanks.



## 1 INLAND OIL SPILL PROGRAMS

2 For expenses necessary to carry out the Environ-  
3 mental Protection Agency's responsibilities under the Oil  
4 Pollution Act of 1990, \$18,079,000, to be derived from  
5 the Oil Spill Liability trust fund, to remain available until  
6 expended.

## 7 STATE AND TRIBAL ASSISTANCE GRANTS

8 For environmental programs and infrastructure as-  
9 sistance, including capitalization grants for State revolv-  
10 ing funds and performance partnership grants,  
11 \$3,370,729,000, to remain available until expended, of  
12 which—

13 (1) \$1,000,000,000 shall be for making capital-  
14 ization grants for the Clean Water State Revolving  
15 Funds under title VI of the Federal Water Pollution  
16 Control Act; and of which \$1,070,500,000 shall be  
17 for making capitalization grants for the Drinking  
18 Water State Revolving Funds under section 1452 of  
19 the Safe Drinking Water Act: *Provided*, That for fis-  
20 cal year 2017, funds made available under this title  
21 to each State for Clean Water State Revolving Fund  
22 capitalization grants and for Drinking Water State  
23 Revolving Fund capitalization grants may, at the  
24 discretion of each State, be used for projects to ad-  
25 dress green infrastructure, water or energy efficiency

1 improvements, or other environmentally innovative  
2 activities: *Provided further*, That notwithstanding  
3 section 603(d)(7) of the Federal Water Pollution  
4 Control Act, the limitation on the amounts in a  
5 State water pollution control revolving fund that  
6 may be used by a State to administer the fund shall  
7 not apply to amounts included as principal in loans  
8 made by such fund in fiscal year 2017 and prior  
9 years where such amounts represent costs of admin-  
10 istering the fund to the extent that such amounts  
11 are or were deemed reasonable by the Administrator,  
12 accounted for separately from other assets in the  
13 fund, and used for eligible purposes of the fund, in-  
14 cluding administration: *Provided further*, That for  
15 fiscal year 2017, notwithstanding the limitation on  
16 amounts in section 518(c) of the Federal Water Pol-  
17 lution Control Act, up to a total of 2 percent of the  
18 funds appropriated, or \$30,000,000, whichever is  
19 greater, and notwithstanding the limitation on  
20 amounts in section 1452(i) of the Safe Drinking  
21 Water Act, up to a total of 2 percent of the funds  
22 appropriated, or \$20,000,000, whichever is greater,  
23 for State Revolving Funds under such Acts may be  
24 reserved by the Administrator for grants under sec-  
25 tion 518(c) and section 1452(i) of such Acts: *Pro-*

1        *vided further*, That for fiscal year 2017, notwith-  
2        standing the amounts specified in section 205(e) of  
3        the Federal Water Pollution Control Act, up to 1.5  
4        percent of the aggregate funds appropriated for the  
5        Clean Water State Revolving Fund program under  
6        the Act less any sums reserved under section 518(c)  
7        of the Act, may be reserved by the Administrator for  
8        grants made under title II of the Federal Water Pol-  
9        lution Control Act for American Samoa, Guam, the  
10       Commonwealth of the Northern Marianas, and  
11       United States Virgin Islands: *Provided further*, That  
12       for fiscal year 2017, notwithstanding the limitations  
13       on amounts specified in section 1452(j) of the Safe  
14       Drinking Water Act, up to 1.5 percent of the funds  
15       appropriated for the Drinking Water State Revolv-  
16       ing Fund programs under the Safe Drinking Water  
17       Act may be reserved by the Administrator for grants  
18       made under section 1452(j) of the Safe Drinking  
19       Water Act: *Provided further*, That 10 percent of the  
20       funds made available under this title to each State  
21       for Clean Water State Revolving Fund capitalization  
22       grants and 20 percent of the funds made available  
23       under this title to each State for Drinking Water  
24       State Revolving Fund capitalization grants shall be  
25       used by the State to provide additional subsidy to el-

1 eligible recipients in the form of forgiveness of prin-  
2 cipal, negative interest loans, or grants (or any com-  
3 bination of these), and shall be so used by the State  
4 only where such funds are provided as initial financ-  
5 ing for an eligible recipient or to buy, refinance, or  
6 restructure the debt obligations of eligible recipients  
7 where such debt was incurred on or after the date  
8 of enactment of this Act, or where such debt was in-  
9 curred prior to the date of enactment of this Act if  
10 the State, with concurrence from the Administrator,  
11 determines that such funds could be used to help ad-  
12 dress a threat to public health from heightened ex-  
13 posure to lead in drinking water;

14 (2) \$5,000,000 shall be for architectural, engi-  
15 neering, planning, design, construction and related  
16 activities in connection with the construction of high  
17 priority water and wastewater facilities in the area  
18 of the United States-Mexico Border, after consulta-  
19 tion with the appropriate border commission; *Pro-*  
20 *vided*, That no funds provided by this appropriations  
21 Act to address the water, wastewater and other crit-  
22 ical infrastructure needs of the colonias in the  
23 United States along the United States-Mexico bor-  
24 der shall be made available to a county or municipal  
25 government unless that government has established

1 an enforceable local ordinance, or other zoning rule,  
2 which prevents in that jurisdiction the development  
3 or construction of any additional colonia areas, or  
4 the development within an existing colonia the con-  
5 struction of any new home, business, or other struc-  
6 ture which lacks water, wastewater, or other nec-  
7 essary infrastructure;

8 (3) \$17,000,000 shall be for grants to the State  
9 of Alaska to address drinking water and wastewater  
10 infrastructure needs of rural and Alaska Native Vil-  
11 lages: *Provided*, That of these funds: (A) the State  
12 of Alaska shall provide a match of 25 percent; (B)  
13 no more than 5 percent of the funds may be used  
14 for administrative and overhead expenses; and (C)  
15 the State of Alaska shall make awards consistent  
16 with the Statewide priority list established in con-  
17 junction with the Agency and the U.S. Department  
18 of Agriculture for all water, sewer, waste disposal,  
19 and similar projects carried out by the State of Alas-  
20 ka that are funded under section 221 of the Federal  
21 Water Pollution Control Act (33 U.S.C. 1301) or  
22 the Consolidated Farm and Rural Development Act  
23 (7 U.S.C. 1921 et seq.) which shall allocate not less  
24 than 25 percent of the funds provided for projects  
25 in regional hub communities;

1           (4) \$80,000,000 shall be to carry out section  
2     104(k) of the Comprehensive Environmental Re-  
3     sponse, Compensation, and Liability Act of 1980  
4     (CERCLA), including grants, interagency agree-  
5     ments, and associated program support costs: *Pro-*  
6     *vided*, That not more than 25 percent of the amount  
7     appropriated to carry out section 104(k) of  
8     CERCLA shall be used for site characterization, as-  
9     sessment, and remediation of facilities described in  
10    section 101(39)(D)(ii)(II) of CERCLA: *Provided*  
11    *further*, That at least 10 percent shall be allocated  
12    for assistance in persistent poverty counties: *Pro-*  
13    *vided further*, That for purposes of this section, the  
14    term “persistent poverty counties” means any coun-  
15    ty that has had 20 percent or more of its population  
16    living in poverty over the past 30 years, as measured  
17    by the 1990 and 2000 decennial censuses and the  
18    most recent Small Area Income and Poverty Esti-  
19    mates;

20           (5) \$100,000,000 shall be for grants under title  
21    VII, subtitle G of the Energy Policy Act of 2005;

22           (6) \$40,000,000 shall be for targeted airshed  
23    grants in accordance with the terms and conditions  
24    of the report accompanying this Act; and

1           (7) \$1,058,229,000 shall be for grants, includ-  
2           ing associated program support costs, to States, fed-  
3           erally recognized tribes, interstate agencies, tribal  
4           consortia, and air pollution control agencies for  
5           multi-media or single media pollution prevention,  
6           control and abatement and related activities, includ-  
7           ing activities pursuant to the provisions set forth  
8           under this heading in Public Law 104–134, and for  
9           making grants under section 103 of the Clean Air  
10          Act for particulate matter monitoring and data col-  
11          lection activities subject to terms and conditions  
12          specified by the Administrator, of which:  
13          \$47,745,000 shall be for carrying out section 128 of  
14          CERCLA; \$9,646,000 shall be for Environmental  
15          Information Exchange Network grants, including as-  
16          sociated program support costs; \$1,498,000 shall be  
17          for grants to States under section 2007(f)(2) of the  
18          Solid Waste Disposal Act, which shall be in addition  
19          to funds appropriated under the heading “Leaking  
20          Underground Storage Tank Trust Fund Program”  
21          to carry out the provisions of the Solid Waste Dis-  
22          posal Act specified in section 9508(c) of the Internal  
23          Revenue Code other than section 9003(h) of the  
24          Solid Waste Disposal Act; \$17,848,000 of the funds  
25          available for grants under section 106 of the Federal

1 Water Pollution Control Act shall be for State par-  
2 ticipation in national- and State-level statistical sur-  
3 veys of water resources and enhancements to State  
4 monitoring programs.

5 WATER INFRASTRUCTURE FINANCE AND INNOVATION  
6 PROGRAM ACCOUNT

7 For the cost of direct loans and for the cost of guar-  
8 anteed loans, as authorized by the Water Infrastructure  
9 Finance and Innovation Act of 2014, \$45,000,000, to re-  
10 main available until expended: *Provided*, That such costs,  
11 including the cost of modifying such loans, shall be as de-  
12 fined in section 502 of the Congressional Budget Act of  
13 1974: *Provided further*, That these funds are available to  
14 subsidize gross obligations for the principal amount of di-  
15 rect loans, including capitalized interest, and total loan  
16 principal, including capitalized interest, any part of which  
17 is to be guaranteed, not to exceed \$5,487,000,000.

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

22 In addition, for administrative expenses to carry out  
23 the direct and guaranteed loan programs, notwithstanding  
24 section 5033 of the Water Infrastructure Finance and In-



1 novation Act of 2014, \$5,000,000, to remain available  
2 until September 30, 2018.

3 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL  
4 PROTECTION AGENCY  
5 (INCLUDING TRANSFERS OF FUNDS)

6 For fiscal year 2017, notwithstanding 31 U.S.C.  
7 6303(1) and 6305(1), the Administrator of the Environ-  
8 mental Protection Agency, in carrying out the Agency's  
9 function to implement directly Federal environmental pro-  
10 grams required or authorized by law in the absence of an  
11 acceptable tribal program, may award cooperative agree-  
12 ments to federally recognized Indian tribes or Intertribal  
13 consortia, if authorized by their member tribes, to assist  
14 the Administrator in implementing Federal environmental  
15 programs for Indian tribes required or authorized by law,  
16 except that no such cooperative agreements may be award-  
17 ed from funds designated for State financial assistance  
18 agreements.

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

1           Notwithstanding section 33(d)(2) of the Federal In-  
2   secticide, Fungicide, and Rodenticide Act (FIFRA) (7  
3   U.S.C. 136w-8(d)(2)), the Administrator of the Environ-  
4   mental Protection Agency may assess fees under section  
5   33 of FIFRA (7 U.S.C. 136w-8) for fiscal year 2017.

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

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

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

3       The Administrator of the Environmental Protection  
4 Agency shall base agency policies and actions regarding  
5 air emissions from forest biomass including, but not lim-  
6 ited to, air emissions from facilities that combust forest  
7 biomass for energy, on the principle that forest biomass  
8 emissions do not increase overall carbon dioxide accumula-  
9 tions in the atmosphere when USDA Forest Inventory and  
10 Analysis data show that forest carbon stocks in the U.S.  
11 are stable or increasing on a national scale, or when forest  
12 biomass is derived from mill residuals, harvest residuals  
13 or forest management activities. Such policies and actions  
14 shall not pre-empt existing authorities of States to deter-  
15 mine how to utilize biomass as a renewable energy source  
16 and shall not inhibit States' authority to apply the same  
17 policies to forest biomass as other renewable fuels in im-  
18 plementing Federal law.

19       The Administrator of the Environmental Protection  
20 Agency shall apply the criteria and procedures in effect  
21 as of the date of enactment of this Act for aquifer exemp-  
22 tions under the underground injection control regulatory  
23 framework, in a collaborative manner with the States and  
24 regulated industries, to promptly review and make deci-  
25 sions on all aquifer exemption applications using the cri-

1 teria for exempted aquifers set forth in section 146.4 of  
2 title 40, Code of Federal Regulations (as in effect on April  
3 1, 2016). The Administrator shall not use substantial pro-  
4 gram revisions for purposes of reviewing and making deci-  
5 sions on aquifer exemption applications involving under-  
6 ground injection authorized by permit, provided the injec-  
7 tion is occurring into aquifers that meet the criteria for  
8 an exemption under such section 146.4 and the rec-  
9 ommendations of key State resource agencies are taken  
10 in account.

11 For fiscal year 2017, and notwithstanding section  
12 518(f) of the Federal Water Pollution Control Act (33  
13 U.S.C. 1377(f)), the Administrator is authorized to use  
14 the amounts appropriated for any fiscal year under section  
15 319 of the Act to make grants to federally recognized In-  
16 dian tribes pursuant to sections 319(h) and 518(e) of that  
17 Act.

### 18 TITLE III

#### 19 RELATED AGENCIES

#### 20 DEPARTMENT OF AGRICULTURE

#### 21 FOREST SERVICE

#### 22 FOREST AND RANGELAND RESEARCH

23 For necessary expenses of forest and rangeland re-  
24 search as authorized by law, \$291,982,000, to remain  
25 available through September 30, 2019: *Provided*, That of

1 the funds provided, \$77,000,000 is for the forest inventory  
2 and analysis program.

3 STATE AND PRIVATE FORESTRY

4 For necessary expenses of cooperating with and pro-  
5 viding technical and financial assistance to States, terri-  
6 tories, possessions, and others, and for forest health man-  
7 agement, including treatments of pests, pathogens, and  
8 invasive or noxious plants and for restoring and rehabili-  
9 tating forests damaged by pests or invasive plants, cooper-  
10 ative forestry, and education and land conservation activi-  
11 ties and conducting an international program as author-  
12 ized, \$244,038,000, to remain available through Sep-  
13 tember 30, 2018, as authorized by law, of which  
14 \$55,000,000 is to be derived from the Land and Water  
15 Conservation Fund to be used for the Forest Legacy Pro-  
16 gram, to remain available until expended.

17 NATIONAL FOREST SYSTEM

18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses of the Forest Service, not  
20 otherwise provided for, for management, protection, im-  
21 provement, and utilization of the National Forest System,  
22 \$1,531,443,000, to remain available through September  
23 30, 2018: *Provided*, That of the funds provided,  
24 \$40,000,000 shall be deposited in the Collaborative Forest  
25 Landscape Restoration Fund for ecological restoration

1 treatments as authorized by 16 U.S.C. 7303(f): *Provided*  
2 *further*, That of the funds provided, \$384,805,000 shall  
3 be for forest products: *Provided further*, That of the funds  
4 provided, up to \$159,941,000 is for the Integrated Re-  
5 source Restoration pilot program for Region 1, Region 2,  
6 Region 3, Region 4, and Region 5: *Provided further*, That  
7 of the funds provided for forest products, up to  
8 \$161,560,000 may be transferred to support the Inte-  
9 grated Resource Restoration pilot program in the pre-  
10 ceding proviso: *Provided further*, That the Secretary of Ag-  
11 riculture may transfer to the Secretary of the Interior any  
12 unobligated funds appropriated in a previous fiscal year  
13 for operation of the Valles Caldera National Preserve.

14 CAPITAL IMPROVEMENT AND MAINTENANCE

15 (INCLUDING TRANSFER OF FUNDS)

16 For necessary expenses of the Forest Service, not  
17 otherwise provided for, \$364,164,000, to remain available  
18 through September 30, 2018, for construction, capital im-  
19 provement, maintenance and acquisition of buildings and  
20 other facilities and infrastructure; and for construction,  
21 reconstruction, decommissioning of roads that are no  
22 longer needed, including unauthorized roads that are not  
23 part of the transportation system, and maintenance of for-  
24 est roads and trails by the Forest Service as authorized  
25 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*

1 *vided*, That \$40,000,000 shall be designated for urgently  
2 needed road decommissioning, road and trail repair and  
3 maintenance and associated activities, and removal of fish  
4 passage barriers, especially in areas where Forest Service  
5 roads may be contributing to water quality problems in  
6 streams and water bodies which support threatened, en-  
7 dangered, or sensitive species or community water sources:  
8 *Provided further*, That funds becoming available in fiscal  
9 year 2017 under the Act of March 4, 1913 (16 U.S.C.  
10 501) shall be transferred to the General Fund of the  
11 Treasury and shall not be available for transfer or obliga-  
12 tion for any other purpose unless the funds are appro-  
13 priated: *Provided further*, That of the funds provided for  
14 decommissioning of roads, up to \$24,543,000 may be  
15 transferred to the “National Forest System” to support  
16 the Integrated Resource Restoration pilot program.

17 LAND ACQUISITION

18 For expenses necessary to carry out the provisions  
19 of chapter 2003 of title 54, United States Code, including  
20 administrative expenses, and for acquisition of land or  
21 waters, or interest therein, in accordance with statutory  
22 authority applicable to the Forest Service, \$27,280,000,  
23 to be derived from the Land and Water Conservation  
24 Fund and to remain available until expended.

1 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL  
2 ACTS

3 For acquisition of lands within the exterior bound-  
4 aries of the Cache, Uinta, and Wasatch National Forests,  
5 Utah; the Toiyabe National Forest, Nevada; and the An-  
6 geles, San Bernardino, Sequoia, and Cleveland National  
7 Forests, California, as authorized by law, \$950,000, to be  
8 derived from forest receipts.

9 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

10 For acquisition of lands, such sums, to be derived  
11 from funds deposited by State, county, or municipal gov-  
12 ernments, public school districts, or other public school au-  
13 thorities, and for authorized expenditures from funds de-  
14 posited by non-Federal parties pursuant to Land Sale and  
15 Exchange Acts, pursuant to the Act of December 4, 1967  
16 (16 U.S.C. 484a), to remain available through September  
17 30, 2018, (16 U.S.C. 516–617a, 555a; Public Law 96–  
18 586; Public Law 76–589, 76–591; and Public Law 78–  
19 310).

20 RANGE BETTERMENT FUND

21 For necessary expenses of range rehabilitation, pro-  
22 tection, and improvement, 50 percent of all moneys re-  
23 ceived during the prior fiscal year, as fees for grazing do-  
24 mestic livestock on lands in National Forests in the 16  
25 Western States, pursuant to section 401(b)(1) of Public



1 Law 94–579, to remain available through September 30,  
2 2018, of which not to exceed 6 percent shall be available  
3 for administrative expenses associated with on-the-ground  
4 range rehabilitation, protection, and improvements.

5 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND  
6 RANGELAND RESEARCH

7 For expenses authorized by 16 U.S.C. 1643(b),  
8 \$45,000, to remain available through September 30, 2018,  
9 to be derived from the fund established pursuant to the  
10 above Act.

11 MANAGEMENT OF NATIONAL FOREST LANDS FOR  
12 SUBSISTENCE USES

13 For necessary expenses of the Forest Service to man-  
14 age Federal lands in Alaska for subsistence uses under  
15 title VIII of the Alaska National Interest Lands Conserva-  
16 tion Act (Public Law 96–487), \$2,500,000, to remain  
17 available through September 30, 2018.

18 WILDLAND FIRE MANAGEMENT  
19 (INCLUDING TRANSFERS OF FUNDS)

20 For necessary expenses for forest fire presuppression  
21 activities on National Forest System lands, for emergency  
22 fire suppression on or adjacent to such lands or other  
23 lands under fire protection agreement, hazardous fuels  
24 management on or adjacent to such lands, emergency re-  
25 habilitation of burned-over National Forest System lands

1 and water, and for State and volunteer fire assistance,  
2 \$2,593,763,000, to remain available through September  
3 30, 2019: *Provided*, That such funds including unobli-  
4 gated balances under this heading, are available for repay-  
5 ment of advances from other appropriations accounts pre-  
6 viously transferred for such purposes: *Provided further*,  
7 That such funds shall be available to reimburse State and  
8 other cooperating entities for services provided in response  
9 to wildfire and other emergencies or disasters to the extent  
10 such reimbursements by the Forest Service for non-fire  
11 emergencies are fully repaid by the responsible emergency  
12 management agency: *Provided further*, That notwith-  
13 standing any other provision of law, \$6,914,000 of funds  
14 appropriated under this appropriation shall be available  
15 for the Forest Service in support of fire science research  
16 authorized by the Joint Fire Science Program, including  
17 all Forest Service authorities for the use of funds, such  
18 as contracts, grants, research joint venture agreements,  
19 and cooperative agreements: *Provided further*, That all au-  
20 thorities for the use of funds, including the use of con-  
21 tracts, grants, and cooperative agreements, available to  
22 execute the Forest and Rangeland Research appropria-  
23 tion, are also available in the utilization of these funds  
24 for Fire Science Research: *Provided further*, That funds  
25 provided shall be available for emergency rehabilitation

1 and restoration, hazardous fuels management activities,  
2 support to Federal emergency response, and wildfire sup-  
3 pression activities of the Forest Service: *Provided further*,  
4 That of the funds provided, \$395,000,000 is for hazardous  
5 fuels management activities, \$19,795,000 is for research  
6 activities and to make competitive research grants pursu-  
7 ant to the Forest and Rangeland Renewable Resources  
8 Research Act, (16 U.S.C. 1641 et seq.), \$78,000,000 is  
9 for State fire assistance, and \$13,000,000 is for volunteer  
10 fire assistance under section 10 of the Cooperative For-  
11 estry Assistance Act of 1978 (16 U.S.C. 2106): *Provided*  
12 *further*, That amounts in this paragraph may be trans-  
13 ferred to the “National Forest System”, and “Forest and  
14 Rangeland Research” accounts to fund forest and range-  
15 land research, the Joint Fire Science Program, vegetation  
16 and watershed management, heritage site rehabilitation,  
17 and wildlife and fish habitat management and restoration:  
18 *Provided further*, That of the funds provided, \$65,000,000  
19 shall be available for the purpose of acquiring aircraft for  
20 the next-generation airtanker fleet to enhance firefighting  
21 mobility, effectiveness, efficiency, and safety, and such air-  
22 craft shall be suitable for contractor operation over the  
23 terrain and forest ecosystems characteristic of National  
24 Forest System lands, as determined by the Chief of the  
25 Forest Service: *Provided further*, That the costs of imple-

1 mentioning any cooperative agreement between the Federal  
2 Government and any non-Federal entity may be shared,  
3 as mutually agreed on by the affected parties: *Provided*  
4 *further*, That the funds provided herein may be used by  
5 the Secretary of Agriculture to enter into procurement  
6 contracts or cooperative agreements or to issue grants for  
7 hazardous fuels management activities and for training or  
8 monitoring associated with such hazardous fuels manage-  
9 ment activities on Federal land or on non-Federal land  
10 if the Secretary determines such activities benefit re-  
11 sources on Federal land: *Provided further*, That funds  
12 made available to implement the Community Forest Res-  
13 toration Act, Public Law 106–393, title VI, shall be avail-  
14 able for use on non-Federal lands in accordance with au-  
15 thorities made available to the Forest Service under the  
16 “State and Private Forestry” appropriation: *Provided fur-*  
17 *ther*, That the Secretary of the Interior and the Secretary  
18 of Agriculture may authorize the transfer of funds appro-  
19 priated for wildland fire management, in an aggregate  
20 amount not to exceed \$50,000,000, between the Depart-  
21 ments when such transfers would facilitate and expedite  
22 wildland fire management programs and projects: *Pro-*  
23 *vided further*, That of the funds provided for hazardous  
24 fuels management, not to exceed \$5,000,000 may be used  
25 to make grants, using any authorities available to the For-

1 est Service under the “State and Private Forestry” appro-  
2 priation, for the purpose of creating incentives for in-  
3 creased use of biomass from National Forest System  
4 lands: *Provided further*, That funds designated for wildfire  
5 suppression, including funds transferred from the  
6 “FLAME Wildfire Suppression Reserve Fund”, shall be  
7 assessed for cost pools on the same basis as such assess-  
8 ments are calculated against other agency programs: *Pro-*  
9 *vided further*, That of the funds for hazardous fuels man-  
10 agement, up to \$46,653,000 may be transferred to the  
11 “National Forest System” to support the Integrated Re-  
12 source Restoration pilot program.

13 FLAME WILDFIRE SUPPRESSION RESERVE FUND

14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses for large fire suppression op-  
16 erations of the Department of Agriculture and as a reserve  
17 fund for suppression and Federal emergency response ac-  
18 tivities, \$315,000,000, to remain available until expended:  
19 *Provided*, That such amounts are only available for trans-  
20 fer to the “Wildland Fire Management” account following  
21 a declaration by the Secretary in accordance with section  
22 502 of the FLAME Act of 2009 (43 U.S.C. 1748a).

## 1 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

2 (INCLUDING TRANSFERS OF FUNDS)

3 Appropriations to the Forest Service for the current  
4 fiscal year shall be available for: (1) purchase of passenger  
5 motor vehicles; acquisition of passenger motor vehicles  
6 from excess sources, and hire of such vehicles; purchase,  
7 lease, operation, maintenance, and acquisition of aircraft  
8 to maintain the operable fleet for use in Forest Service  
9 wildland fire programs and other Forest Service programs;  
10 notwithstanding other provisions of law, existing aircraft  
11 being replaced may be sold, with proceeds derived or  
12 trade-in value used to offset the purchase price for the  
13 replacement aircraft; (2) services pursuant to 7 U.S.C.  
14 2225, and not to exceed \$100,000 for employment under  
15 5 U.S.C. 3109; (3) purchase, erection, and alteration of  
16 buildings and other public improvements (7 U.S.C. 2250);  
17 (4) acquisition of land, waters, and interests therein pur-  
18 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the  
19 Volunteers in the National Forest Act of 1972 (16 U.S.C.  
20 558a, 558d, and 558a note); (6) the cost of uniforms as  
21 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-  
22 lection contracts in accordance with 31 U.S.C. 3718(c).

23 Any appropriations or funds available to the Forest  
24 Service may be transferred to the Wildland Fire Manage-  
25 ment appropriation for forest firefighting, emergency re-

1 habilitation of burned-over or damaged lands or waters  
2 under its jurisdiction, and fire preparedness due to severe  
3 burning conditions upon the Secretary's notification of the  
4 House and Senate Committees on Appropriations that all  
5 fire suppression funds appropriated under the headings  
6 "Wildland Fire Management" and "FLAME Wildfire  
7 Suppression Reserve Fund" will be obligated within 30  
8 days: *Provided*, That all funds used pursuant to this para-  
9 graph must be replenished by a supplemental appropria-  
10 tion which must be requested as promptly as possible.

11 Funds appropriated to the Forest Service shall be  
12 available for assistance to or through the Agency for Inter-  
13 national Development in connection with forest and range-  
14 land research, technical information, and assistance in for-  
15 eign countries, and shall be available to support forestry  
16 and related natural resource activities outside the United  
17 States and its territories and possessions, including tech-  
18 nical assistance, education and training, and cooperation  
19 with U.S., private, and international organizations. The  
20 Forest Service, acting for the International Program, may  
21 sign direct funding agreements with foreign governments  
22 and institutions as well as other domestic agencies (includ-  
23 ing the U.S. Agency for International Development, the  
24 Department of State, and the Millennium Challenge Cor-  
25 poration), U.S. private sector firms, institutions and orga-

1 nizations to provide technical assistance and training pro-  
2 grams overseas on forestry and rangeland management.

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

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

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

22 Not more than \$82,000,000 of funds available to the  
23 Forest Service shall be transferred to the Working Capital  
24 Fund of the Department of Agriculture and not more than  
25 \$14,500,000 of funds available to the Forest Service shall



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

9       Of the funds available to the Forest Service, up to  
10 \$5,000,000 shall be available for priority projects within  
11 the scope of the approved budget, which shall be carried  
12 out by the Youth Conservation Corps and shall be carried  
13 out under the authority of the Public Lands Corps Act  
14 of 1993, Public Law 103-82, as amended by Public Lands  
15 Corps Healthy Forests Restoration Act of 2005, Public  
16 Law 109-154.

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

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

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

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

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

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

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

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

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

1 sult of OGC assistance or participation requested by the  
2 Forest Service at meetings, training sessions, management  
3 reviews, land purchase negotiations and similar nonlitiga-  
4 tion-related matters. Future budget justifications for both  
5 the Forest Service and the Department of Agriculture  
6 should clearly display the sums previously transferred and  
7 the requested funding transfers.

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

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

20       Funds appropriated to the Forest Service shall be  
21 available to categorically exclude from documentation in  
22 an environmental assessment or an environmental impact  
23 statement under the National Environmental Policy Act  
24 of 1969 (42 U.S.C. 4321 et seq.) a forest management  
25 activity on National Forest System lands when the pri-

1 mary purpose of the forest management activity is: (1)  
2 to address an insect or disease infestation; (2) to reduce  
3 hazardous fuel loads; (3) to protect a municipal water  
4 source; (4) to maintain, enhance, or modify critical habitat  
5 to protect it from catastrophic disturbances; (5) to in-  
6 crease water yield; or (6) any combination of these pur-  
7 poses: *Provided*, That the land on which the forest man-  
8 agement activity is carried out may not exceed 3,000  
9 acres.

10 DEPARTMENT OF HEALTH AND HUMAN  
11 SERVICES

12 INDIAN HEALTH SERVICE

13 INDIAN HEALTH SERVICES

14 For expenses necessary to carry out the Act of Au-  
15 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-  
16 tion and Education Assistance Act, the Indian Health  
17 Care Improvement Act, and titles II and III of the Public  
18 Health Service Act with respect to the Indian Health Serv-  
19 ice, \$3,720,690,000, together with payments received dur-  
20 ing the fiscal year pursuant to 42 U.S.C. 238(b) and  
21 238b, for services furnished by the Indian Health Service:  
22 *Provided*, That funds made available to tribes and tribal  
23 organizations through contracts, grant agreements, or any  
24 other agreements or compacts authorized by the Indian  
25 Self-Determination and Education Assistance Act of 1975

1 (25 U.S.C. 450), shall be deemed to be obligated at the  
2 time of the grant or contract award and thereafter shall  
3 remain available to the tribe or tribal organization without  
4 fiscal year limitation: *Provided further*, That  
5 \$960,831,000 for Purchased/Referred Care, including  
6 \$53,000,000 for the Indian Catastrophic Health Emer-  
7 gency Fund, shall remain available until expended: *Pro-*  
8 *vided further*, That of the funds provided, up to  
9 \$37,000,000 shall remain available until expended for im-  
10 plementation of the loan repayment program under section  
11 108 of the Indian Health Care Improvement Act: *Provided*  
12 *further*, That of the funds provided, \$2,000,000 shall be  
13 used to supplement funds available for operational costs  
14 at tribal clinics operated under an Indian Self-Determina-  
15 tion and Education Assistance Act compact or contract  
16 where health care is delivered in space acquired through  
17 a full service lease, which is not eligible for maintenance  
18 and improvement and equipment funds from the Indian  
19 Health Service, and \$6,000,000 shall be for accreditation  
20 emergencies: *Provided further*, That the amounts collected  
21 by the Federal Government as authorized by sections 104  
22 and 108 of the Indian Health Care Improvement Act (25  
23 U.S.C. 1613a and 1616a) during the preceding fiscal year  
24 for breach of contracts shall be deposited to the Fund au-  
25 thorized by section 108A of the Act (25 U.S.C. 1616a-

1) and shall remain available until expended and, notwithstanding section 108A(c) of the 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 the 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 aftercare pilots at Youth Regional 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 that fall 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

1 planning, design, or construction of new facilities: *Pro-*  
2 *vided further*, That funding contained herein for scholar-  
3 ship programs under the Indian Health Care Improvement  
4 Act (25 U.S.C. 1613) shall remain available until ex-  
5 pended: *Provided further*, That amounts received by tribes  
6 and tribal organizations under title IV of the Indian  
7 Health Care Improvement Act shall be reported and ac-  
8 counted for and available to the receiving tribes and tribal  
9 organizations until expended: *Provided further*, That the  
10 Bureau of Indian Affairs may collect from the Indian  
11 Health Service, tribes and tribal organizations operating  
12 health facilities pursuant to Public Law 93–638, such in-  
13 dividually identifiable health information relating to dis-  
14 abled children as may be necessary for the purpose of car-  
15 rying out its functions under the Individuals with Disabil-  
16 ities Education Act (20 U.S.C. 1400, et seq.): *Provided*  
17 *further*, That the Indian Health Care Improvement Fund  
18 may be used, as needed, to carry out activities typically  
19 funded under the Indian Health Facilities account.

20 CONTRACT SUPPORT COSTS

21 For payments to tribes and tribal organizations for  
22 contract support costs associated with Indian Self-Deter-  
23 mination and Education Assistance Act agreements with  
24 the Indian Health Service for fiscal year 2017, such sums  
25 as may be necessary: *Provided*, That notwithstanding any



1 other provision of law, no amounts made available under  
2 this heading shall be available for transfer to another  
3 budget account.

4 INDIAN HEALTH FACILITIES

5 For construction, repair, maintenance, improvement,  
6 and equipment of health and related auxiliary facilities,  
7 including quarters for personnel; preparation of plans,  
8 specifications, and drawings; acquisition of sites, purchase  
9 and erection of modular buildings, and purchases of trail-  
10 ers; and for provision of domestic and community sanita-  
11 tion facilities for Indians, as authorized by section 7 of  
12 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian  
13 Self-Determination Act, and the Indian Health Care Im-  
14 provement Act, and for expenses necessary to carry out  
15 such Acts and titles II and III of the Public Health Serv-  
16 ice Act with respect to environmental health and facilities  
17 support activities of the Indian Health Service,  
18 \$557,946,000, to remain available until expended: *Pro-*  
19 *vided*, That notwithstanding any other provision of law,  
20 funds appropriated for the planning, design, construction,  
21 renovation or expansion of health facilities for the benefit  
22 of an Indian tribe or tribes may be used to purchase land  
23 on which such facilities will be located: *Provided further*,  
24 That not to exceed \$500,000 may be used by the Indian  
25 Health Service to purchase TRANSAM equipment from

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

18 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

19 Appropriations provided in this Act to the Indian  
20 Health Service shall be available for services as authorized  
21 by 5 U.S.C. 3109 at rates not to exceed the per diem rate  
22 equivalent to the maximum rate payable for senior-level  
23 positions under 5 U.S.C. 5376; hire of passenger motor  
24 vehicles and aircraft; purchase of medical equipment; pur-  
25 chase of reprints; purchase, renovation and erection of

1 modular buildings and renovation of existing facilities;  
2 payments for telephone service in private residences in the  
3 field, when authorized under regulations approved by the  
4 Secretary; uniforms or allowances therefor as authorized  
5 by 5 U.S.C. 5901–5902; and for expenses of attendance  
6 at meetings that relate to the functions or activities of the  
7 Indian Health Service: *Provided*, That in accordance with  
8 the provisions of the Indian Health Care Improvement  
9 Act, non-Indian patients may be extended health care at  
10 all tribally administered or Indian Health Service facili-  
11 ties, subject to charges, and the proceeds along with funds  
12 recovered under the Federal Medical Care Recovery Act  
13 (42 U.S.C. 2651–2653) shall be credited to the account  
14 of the facility providing the service and shall be available  
15 without fiscal year limitation: *Provided further*, That not-  
16 withstanding any other law or regulation, funds trans-  
17 ferred from the Department of Housing and Urban Devel-  
18 opment to the Indian Health Service shall be administered  
19 under Public Law 86–121, the Indian Sanitation Facilities  
20 Act and Public Law 93–638: *Provided further*, That funds  
21 appropriated to the Indian Health Service in this Act, ex-  
22 cept those used for administrative and program direction  
23 purposes, shall not be subject to limitations directed at  
24 curtailing Federal travel and transportation: *Provided fur-*  
25 *ther*, That none of the funds made available to the Indian

1 Health Service in this Act shall be used for any assess-  
2 ments or charges by the Department of Health and  
3 Human Services unless identified in the budget justifica-  
4 tion and provided in this Act, or approved by the House  
5 and Senate Committees on Appropriations through the re-  
6 programming process: *Provided further*, That notwith-  
7 standing any other provision of law, funds previously or  
8 herein made available to a tribe or tribal organization  
9 through a contract, grant, or agreement authorized by  
10 title I or title V of the Indian Self-Determination and  
11 Education Assistance Act of 1975 (25 U.S.C. 450), may  
12 be deobligated and reobligated to a self-determination con-  
13 tract under title I, or a self-governance agreement under  
14 title V of such Act and thereafter shall remain available  
15 to the tribe or tribal organization without fiscal year limi-  
16 tation: *Provided further*, That none of the funds made  
17 available to the Indian Health Service in this Act shall  
18 be used to implement the final rule published in the Fed-  
19 eral Register on September 16, 1987, by the Department  
20 of Health and Human Services, relating to the eligibility  
21 for the health care services of the Indian Health Service  
22 until the Indian Health Service has submitted a budget  
23 request reflecting the increased costs associated with the  
24 proposed final rule, and such request has been included  
25 in an appropriations Act and enacted into law: *Provided*

1 *further*, That with respect to functions transferred by the  
2 Indian Health Service to tribes or tribal organizations, the  
3 Indian Health Service is authorized to provide goods and  
4 services to those entities on a reimbursable basis, includ-  
5 ing payments in advance with subsequent adjustment, and  
6 the reimbursements received therefrom, along with the  
7 funds received from those entities pursuant to the Indian  
8 Self-Determination Act, may be credited to the same or  
9 subsequent appropriation account from which the funds  
10 were originally derived, with such amounts to remain  
11 available until expended: *Provided further*, That reim-  
12 bursements for training, technical assistance, or services  
13 provided by the Indian Health Service will contain total  
14 costs, including direct, administrative, and overhead asso-  
15 ciated with the provision of goods, services, or technical  
16 assistance: *Provided further*, That the appropriation struc-  
17 ture for the Indian Health Service may not be altered  
18 without advance notification to the House and Senate  
19 Committees on Appropriations.

20 NATIONAL INSTITUTES OF HEALTH  
21 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH  
22 SCIENCES

23 For necessary expenses for the National Institute of  
24 Environmental Health Sciences in carrying out activities  
25 set forth in section 311(a) of the Comprehensive Environ-

1 mental Response, Compensation, and Liability Act of  
2 1980 (42 U.S.C. 9660(a)) and section 126(g) of the  
3 Superfund Amendments and Reauthorization Act of 1986,  
4 \$77,349,000.

5 AGENCY FOR TOXIC SUBSTANCES AND DISEASE

6 REGISTRY

7 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

8 HEALTH

9 For necessary expenses for the Agency for Toxic Sub-  
10 stances and Disease Registry (ATSDR) in carrying out  
11 activities set forth in sections 104(i) and 111(c)(4) of the  
12 Comprehensive Environmental Response, Compensation,  
13 and Liability Act of 1980 (CERCLA) and section 3019  
14 of the Solid Waste Disposal Act, \$74,691,000, of which  
15 up to \$1,000 per eligible employee of the Agency for Toxic  
16 Substances and Disease Registry shall remain available  
17 until expended for Individual Learning Accounts: *Pro-*  
18 *vided*, That notwithstanding any other provision of law,  
19 in lieu of performing a health assessment under section  
20 104(i)(6) of CERCLA, the Administrator of ATSDR may  
21 conduct other appropriate health studies, evaluations, or  
22 activities, including, without limitation, biomedical testing,  
23 clinical evaluations, medical monitoring, and referral to  
24 accredited healthcare providers: *Provided further*, That in  
25 performing any such health assessment or health study,

1 evaluation, or activity, the Administrator of ATSDR shall  
2 not be bound by the deadlines in section 104(i)(6)(A) of  
3 CERCLA: *Provided further*, That none of the funds appro-  
4 priated under this heading shall be available for ATSDR  
5 to issue in excess of 40 toxicological profiles pursuant to  
6 section 104(i) of CERCLA during fiscal year 2017, and  
7 existing profiles may be updated as necessary.

## 8 OTHER RELATED AGENCIES

### 9 EXECUTIVE OFFICE OF THE PRESIDENT

#### 10 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF 11 ENVIRONMENTAL QUALITY

12 For necessary expenses to continue functions as-  
13 signed to the Council on Environmental Quality and Office  
14 of Environmental Quality pursuant to the National Envi-  
15 ronmental Policy Act of 1969, the Environmental Quality  
16 Improvement Act of 1970, and Reorganization Plan No.  
17 1 of 1977, and not to exceed \$750 for official reception  
18 and representation expenses, \$3,000,000: *Provided*, That  
19 notwithstanding section 202 of the National Environ-  
20 mental Policy Act of 1970, the Council shall consist of  
21 one member, appointed by the President, by and with the  
22 advice and consent of the Senate, serving as chairman and  
23 exercising all powers, functions, and duties of the Council.

1 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD  
2 SALARIES AND EXPENSES

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



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

4 For necessary expenses of the Office of Navajo and  
5 Hopi Indian Relocation as authorized by Public Law 93–  
6 531, \$15,431,000, to remain available until expended:  
7 *Provided*, That funds provided in this or any other appro-  
8 priations Act are to be used to relocate eligible individuals  
9 and groups including evictees from District 6, Hopi-parti-  
10 tioned lands residents, those in significantly substandard  
11 housing, and all others certified as eligible and not in-  
12 cluded in the preceding categories: *Provided further*, That  
13 none of the funds contained in this or any other Act may  
14 be used by the Office of Navajo and Hopi Indian Reloca-  
15 tion to evict any single Navajo or Navajo family who, as  
16 of November 30, 1985, was physically domiciled on the  
17 lands partitioned to the Hopi Tribe unless a new or re-  
18 placement home is provided for such household: *Provided*  
19 *further*, That no relocatee will be provided with more than  
20 one new or replacement home: *Provided further*, That the  
21 Office shall relocate any certified eligible relocatees who  
22 have selected and received an approved homesite on the  
23 Navajo reservation or selected a replacement residence off  
24 the Navajo reservation or on the land acquired pursuant  
25 to 25 U.S.C. 640d-10: *Provided further*, That \$200,000

1 shall be transferred to the Office of Inspector General of  
2 the Department of the Interior, to remain available until  
3 expended, for audits and investigations of the Office of  
4 Navajo and Hopi Indian Relocation, consistent with the  
5 Inspector General Act of 1978 (5 U.S.C. App.).

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

8 PAYMENT TO THE INSTITUTE

9 For payment to the Institute of American Indian and  
10 Alaska Native Culture and Arts Development, as author-  
11 ized by title XV of Public Law 99–498 (20 U.S.C. 56 part  
12 A), \$11,619,000, to remain available until September 30,  
13 2018.

14 SMITHSONIAN INSTITUTION

15 SALARIES AND EXPENSES

16 For necessary expenses of the Smithsonian Institu-  
17 tion, as authorized by law, including research in the fields  
18 of art, science, and history; development, preservation, and  
19 documentation of the National Collections; presentation of  
20 public exhibits and performances; collection, preparation,  
21 dissemination, and exchange of information and publica-  
22 tions; conduct of education, training, and museum assist-  
23 ance programs; maintenance, alteration, operation, lease  
24 agreements of no more than 30 years, and protection of  
25 buildings, facilities, and approaches; not to exceed

1 \$100,000 for services as authorized by 5 U.S.C. 3109; and  
2 purchase, rental, repair, and cleaning of uniforms for em-  
3 ployees, \$712,487,000, to remain available until Sep-  
4 tember 30, 2018, except as otherwise provided herein; of  
5 which not to exceed \$50,467,000 for the instrumentation  
6 program, collections acquisition, exhibition reinstallation,  
7 the National Museum of African American History and  
8 Culture, and the repatriation of skeletal remains program  
9 shall remain available until expended; and including such  
10 funds as may be necessary to support American overseas  
11 research centers: *Provided*, That funds appropriated here-  
12 in are available for advance payments to independent con-  
13 tractors performing research services or participating in  
14 official Smithsonian presentations.

15 FACILITIES CAPITAL

16 For necessary expenses of repair, revitalization, and  
17 alteration of facilities owned or occupied by the Smithso-  
18 nian Institution, by contract or otherwise, as authorized  
19 by section 2 of the Act of August 22, 1949 (63 Stat. 623),  
20 and for construction, including necessary personnel,  
21 \$150,860,000, to remain available until expended, of  
22 which not to exceed \$10,000 shall be for services as au-  
23 thorized by 5 U.S.C. 3109.

## 1 NATIONAL GALLERY OF ART

## 2 SALARIES AND EXPENSES

3 For the upkeep and operations of the National Gal-  
4 lery of Art, the protection and care of the works of art  
5 therein, and administrative expenses incident thereto, as  
6 authorized by the Act of March 24, 1937 (50 Stat. 51),  
7 as amended by the public resolution of April 13, 1939  
8 (Public Resolution 9, Seventy-sixth Congress), including  
9 services as authorized by 5 U.S.C. 3109; payment in ad-  
10 vance when authorized by the treasurer of the Gallery for  
11 membership in library, museum, and art associations or  
12 societies whose publications or services are available to  
13 members only, or to members at a price lower than to the  
14 general public; purchase, repair, and cleaning of uniforms  
15 for guards, and uniforms, or allowances therefor, for other  
16 employees as authorized by law (5 U.S.C. 5901–5902);  
17 purchase or rental of devices and services for protecting  
18 buildings and contents thereof, and maintenance, alter-  
19 ation, improvement, and repair of buildings, approaches,  
20 and grounds; and purchase of services for restoration and  
21 repair of works of art for the National Gallery of Art by  
22 contracts made, without advertising, with individuals,  
23 firms, or organizations at such rates or prices and under  
24 such terms and conditions as the Gallery may deem prop-  
25 er, \$130,801,000, to remain available until September 30,

1 2018, of which not to exceed \$3,620,000 for the special  
2 exhibition program shall remain available until expended.

3 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

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

17 JOHN F. KENNEDY CENTER FOR THE PERFORMING  
18 ARTS

19 OPERATIONS AND MAINTENANCE

20 For necessary expenses for the operation, mainte-  
21 nance and security of the John F. Kennedy Center for  
22 the Performing Arts, \$22,260,000.

23 CAPITAL REPAIR AND RESTORATION

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

1 the John F. Kennedy Center for the Performing Arts,  
2 \$14,140,000, to remain available until expended.

3 WOODROW WILSON INTERNATIONAL CENTER FOR  
4 SCHOLARS

5 SALARIES AND EXPENSES

6 For expenses necessary in carrying out the provisions  
7 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.  
8 1356) including hire of passenger vehicles and services as  
9 authorized by 5 U.S.C. 3109, \$10,500,000, to remain  
10 available until September 30, 2018.

11 NATIONAL FOUNDATION ON THE ARTS AND THE  
12 HUMANITIES

13 NATIONAL ENDOWMENT FOR THE ARTS  
14 GRANTS AND ADMINISTRATION

15 For necessary expenses to carry out the National  
16 Foundation on the Arts and the Humanities Act of 1965,  
17 \$149,849,000 shall be available to the National Endow-  
18 ment for the Arts for the support of projects and produc-  
19 tions in the arts, including arts education and public out-  
20 reach activities, through assistance to organizations and  
21 individuals pursuant to section 5 of the Act, for program  
22 support, and for administering the functions of the Act,  
23 to remain available until expended.

## 1 NATIONAL ENDOWMENT FOR THE HUMANITIES

## 2 GRANTS AND ADMINISTRATION

3 For necessary expenses to carry out the National  
4 Foundation on the Arts and the Humanities Act of 1965,  
5 \$149,848,000, to remain available until expended, of  
6 which \$139,148,000 shall be available for support of ac-  
7 tivities in the humanities, pursuant to section 7(c) of the  
8 Act and for administering the functions of the Act; and  
9 \$10,700,000 shall be available to carry out the matching  
10 grants program pursuant to section 10(a)(2) of the Act,  
11 including \$8,500,000 for the purposes of section 7(h):  
12 *Provided*, That appropriations for carrying out section  
13 10(a)(2) shall be available for obligation only in such  
14 amounts as may be equal to the total amounts of gifts,  
15 bequests, devises of money, and other property accepted  
16 by the chairman or by grantees of the National Endow-  
17 ment for the Humanities under the provisions of sections  
18 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-  
19 ceding fiscal years for which equal amounts have not pre-  
20 viously been appropriated.

## 21 ADMINISTRATIVE PROVISIONS

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

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

14 COMMISSION OF FINE ARTS

15 SALARIES AND EXPENSES

16 For expenses of the Commission of Fine Arts under  
17 chapter 91 of title 40, United States Code, \$2,762,000:  
18 *Provided*, That the Commission is authorized to charge  
19 fees to cover the full costs of its publications, and such  
20 fees shall be credited to this account as an offsetting col-  
21 lection, to remain available until expended without further  
22 appropriation: *Provided further*, That the Commission is  
23 authorized to accept gifts, including objects, papers, art-  
24 work, drawings and artifacts, that pertain to the history  
25 and design of the Nation's Capital or the history and ac-



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

6 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

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

9 ADVISORY COUNCIL ON HISTORIC PRESERVATION

10 SALARIES AND EXPENSES

11 For necessary expenses of the Advisory Council on  
12 Historic Preservation (Public Law 89–665), \$6,480,000.

13 NATIONAL CAPITAL PLANNING COMMISSION

14 SALARIES AND EXPENSES

15 For necessary expenses of the National Capital Plan-  
16 ning Commission under chapter 87 of title 40, United  
17 States Code, including services as authorized by 5 U.S.C.  
18 3109, \$8,099,000: *Provided*, That one-quarter of 1 per-  
19 cent of the funds provided under this heading may be used  
20 for official reception and representational expenses associ-  
21 ated with hosting international visitors engaged in the  
22 planning and physical development of world capitals.

1 UNITED STATES HOLOCAUST MEMORIAL MUSEUM

2 HOLOCAUST MEMORIAL MUSEUM

3 For expenses of the Holocaust Memorial Museum, as  
4 authorized by Public Law 106–292 (36 U.S.C. 2301–  
5 2310), \$57,000,000, of which \$1,215,000 shall remain  
6 available until September 30, 2019, for the Museum’s  
7 equipment replacement program; and of which \$2,500,000  
8 for the Museum’s repair and rehabilitation program and  
9 \$1,264,000 for the Museum’s outreach initiatives program  
10 shall remain available until expended.

11 TITLE IV

12 GENERAL PROVISIONS

13 (INCLUDING TRANSFERS OF FUNDS)

14 RESTRICTION ON USE OF FUNDS

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

22 OBLIGATION OF APPROPRIATIONS

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

1 REPROGRAMMING PROCEDURES, DISCLOSURE OF  
2 ADMINISTRATIVE EXPENSES, AND OPERATING PLANS  
3 SEC. 403. (a) DEFINITIONS.—For the purposes of  
4 this section:

5 (1) “Reprogramming” includes:

6 (A) The reallocation of funds from one  
7 program, project, or activity, to another within  
8 any appropriation funded in this Act.

9 (B) For construction, land acquisition, and  
10 forest legacy accounts, the reallocation of funds,  
11 including unobligated balances, from one con-  
12 struction, land acquisition, or forest legacy  
13 project to another such project.

14 (C) An operating plan or any later modi-  
15 fication thereof submitted under subsection (i)  
16 of this section.

17 (D) Proposed reorganizations even without  
18 a change in funding, including any change to  
19 the organization table presented in the budget  
20 justification.

21 (2) “Program”, “project”, and “activity” con-  
22 stitute the delineation below the appropriation ac-  
23 count level of any agency funded by this Act, as  
24 shown in any table of the report accompanying this  
25 Act.

1           (3) “Funds” includes funds provided in this Act  
2           or previous appropriations Acts that are available  
3           for obligation in the current fiscal year and any  
4           amounts available for obligation in the current fiscal  
5           year derived from collections, fees or charges.

6           (4) “Assessment” is any overhead charge, de-  
7           duction, reserve or holdback, including working cap-  
8           ital fund and cost pool charges, from any program,  
9           project, and activity to support government-wide, de-  
10          partmental, agency, or bureau administrative func-  
11          tions or headquarters, regional, or central operations  
12          or to provide for contingencies.

13          (b)   GENERAL   GUIDELINES   FOR   RE-  
14   PROGRAMMING.—

15          (1) A reprogramming should be made only when an  
16          unforeseen situation arises, and then only if postponement  
17          of the project or the activity until the next appropriation  
18          year would result in actual loss or damage.

19          (2) Any project or activity, which may be deferred  
20          through reprogramming, shall not later be accomplished  
21          by means of further reprogramming, but instead, funds  
22          should again be sought for the deferred project or activity  
23          through the regular appropriations process.

24          (3) Except under the most urgent situations, re-  
25          programming should not be employed to initiate new pro-

1 grams or increase allocations specifically denied or limited  
2 by the Congress, or to decrease allocations specifically in-  
3 creased by the Congress.

4 (4) New programs requested in the budget should not  
5 be initiated before enactment of the bill without notifica-  
6 tion to, and the approval of, the Committees on Appro-  
7 priations of the House of Representatives and the Senate  
8 (hereinafter “the Committees”). This restriction applies to  
9 all such actions regardless of whether a formal reprogram-  
10 ming of funds is required to begin the program.

11 (c) CRITERIA.—

12 (1) A reprogramming shall be submitted to the Com-  
13 mittees in writing 30 days prior to implementation if—

14 (A) it exceeds \$1,000,000 individually or cumu-  
15 latively or results in a cumulative increase or de-  
16 crease of more than 10 percent of funds annually in  
17 any affected program, project, or activity;

18 (B) it is a reorganization; or

19 (C) it is an operating plan or any later modi-  
20 fication thereof as submitted under subsection (i) of  
21 this section: *Provided*, That such plan or modifica-  
22 tion thereof also meets any of the other criteria  
23 under subsection (c)(1) of this section.

24 (2) No funds shall be available for obligation or ex-  
25 penditure through a reprogramming until 30 days after

1 the receipt by the Committees of a notice of proposed re-  
2 programming.

3 (3) A reprogramming shall be considered approved 30  
4 days after receipt if the Committees have posed no objec-  
5 tion. However, agencies will be expected to extend the ap-  
6 proval deadline if specifically requested by either Com-  
7 mittee.

8 (d) EXCEPTIONS.—

9 (1) With regard to the tribal priority allocations of  
10 the Bureau of Indian Affairs, there is no restriction on  
11 reprogrammings among these programs. However, the Bu-  
12 reau shall report on all reprogrammings made during a  
13 given fiscal year no later than 60 days after the end of  
14 the fiscal year.

15 (2) With regard to the Environmental Protection  
16 Agency, State and Tribal Assistance Grants account, the  
17 Committees do not require reprogramming requests asso-  
18 ciated with States and Tribes Partnership Grants.

19 (e) ASSESSMENTS.—

20 (1) No assessment shall be levied or collected unless  
21 such assessment and the basis therefor are presented to  
22 the Committees in the budget justifications and are subse-  
23 quently approved by the Committees. The explanation for  
24 any assessment in the budget justification shall show the

1 amount of the assessment, the activities assessed, and the  
2 purpose of the funds.

3 (2) Proposed changes to estimated assessments, as  
4 such estimates were presented in annual budget justifica-  
5 tions, shall be submitted through the reprogramming proc-  
6 ess set out in this section and shall be subject to the same  
7 dollar and reporting criteria as any other reprogramming.

8 (3) Each department, agency or bureau that utilizes  
9 assessments shall submit an annual report to the Commit-  
10 tees which provides details on the use of all funds assessed  
11 from any other program, project, or activity.

12 (4) In no case shall contingency funds or assessments  
13 be used to finance agency actions disapproved or limited  
14 by the Congress.

15 (f) LAND ACQUISITIONS, EASEMENTS, AND  
16 FOREST LEGACY.—Lands shall not be acquired for  
17 more than the approved appraised value (as addressed in  
18 section 301(3) of Public Law 91–646), unless such acqui-  
19 sitions are submitted to the Committees for approval in  
20 compliance with these procedures.

21 (g) LAND EXCHANGES.—Land exchanges, where-  
22 in the estimated value of the Federal lands to be ex-  
23 changed is greater than \$1,000,000, shall not be con-  
24 summated until the Committees have had a 30-day period  
25 in which to examine the proposed exchange. In addition,

1 the Committees shall be provided advance notification of  
2 exchanges valued between \$500,000 and \$1,000,000.

3 (h) BUDGET STRUCTURE.—The program,  
4 project, and activity structure for any agency appropria-  
5 tion account shall not be altered without advance approval  
6 of the Committees.

7 (i) OPERATING PLANS.—Not later than 60 days  
8 after the date of enactment of this Act, each department  
9 or agency funded by this Act shall submit an operating  
10 plan to the Committees to establish the baseline for appli-  
11 cation of reprogramming for the current fiscal year. The  
12 operating plan shall include—

13 (1) a table for each appropriation with a separate col-  
14 umn to display the President's budget request, adjust-  
15 ments made by the Congress, enacted rescissions, if appro-  
16 priate, and the fiscal year enacted level;

17 (2) a delineation in the table for each appropriation  
18 by program, project, and activity for the respective appro-  
19 priation; and

20 (3) an identification of items of special congressional  
21 interest.

## 22 MINING APPLICATIONS

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



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

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

14 (c) REPORT.—On September 30, 2018, the Secretary  
15 of the Interior shall file with the House and Senate Com-  
16 mittees on Appropriations and the Committee on Natural  
17 Resources of the House and the Committee on Energy and  
18 Natural Resources of the Senate a report on actions taken  
19 by the Department under the plan submitted pursuant to  
20 section 314(c) of the Department of the Interior and Re-  
21 lated Agencies Appropriations Act, 1997 (Public Law  
22 104–208).

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

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

11 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

12 SEC. 405. Sections 405 and 406 of division F of the  
13 Consolidated and Further Continuing Appropriations Act,  
14 2015 (Public Law 113–235) shall continue in effect in fis-  
15 cal year 2017.

16 CONTRACT SUPPORT COSTS, FISCAL YEAR 2017

17 LIMITATION

18 SEC. 406. Amounts provided by this Act for fiscal  
19 year 2017 under the headings “Department of Health and  
20 Human Services, Indian Health Service, Contract Support  
21 Costs” and “Department of the Interior, Bureau of Indian  
22 Affairs and Bureau of Indian Education, Contract Sup-  
23 port Costs” are the only amounts available for contract  
24 support costs arising out of self-determination or self-gov-  
25 ernance contracts, grants, compacts, or annual funding  
26 agreements for fiscal year 2017 with the Bureau of Indian

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

6 FOREST MANAGEMENT PLANS

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

22 PROHIBITION WITHIN NATIONAL MONUMENTS

23 SEC. 408. No funds provided in this Act may be ex-  
24 pended to conduct preleasing, leasing and related activities  
25 under either the Mineral Leasing Act (30 U.S.C. 181 et  
26 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.

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

7  
8  LIMITATION ON TAKINGS

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

19  TIMBER SALE REQUIREMENTS

20          SEC. 410. No timber sale in Alaska's Region 10 shall  
21 be advertised if the indicated rate is deficit (defined as  
22 the value of the timber is not sufficient to cover all logging  
23 and stumpage costs and provide a normal profit and risk  
24 allowance under the Forest Service's appraisal process)  
25 when appraised using a residual value appraisal. The west-  
26 ern red cedar timber from those sales which is surplus

1 to the needs of the domestic processors in Alaska, shall  
2 be made available to domestic processors in the contiguous  
3 48 United States at prevailing domestic prices. All addi-  
4 tional western red cedar volume not sold to Alaska or con-  
5 tiguous 48 United States domestic processors may be ex-  
6 ported to foreign markets at the election of the timber sale  
7 holder. All Alaska yellow cedar may be sold at prevailing  
8 export prices at the election of the timber sale holder.

9 PROHIBITION ON NO-BID CONTRACTS

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

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

21 (2) such contract is authorized by the Indian  
22 Self-Determination and Education Assistance Act  
23 (Public Law 93–638, 25 U.S.C. 450 et seq.) or by  
24 any other Federal laws that specifically authorize a  
25 contract within an Indian tribe as defined in section  
26 4(e) of that Act (25 U.S.C. 450b(e)); or

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

### 3                           POSTING OF REPORTS

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

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

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

13           (2) the report contains proprietary information.

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

### 18                           NATIONAL ENDOWMENT FOR THE ARTS GRANT

#### 19   GUIDELINES

20          SEC. 413. Of the funds provided to the National En-  
21 dowment for the Arts—

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

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

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

13          NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

14    PRIORITIES

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

23          (b) In this section:

24                  (1) The term “underserved population” means  
25                  a population of individuals, including urban minori-  
26                  ties, who have historically been outside the purview

1 of arts and humanities programs due to factors such  
2 as a high incidence of income below the poverty line  
3 or to geographic isolation.

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

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

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

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



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

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

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

#### 12           STATUS OF BALANCES OF APPROPRIATIONS

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

#### 20           REPORT ON USE OF CLIMATE CHANGE FUNDS

21          SEC. 416. Not later than 120 days after the date on  
22          which the President's fiscal year 2018 budget request is  
23          submitted to the Congress, the President shall submit a  
24          comprehensive report to the Committees on Appropria-  
25          tions of the House of Representatives and the Senate de-

1 scribing in detail all Federal agency funding, domestic and  
2 international, for climate change programs, projects, and  
3 activities in fiscal years 2016 and 2017, including an ac-  
4 counting of funding by agency with each agency identi-  
5 fying climate change programs, projects, and activities  
6 and associated costs by line item as presented in the Presi-  
7 dent's Budget Appendix, and including citations and link-  
8 ages where practicable to each strategic plan that is driv-  
9 ing funding within each climate change program, project,  
10 and activity listed in the report.

11 PROHIBITION ON USE OF FUNDS

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

20 GREENHOUSE GAS REPORTING RESTRICTIONS

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

## 1                   MODIFICATION OF AUTHORITIES

2           SEC. 419. (a) Section 8162(m)(3) of the Department  
3 of Defense Appropriations Act, 2000 (40 U.S.C. 8903  
4 note; Public Law 106–79) is amended by striking “Sep-  
5 tember 30, 2016” and inserting “September 30, 2017”.

6           (b) For fiscal year 2017, the authority provided by  
7 the provisos under the heading “Dwight D. Eisenhower  
8 Memorial Commission—Capital Construction” in division  
9 E of Public Law 112–74 shall not be in effect.

## 10                   FUNDING PROHIBITION

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

## 16                   EXTENSION OF GRAZING PERMITS

17          SEC. 421. The terms and conditions of section 325  
18 of Public Law 108–108 (117 Stat. 1307), regarding graz-  
19 ing permits issued by the Forest Service on any lands not  
20 subject to administration under section 402 of the Federal  
21 Lands Policy and Management Act (43 U.S.C. 1752),  
22 shall remain in effect for fiscal year 2017.

## 23                   RECREATION FEE

24          SEC. 422. Section 810 of the Federal Lands Recre-  
25 ation Enhancement Act (16 U.S.C. 6809) is amended by

1 striking “September 30, 2017” and inserting “September  
2 30, 2018”.

3 STEWARDSHIP CONTRACTING AMENDMENTS

4 SEC. 423. Section 604(d) of the Healthy Forests Res-  
5 toration Act of 2003 (16 U.S.C. 6591c(d)) is amended—

6 (1) in paragraph (5), by adding at the end the  
7 following: “Notwithstanding section 2 of the Act of  
8 July 31, 1947 (commonly known as the Materials  
9 Act of 1947; 30 U.S.C. 602), the Director may enter  
10 into an agreement or contract under subsection  
11 (b).”; and

12 (2) in paragraph (7)—

13 (A) by striking “and the Director”; and

14 (B) by inserting “entered into by the  
15 Chief” after “contracts and agreements”.

16 FUNDING PROHIBITION

17 SEC. 424. (a) None of the funds made available in  
18 this Act may be used to maintain or establish a computer  
19 network unless such network blocks the viewing,  
20 downloading, and exchanging of pornography.

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

## 1                   DEFINITION OF FILL MATERIAL

2           SEC. 425. None of the funds made available in this  
3 Act or any other Act may be used by the Environmental  
4 Protection Agency to develop, adopt, implement, admin-  
5 ister, or enforce any change to the regulations in effect  
6 on October 1, 2012, pertaining to the definitions of the  
7 terms “fill material” or “discharge of fill material” for the  
8 purposes of the Federal Water Pollution Control Act (33  
9 U.S.C. 1251 et seq.).

## 10                   CLARIFICATION OF EXEMPTIONS

11           SEC. 426. Notwithstanding section 404(f)(2) of the  
12 Federal Water Pollution Control Act (33 U.S.C.  
13 1344(f)(2)), none of the funds made available by this Act  
14 may be used to require a permit for the discharge of  
15 dredged or fill material under the Federal Water Pollution  
16 Control Act (33 U.S.C. 1251 et seq.) for the activities  
17 identified in subparagraphs (A) and (C) of section  
18 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

## 19                   WATERS OF THE UNITED STATES

20           SEC. 427. None of the funds made available in this  
21 Act or any other Act for any fiscal year may be used to  
22 develop, adopt, implement, administer, or enforce any  
23 change to the regulations and guidance in effect on Octo-  
24 ber 1, 2012, pertaining to the definition of waters under  
25 the jurisdiction of the Federal Water Pollution Control

1 Act (33 U.S.C. 1251, et seq.), including the provisions of  
2 the rules dated November 13, 1986, and August 25, 1993,  
3 relating to said jurisdiction, and the guidance documents  
4 dated January 15, 2003, and December 2, 2008, relating  
5 to said jurisdiction.

6 HUNTING, FISHING, AND RECREATIONAL SHOOTING ON  
7 FEDERAL LAND

8 SEC. 428. (a) LIMITATION ON USE OF FUNDS.—  
9 None of the funds made available by this or any other  
10 Act for any fiscal year may be used to prohibit the use  
11 of or access to Federal land (as such term is defined in  
12 section 3 of the Healthy Forests Restoration Act of 2003  
13 (16 U.S.C. 6502)) for hunting, fishing, or recreational  
14 shooting if such use or access—

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

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

21 (b) TEMPORARY CLOSURES ALLOWED.—Notwith-  
22 standing subsection (a), the Secretary of the Interior or  
23 the Secretary of Agriculture may temporarily close, for a  
24 period not to exceed 30 days, Federal land managed by  
25 the Secretary to hunting, fishing, or recreational shooting

1 if the Secretary determines that the temporary closure is  
2 necessary to accommodate a special event or for public  
3 safety reasons. The Secretary may extend a temporary clo-  
4 sure for one additional 90-day period only if the Secretary  
5 determines the extension is necessary because of extraor-  
6 dinary weather conditions or for public safety reasons.

7 (c) AUTHORITY OF STATES.—Nothing in this section  
8 shall be construed as affecting the authority, jurisdiction,  
9 or responsibility of the several States to manage, control,  
10 or regulate fish and resident wildlife under State law or  
11 regulations.

12 LEAD TEST KIT

13 SEC. 429. None of the funds made available by this  
14 Act may be used to enforce regulations under sections  
15 745.84 and 745.86 of title 40, Code of Federal Regula-  
16 tions, or any subsequent amendments to such regulations,  
17 until the Administrator of the Environmental Protection  
18 Agency—

19 (1) publicizes Environmental Protection Agency  
20 recognition of a commercially available lead test kit  
21 that meets both criteria under section 745.88(c) of  
22 title 40, Code of Federal Regulations; or

23 (2) solicits public comment on alternatives to  
24 subpart E of part 745 of title 40, Code of Federal

1 Regulations, following the date of enactment of this  
2 Act.

3 FINANCIAL ASSURANCE

4 SEC. 430. None of the funds made available by this  
5 Act may be used to develop, propose, finalize, implement,  
6 enforce, or administer any regulation that would establish  
7 new financial responsibility requirements pursuant to sec-  
8 tion 108(b) of the Comprehensive Environmental Re-  
9 sponse, Compensation, and Liability Act of 1980 (42  
10 U.S.C. 9608(b)).

11 GHG NSPS

12 SEC. 431. None of the funds made available by this  
13 Act shall be used to propose, finalize, implement, or en-  
14 force—

15 (1) any standard of performance under section  
16 111(b) of the Clean Air Act (42 U.S.C. 7411(b)) for  
17 any new fossil fuel-fired electricity utility generating  
18 unit if the Administrator of the Environmental Pro-  
19 tection Agency's determination that a technology is  
20 adequately demonstrated includes consideration of  
21 one or more facilities for which assistance is pro-  
22 vided (including any tax credit) under subtitle A of  
23 title IV of the Energy Policy Act of 2005 (42 U.S.C.  
24 15961 et seq.) or section 48A of the Internal Rev-  
25 enue Code of 1986;



1           (2) any regulation or guidance under section  
2           111(b) of the Clean Air Act (42 U.S.C. 7411(b)) es-  
3           tablishing any standard of performance for emis-  
4           sions of any greenhouse gas from any modified or  
5           reconstructed source that is a fossil fuel-fired elec-  
6           tric utility generating unit; or

7           (3) any regulation or guidance under section  
8           111(d) of the Clean Air Act (42 U.S.C. 7411(d))  
9           that applies to the emission of any greenhouse gas  
10          by an existing source that is a fossil fuel-fired elec-  
11          tric utility generating unit.

#### 12          AVAILABILITY OF VACANT GRAZING ALLOTMENTS

13          SEC. 432. The Secretary of the Interior, with respect  
14          to public lands administered by the Bureau of Land Man-  
15          agement, and the Secretary of Agriculture, with respect  
16          to the National Forest System lands, shall make vacant  
17          grazing allotments available to a holder of a grazing per-  
18          mit or lease issued by either Secretary if the lands covered  
19          by the permit or lease or other grazing lands used by the  
20          holder of the permit or lease are unusable because of  
21          drought or wildfire, as determined by the Secretary con-  
22          cerned. The terms and conditions contained in a permit  
23          or lease made available pursuant to this section shall be  
24          the same as the terms and conditions of the most recent  
25          permit or lease that was applicable to the vacant grazing

1 allotment made available. Section 102 of the National En-  
2 vironmental Policy Act of 1969 (42 U.S.C. 4332) shall  
3 not apply with respect to any Federal agency action under  
4 this section.

5 PROTECTION OF WATER RIGHTS

6 SEC. 433. None of the funds made available in this  
7 or any other Act may be used to condition the issuance,  
8 renewal, amendment, or extension of any permit, approval,  
9 license, lease, allotment, easement, right-of-way, or other  
10 land use or occupancy agreement on the transfer of any  
11 water right, including sole and joint ownership, directly  
12 to the United States, or any impairment of title, in whole  
13 or in part, granted or otherwise recognized under State  
14 law, by Federal or State adjudication, decree, or other  
15 judgment, or pursuant to any interstate water compact.  
16 Additionally, none of the funds made available in this or  
17 any other Act may be used to require any water user to  
18 apply for or acquire a water right in the name of the  
19 United States under State law as a condition of the  
20 issuance, renewal, amendment, or extension of any permit,  
21 approval, license, lease, allotment, easement, right-of-way,  
22 or other land use or occupancy agreement.

23 LIMITATION ON STATUS CHANGES

24 SEC. 434. None of the funds made available by this  
25 Act shall be used to propose, finalize, implement, or en-

1 force any regulation or guidance under Section 612 of the  
2 Clean Air Act (42 U.S.C. 7671k) that changes the status  
3 from acceptable to unacceptable for purposes of the Sig-  
4 nificant New Alternatives Policy (SNAP) program of any  
5 hydrofluorocarbon used as a refrigerant or in foam blow-  
6 ing agents, applications or uses. Nothing in this section  
7 shall prevent EPA from approving new materials, applica-  
8 tions or uses as acceptable under the SNAP program.

9                   USE OF AMERICAN IRON AND STEEL

10       SEC. 435. (a)(1) None of the funds made available  
11 by a State water pollution control revolving fund as au-  
12 thorized by section 1452 of the Safe Drinking Water Act  
13 (42 U.S.C. 300j-12) shall be used for a project for the  
14 construction, alteration, maintenance, or repair of a public  
15 water system or treatment works unless all of the iron and  
16 steel products used in the project are produced in the  
17 United States.

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

24       (3) In this section, the term “produced in the United  
25 States” includes iron and steel products, regardless of

1 their country of origin, that are substantially transformed  
2 through manufacturing or processing in the United States  
3 into new and different products with a name, character,  
4 or use that is distinct from the original products.

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

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

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

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

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

1 by electronic means, including on the official public Inter-  
2 net Web site of the Environmental Protection Agency.

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

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

11 (f) For purposes of determining compliance with 33  
12 U.S.C. 1388 with respect to water pollution control revolv-  
13 ing funds, and 33 U.S.C. 3914 with respect to Water In-  
14 frastructure Finance and Innovation Act assistance, the  
15 term “produced in the United States” includes iron and  
16 steel products, regardless of their country of origin, that  
17 are substantially transformed through manufacturing or  
18 processing in the United States into new and different  
19 products with a name, character, or use that is distinct  
20 from the original products.

21 SOCIAL COST OF CARBON

22 SEC. 436. None of the funds made available by this  
23 or any other Act shall be used for the social cost of carbon  
24 (SCC) to be incorporated into any rulemaking or guidance  
25 document until a new Interagency Working Group (IWG)

1 revises the estimates using the discount rates and the do-  
2 mestic-only limitation on benefits estimates in accordance  
3 with Executive Order 12866 and OMB Circular A-4 as  
4 of January 1, 2015: *Provided*, That such IWG shall pro-  
5 vide to the public all documents, models, and assumptions  
6 used in developing the SCC and solicit public comment  
7 prior to finalizing any revised estimates.

8           LIMITATION ON USE OF FUNDS FOR DESIGNATED  
9                                   REPRESENTATIVES

10         SEC. 437. None of the funds made available by this  
11 or any other Act may be used to implement or enforce,  
12 or to require States to implement or enforce, the provi-  
13 sions of 40 CFR 170.311(b)(9) as published in the Fed-  
14 eral Register on November 2, 2015.

15                                   OZONE

16         SEC. 438. To implement the national ambient air  
17 quality standards for ozone published in the Federal Reg-  
18 ister on October 26, 2015 (80 Fed. Reg. 65292):

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

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

1 (3) each State shall submit the plan required by  
2 section 110(a)(1) of the Clean Air Act (42 U.S.C.  
3 7410(a)(1)) for the standards not later than October  
4 26, 2026;

5 (4) the standards shall not apply to the review  
6 and disposition of a preconstruction permit applica-  
7 tion required under part C or D of title I of the  
8 Clean Air Act (42 U.S.C. 7470 et seq.) if the Ad-  
9 ministrator or the State, local or tribal permitting  
10 authority, as applicable, has determined the applica-  
11 tion to be complete prior to the date of promulgation  
12 of final designations, or has published a public no-  
13 tice of a preliminary determination or draft permit  
14 before the date that is 60 days after the date of pro-  
15 mulgation of final designations; and

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

#### 21 METHANE EMISSIONS

22 SEC. 439. None of the funds made available by this  
23 Act shall be used to develop, propose, finalize, implement  
24 or enforce—

25 (1) any rule or guideline to address methane  
26 emissions from sources in the oil and natural gas

1 sector under Sections 111(b) or (d) of the Clean Air  
2 Act (42 U.S.C. 7411(b), 7411(d));

3 (2) any rule changing the term “adjacent” for  
4 purposes of defining “stationary source” and “major  
5 source” as applied to the oil and gas sector under  
6 the Clean Air Act; and

7 (3) proposed Draft Control Techniques Guide-  
8 lines for the Oil and Natural Gas Industry released  
9 September 18, 2015 (80 Fed. Reg. 56577 ).

#### 10 ROYALTY RATES

11 SEC. 440. None of the funds made available by this  
12 Act may be used to implement any changes to royalty  
13 rates or product valuation regulations under Federal coal,  
14 oil, and gas leasing programs.

#### 15 PROGRAM REVIEW

16 SEC. 441. (a) TERMINATION.—Secretarial Order  
17 3338, issued by the Secretary of the Interior on January  
18 15, 2016, shall have no force or effect on and after the  
19 earlier of—

20 (1) September 30, 2017; or

21 (2) the date of publication of notice under sub-  
22 section (b).

23 (b) PUBLICATION OF NOTICE.—The Secretary of the  
24 Interior shall promptly publish notice of the completion  
25 of the Programmatic Environmental Impact Statement di-  
26 rected to be prepared under that order.



1 NATIONAL GALLERY OF ART

2 SEC. 442. Section 6301(2) of title 40, United States  
3 Code, is amended—

4 (1) in the matter preceding subparagraph (A),  
5 by striking “The National Gallery of Art” and in-  
6 serting “(A) The National Gallery of Art”;

7 (2) by redesignating subparagraphs (A), (B),  
8 and (C) as clauses (i), (ii), and (iii), respectively;  
9 and

10 (3) by adding at the end the following new sub-  
11 paragraph:

12 “(B) All other buildings, service roads,  
13 walks, and other areas within the exterior  
14 boundaries of any real estate or land or interest  
15 in land (including temporary use) that the Na-  
16 tional Gallery of Art acquires and that the Di-  
17 rector of the National Gallery of Art determines  
18 to be necessary for the adequate protection of  
19 individuals or property in the National Gallery  
20 of Art and suitable for administration as a part  
21 of the National Gallery of Art.”.

22 SPENDING REDUCTION ACCOUNT

23 SEC. 443. The amount by which the applicable alloca-  
24 tion of new budget authority made by the Committee on  
25 Appropriations of the House of Representatives under sec-

1 tion 302(b) of the Congressional Budget Act of 1974 ex-  
2 ceeds the amount of proposed new budget authority is \$0.

3 This Act may be cited as the “Department of the In-  
4 terior, Environment, and Related Agencies Appropriations  
5 Act, 2017”.

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**[FULL COMMITTEE PRINT]**

Union Calendar No. \_\_\_\_\_

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R.** \_\_\_\_\_

[Report No. 114-\_\_\_\_\_] \_\_\_\_\_

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**A BILL**

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2017, and for other purposes.

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, 2016

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